
PREPARATION AND USE OF ACQUISITION, MODIFICATION,
AND TERMINATION REQUESTS
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PREPARATION AND USE OF ACQUISITION, MODIFICATION,
AND TERMINATION REQUESTS
General

1. GENERAL

1.1 Introduction. This supplement provides procedures for requesting contract acquisition actions by Bureau Contracting Officers. This instruction applies to all contract acquisition actions for which an Acquisition Request (AR) was placed initially to enter into a contract to fill a Bureau requirement. (See 19 BIAM Supplement 3).

1.2 Background. Bureau staff initiate Acquisition Requests (AR) for the contract acquisition of all supplies and services in excess of \$10 thousand, as well as for others outlined in Supplement 3.

Subsequent contractual actions (modifications, terminations) also require formal procedures to ensure a uniform and orderly management system for recording and tracking such requests as a part of the official contract file.

PREPARATION AND USE OF ACQUISITION, MODIFICATION,
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Policy

2. POLICY

The following situations will apply as requests for contract acquisition actions.

2.1 Acquisition Request (AR). See 19 BIAM Supplement 3 for information and guidance.

A. For each acquisition over \$10 thousand.

B. For each change to an AR which increases the scope of work under the proposed contract.

2.2 Modification Request (MR). See Illustration 1 for the format that is to be completed for this action. MR's shall not be used for new contractual efforts. Conditions under which MR's will be issued are, as follows:

A. For each modification to be issued under the "Changes" clause in an existing contract. The "Changes" clause permits changes within the general scope of the contract (e.g., specifications, method of shipment, place of delivery). A contractor cannot be held accountable for any specification "change" which has not been incorporated into the contract. Likewise, a contractor normally cannot be paid for tasks not specified in the contract.

B. For each modification of an existing contract which covers a change in accounting data due to incremental funding, adding funds to cover a cost growth, or due to increase/decrease in Government-furnished property.

2.3 Termination Request (TR). See Illustration 2 format for requesting such action to be used for each complete or partial termination of an existing Bureau contract, whether such termination is for default or for the convenience of the Bureau.

PREPARATION AND USE OF ACQUISITION, MODIFICATION,
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Procedures

3. PROCEDURES

3.1 General. AR's, MR's, and TR's may be prepared (the latter two by the original requesting activity) according to the instructions given in 19 BIAM Supplement 3 and in Illustrations 1 and 2 of this Supplement. Routing will be through the AR-designated surname approval process to the Contracting Officer. Procedures applicable to the initiation, commitment, and obligation of funds will follow the surname approval process for the AR. Incomplete AR's, MR's, and TR's will be returned to the requesting activity.

A. During the course of the preparation of these requirements, certain pre-established review actions are required. These reviews are considered part of the document preparation and the time required to accomplish these reviews will be considered in scheduling the release date of the document.

3.2 Specific. Prior to the preparation of a TR, the requesting activity proposing the contract termination should discuss the matter thoroughly with the Contracting Officer to ensure that the proposed termination is feasible and practicable. If an affirmative determination is made, the requesting activity may prepare a formal TR using the format of Illustration 2 and forward for approval to all program Codes included in the routing of the original AR. The formal TR and materials will then be submitted to the Contracting Officer for appropriate action.

A. After release, no changes will be made to the AR, MR, or TR. If the contents of an approved (released) AR, MR or TR require revision, a supplemental document will be issued. When it becomes necessary to cancel a previously issued AR, MR, or TR, written notification will be made by route slip comment and will include the reasons for the cancellation. Proposed changes or cancellation of AR's, MR's, or TR's will be authorized only by the Contracting Officer in consultation with the cognizant requesting activity. In certain instances of single-source acquisition, the Acquisition/Assistance Agreement Review Committee shall also be involved (See Supplement 2).

B. It is the responsibility of the AR, MR, or TR initiator to ensure that all the materials required to support the AR, MR, or TR are correct, complete, and forwarded with the AR, MR, or TR through the formal surname and approval process.

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FORMAT FOR PREPARING MODIFICATION REQUEST (MR)

Instructions. Do not use this MR format for new acquisitions. This format may be used to reflect an increased quantity of items or increased scope under the provision of an existing Bureau contract.

This MR format is to be prepared by the requesting activity and routed for surname approval to all program Codes included in the original AR.

The preparation of an MR is as follows, using this format. Entry items #1-5 shall correspond to the original AR entries.

1. Initiator of AR/MR. Enter full name, position title, applicable organization Code and room/telephone number of the Bureau employee who initiates the request.

2. Obligation Authority. State the appropriation symbol and Financial Code account number that apply to the acquisition.

3. Program. Enter the work program title and organizational unit.

4. Routing, Surname and Date.

Initiator:

Supervisor/Division Chief:

Program/Office Director:

Financial Management:

Contracting Officer:

This entry is self-explanatory and depicts the approval flow for Central Office acquisitions. Bureau field contracting activities shall substitute comparable organizational titles/elements.

5. Technical Representative. Enter the name, title, and room/telephone number of the Bureau technical representative who is assisting the Contracting Officer with necessary program details. In most cases, this person will be the AR initiator.

6. Dollar Amount of Contract. The amount committed to the original AR and any subsequent modifications, excluding the subject MR.
7. Planned Action Date. Insert planned date by which the modification action must be accomplished.
8. Contract/MR Number. Insert the number of the applicable document to be modified and the MR number.
9. Description of Modification. Provide a brief explanation of the purpose of the modification and describe the changes to be made.
10. Delivery. State changes (in detail) to be made in delivery requirements.
11. Remarks. Use as appropriate.
12. Specifications. State in detail any changes to be made in specifications, purchase descriptions, etc.
13. Funding. Enter the proposed dollar amount of the MR with the appropriate symbols and Financial Code account number that applies to this acquisition.
14. Attachments. Specify any attachments accompanying the MR.

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FORMAT FOR PREPARING TERMINATION REQUEST (TR)

Instructions. The format preparation of a TR is generally self-explanatory and will be initiated by the Bureau requesting activity being served by the contract. Any required clarification or specification should be obtained informally from the Contracting Officer. Specific questions are asked herein and answers shall be provided in as much detail as is feasible. TR's shall be identified by the contract numbers of the contract which will be wholly or partially terminated.

The preparation of a TR is as follows, using this format.

1. Date of TR. Self-explanatory.
 2. To. "Contracting Officer."
 3. From. Title of requesting activity manager recommending TR.
- "It is requested that the following contract be terminated to the extent indicated below:"
4. Contractor. Enter name and address.
 5. Contract Number. Self-explanatory.
 6. Date of Contract. Enter date of award.
 7. Type of contract. Enter whether fixed-price, cost reimbursable, etc.
 8. Termination to be effective. Enter specific date, or whether on receipt of notice from the Contracting Officer.
 9. Description of items. Enter the specific items covered by the subject contract.
 10. Dollar amount of contract. Enter the amounts for the original contract price, the increases/decreases due to modifications, and the adjusted total contract price as of date of TR.
 11. Type of termination. Specify if "Partial" (see Entry #13 below) or if "Complete" (the termination of all further work and shipments under the contract).

12. Accounting/Appropriation data for terminated items. Self-explanatory.
Refers to Financial Code sheet entries.
13. If a "Partial Termination" (Entry #11 above), the following data must be supplied: item number, description of material to be terminated, number of units, unit price (current), and extension. The total dollar value of terminated items shall be reported. (If "Complete" termination, leave blank)
14. Delivery Schedule. Specify if contractor's delivery is ahead of, on, or behind schedule.
15. Basis for Termination. If Termination For Convenience of the Government is requested and contract delivery date for any or all items to be terminated has passed, attach memo giving details as to why termination should be for convenience rather than for default.
- If Termination For Default, attach memo giving history of contractor's failure to deliver or to make satisfactory progress. Justification for default should include statements regarding any acts of the Bureau which may be considered as having contributed to contractor's delinquency.
16. Reason for termination. Specify in precise detail.
17. No-Cost Settlement. Indicate if contractor will probably accept such a settlement. Requesting activity shall not discuss this matter with the contractor.
18. Termination Action. Indicate if a telegram notice from the Contracting Officer is necessary.
19. Supplementary Data. Enter any additional remarks.
20. Attachments. Specify any attachments accompanying the TR.
21. Signatures. Enter names and signatures of AR initiator and Office Director for requesting activity recommending TR.