

SUBPART 5833.2 - DISPUTES AND APPEALS

Parent topic: PART 5833 - PROTESTS, DISPUTES, AND APPEALS

5833.204 Policy

Contracting Officers (KO) shall try to resolve all contractual issues in controversy by mutual agreement prior to or after receipt of a claim. KOs may use Alternative Dispute Resolution (ADR) IAW FAR 33.214 or negotiate a settlement agreement to settle a controversy by mutual agreement.

(S-90) Settlements. The contracting officer must coordinate with legal counsel, a DITCO Cost/Price Analyst, the CoCO, and the HCO on proposed ADR or settlement agreements. Mutual agreements with a contractor may be finalized in a bi-lateral modification. Mutual agreements that change contract price, quantity or level of effort shall be finalized in a bi-lateral modification.

5833.206 Initiation of a Claim

Upon receipt of a claim, the contracting officer shall immediately advise the CoCO, HCO, and legal counsel.

5833.211 Contracting Officer's Decision

(a) The KO shall make a final decision on any claim by or against a contractor regarding a claim that is not resolved by mutual agreement IAW FAR 33.211. KOs must coordinate with legal counsel and the CoCO and HCO prior to issuing a KO final decision.