

Federal Acquisition Regulation

17.103

- 17.201 [Reserved]
- 17.202 Use of options.
- 17.203 Solicitations.
- 17.204 Contracts.
- 17.205 Documentation.
- 17.206 Evaluation.
- 17.207 Exercise of options.
- 17.208 Solicitation provisions and contract clauses.

Subpart 17.3 [Reserved]

Subpart 17.4—Leader Company Contracting

- 17.401 General.
- 17.402 Limitations.
- 17.403 Procedures.

Subpart 17.5—Interagency Acquisitions Under the Economy Act

- 17.500 Scope of subpart.
- 17.501 Definition.
- 17.502 General.
- 17.503 Determinations and findings requirements.
- 17.504 Ordering procedures.
- 17.505 Payment.

Subpart 17.6—Management and Operating Contracts

- 17.600 Scope of subpart.
- 17.601 Definition.
- 17.602 Policy.
- 17.603 Limitations.
- 17.604 Identifying management and operating contracts.
- 17.605 Award, renewal, and extension.

AUTHORITY: 40 U.S.C. 121(c); 10 U.S.C. chapter 137; and 42 U.S.C. 2473(c).

SOURCE: 48 FR 42231, Sept. 19, 1983, unless otherwise noted.

17.000 Scope of part.

This part prescribes policies and procedures for the acquisition of supplies and services through special contracting methods, including—

- (a) Multi-year contracting;
- (b) Options; and
- (c) Leader company contracting.

Subpart 17.1—Multiyear Contracting

SOURCE: 61 FR 39204, July 26, 1996, unless otherwise noted.

17.101 Authority.

This subpart implements Section 304B of the Federal Property and Ad-

ministrative Services Act of 1949 (41 U.S.C. 254c) and 10 U.S.C. 2306b and provides policy and procedures for the use of multiyear contracting.

17.102 Applicability.

For DoD, NASA, and the Coast Guard, the authorities cited in 17.101 do not apply to contracts for the purchase of supplies to which 40 U.S.C. 759 applies (information resource management supply contracts).

17.103 Definitions.

As used in this subpart—

Cancellation means the cancellation (within a contractually specified time) of the total requirements of all remaining program years. Cancellation results when the contracting officer

(1) Notifies the contractor of non-availability of funds for contract performance for any subsequent program year, or

(2) Fails to notify the contractor that funds are available for performance of the succeeding program year requirement.

Cancellation ceiling means the maximum cancellation charge that the contractor can receive in the event of cancellation.

Cancellation charge means the amount of unrecovered costs which would have been recouped through amortization over the full term of the contract, including the term canceled.

Multiyear contract means a contract for the purchase of supplies or services for more than 1, but not more than 5, program years. A multiyear contract may provide that performance under the contract during the second and subsequent years of the contract is contingent upon the appropriation of funds, and (if it does so provide) may provide for a cancellation payment to be made to the contractor if appropriations are not made. The key distinguishing difference between multiyear contracts and multiple year contracts is that multiyear contracts, defined in the statutes cited at 17.101, buy more than 1 year's requirement (of a product or service) without establishing and having to exercise an option for each program year after the first.

Nonrecurring costs means those costs which are generally incurred on a one-