

Office of Personnel Management

2152.370

RENEWAL AND TERMINATION (OCT 2005)

(a) This contract renews automatically each October 1st, unless written notice of termination is given by the Contractor not less than 60 calendar days before the renewal date.

(b) This contract may be terminated by OPM at any time in accordance with FAR part 49 and FAR 52.249-8 for default by the Contractor. This contract terminates at the end of the grace period if the Government does not fund the LOC account for any of the premium due to the Contractor (see LIFAR 2149.002(a)(2)). However, the Contractor and OPM may agree to continue the contract. In addition, the Contractor agrees to reinstate the contract if termination (1) arose out of the Government's inadvertent failure to fund the LOC account for the amount of the premium payment prior to the expiration of the grace period as defined in LIFAR 2102.101, and/or (2) was due to circumstances beyond the Government's control, provided that the LOC account is funded in the amount of the premium payment due to the Contractor within 5 days after the expiration of the grace period. In the event of such reinstatement, OPM will equitably adjust the payments due under the contract to compensate the Contractor for any increased costs of performance that result from the Government's failure to fund the LOC account prior to the expiration of the grace period and/or such reinstatement.

(c) This contract may be terminated for convenience of the Government 60 days after the Contractor's receipt of OPM's written notice of termination.

(d) Upon termination of the contract for Contractor's default or OPM's convenience, the Contractor agrees to assist OPM with an orderly and efficient transition to a successor in accordance with LIFAR 2137.102, LIFAR 2137.110, and the provisions of the "Continuity of Services" clause at 2152.237-70. The Contractor is not required to con-

tinue performance subsequent to OPM's failure to fund the LOC account for premiums due under paragraph (b) of this clause.

(e) After receipt of a termination notice, the prime Contractor shall, unless directed otherwise by the Contracting Officer, terminate all subcontracts to the extent that they relate to the performance of the FEGLI Program contract. The failure of the prime Contractor to include an appropriate termination clause in any subcontract, or to exercise the clause rights, shall not affect the Contracting Officer's right to require the termination of the subcontract; or increase the obligation of the Government beyond what it would have been if the subcontract had contained an appropriate clause.

(End of clause)

[58 FR 40381, July 28, 1993, as amended at 70 FR 41157, July 18, 2005]

Subpart 2152.3—Provision and Clause Matrix

2152.370 Use of the matrix.

(a) The matrix in this section lists the FAR and LIFAR clauses to be used with the FEGLI Program contract. The clauses are to be incorporated in the contract in full text.

(b) Certain contract clauses are mandatory for FEGLI Program contracts. Other clauses are to be used only when made applicable by pertinent sections of the FAR or LIFAR. An "M" in the "Use Status" column indicates that the clause is mandatory. An "A" indicates that the clause is to be used only when the applicable conditions are met.

FEGLI PROGRAM CLAUSE MATRIX

| Clause No. | Text reference | Title | Use status |
|---------------------|--------------------|---|------------|
| FAR 52.202-1 | FAR 2.201 | Definitions | M |
| FAR 52.203-3 | FAR 3.202 | Gratuities | M |
| FAR 52.203-5 | FAR 3.404 | Covenant against Contingent Fees | M |
| FAR 52.203-6 | FAR 3.503-2 | Restrictions on Subcontractor Sales to the Government. | M |
| FAR 52.203-7 | FAR 3.502-3 | Anti-Kickback Procedures | M |
| FAR 52.203-12 | FAR 3.808 | Limitation on Payments to Influence Certain Federal Transactions. | M |
| 2152.203-70 | 2103.571 | Misleading, deceptive, or unfair advertising | M |
| 2152.204-70 | 2104.9001 | Taxpayer Identification Number | M |
| FAR 52.209-6 | FAR 9.409(b) | Protecting the Government's Interest when Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment. | M |
| 2152.209-71 | 2109.409(b) | Certification regarding debarment, suspension, proposed debarment and other responsibility matters. | M |
| 2152.210-70 | 2110.7004(a) | Investment income | M |
| 2152.210-71 | 2110.7004(b) | Notice of significant events | M |

FEGLI PROGRAM CLAUSE MATRIX—Continued

| Clause No. | Text reference | Title | Use status |
|---------------|-----------------------|--|------------|
| FAR 52.215-2 | FAR 15.209(b) | Audit and Records—Negotiation | M |
| FAR 52.215-10 | FAR 15.408(b) | Price Reduction for Defective Cost or Pricing Data | M |
| FAR 52.215-12 | FAR 15.408(d) | Subcontractor Cost or Pricing Data | M |
| FAR 52.215-15 | FAR 15.408(g) | Pension Adjustments and Asset Reversions | M |
| FAR 52.215-16 | FAR 15.408(h) | Facilities Capital Cost of Money | M |
| FAR 52.215-17 | FAR 15.408(i) | Waiver of Facilities Capital Cost of Money | A |
| FAR 52.215-18 | FAR 15.408(j) | Reversion or Adjustment of Plans for Postretirement Benefits (PRB) other than Pensions. | A |
| 2152.215-70 | 2115.071 | Contractor records retention | M |
| 2152.216-70 | 2116.270-1(a) | Fixed price with limited cost redetermination—risk charge. | A |
| 2152.216-71 | 2116.270-1(b) | Fixed price with limited cost redetermination—service charge. | A |
| FAR 52.219-8 | FAR 19.708(a) | Utilization of Small Business Concerns | M |
| FAR 52.222-1 | FAR 22.103-5(a) | Notice to the Government of Labor Disputes | M |
| FAR 52.222-3 | FAR 22.202 | Convict Labor | M |
| FAR 52.222-4 | FAR 22.305 | Contract Work Hours and Safety Standards Act—Overtime Compensation. | M |
| FAR 52.222-21 | FAR 22.810(a)(1) | Prohibition of Segregated Facilities | M |
| FAR 52.222-22 | FAR 22.810(a)(2) | Previous Contracts and Compliance Reports | M |
| FAR 52.222-25 | FAR 22.810(d) | Affirmative Action Compliance | M |
| FAR 52.222-26 | FAR 22.810(e) | Equal Opportunity | M |
| FAR 52.222-29 | FAR 22.810(g) | Notification of Visa Denial | A |
| FAR 52.222-35 | FAR 22.1310(a)(1) | Equal Opportunity for Special Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans. | M |
| FAR 52.222-36 | FAR 22.1408(a) | Affirmative Action for Workers with Disabilities | M |
| FAR 52.222-37 | FAR 22.1310(b) | Employment Reports on Special Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans. | M |
| FAR 52.223-6 | FAR 23.505 | Drug-Free Workplace | M |
| 2152.224-70 | 2124.104-70 | Confidentiality of records | M |
| FAR 52.227-1 | FAR 27.201-2(a) | Authorization and Consent | M |
| FAR 52.227-2 | FAR 27.202-2 | Notice and Assistance regarding Patent and Copyright Infringement. | A |
| FAR 52.228-7 | FAR 28.311-1 | Insurance—Liability to Third Persons | M |
| 2152.231-70 | 2131.270 | Accounting and allowable cost | M |
| FAR 52.232-9 | FAR 32.111(c)(2) | Limitation on Withholding of Payments | M |
| FAR 52.232-17 | FAR 32.617(a) and (b) | Interest | M |
| FAR 52.232-23 | FAR 32.806(a)(1) | Assignment of Claims | A |
| FAR 52.232-33 | FAR 32.1110(a)(1) | Payment by Electronic Funds Transfer—Central Contractor Registration. | M |
| 2152.232-70 | 2132.171 | Payments | M |
| 2152.232-71 | 2132.772 | Non-commingling of FEGLI Program funds | M |
| 2152.232-72 | 2132.806 | Approval for assignment of claims | M |
| FAR 52.233-1 | FAR 33.215 | Disputes (Alternate I) | M |
| 2152.237-70 | 2137.110 | Continuity of services | M |
| FAR 52.242-1 | FAR 42.802 | Notice of Intent to Disallow Costs | M |
| FAR 52.242-3 | FAR 42.709-6 | Penalties for Unallowable Costs | M |
| FAR 52.242-13 | FAR 42.903 | Bankruptcy | M |
| 2152.243-70 | 2143.205 | Changes | M |
| FAR 52.244-5 | FAR 44.204(c) | Competition in Subcontracting | M |
| 2152.244-70 | 2144.204 | Subcontracts | M |
| FAR 52.245-2 | FAR 45.106(b)(1) | Government Property (Fixed-Price Contracts) | M |
| FAR 52.246-4 | FAR 46.304 | Inspection of Services—Fixed Price | M |
| FAR 52.246-25 | FAR 46.805 | Limitation of Liability—Services | M |
| 2152.246-70 | 2146.270-1 | Quality assurance requirements | M |
| FAR 52.247-63 | FAR 47.405 | Preference for U.S.-Flag Air Carriers | M |
| FAR 52.249-2 | FAR 49.502(b)(1)(i) | Termination for Convenience of the Government (Fixed-Price). | M |
| FAR 52.249-8 | FAR 49.504(a)(1) | Default (Fixed Price Supply and Service) | M |
| FAR 52.249-14 | FAR 49.505(d) | Excusable Delays | M |
| 2152.249-70 | 2149.505-70 | Renewal and termination | M |
| FAR 52.251-1 | FAR 51.107 | Government Supply Sources | A |
| FAR 52.252-4 | FAR 52.107(d) | Alterations in Contract | M |
| FAR 52.252-6 | FAR 52.107(f) | Authorized Deviations in Clauses | M |

Office of Personnel Management

2152.370

[58 FR 40381, July 28, 1993, as amended at 70
FR 41157, July 18, 2005]