

Termination of Contract SOP

As per Office of General Counsel

To Terminate an agreement that has been executed in TCM, the department must complete the attached Contract Termination Decision Checklist and the Termination Letter Template. Instruct the department that they need to forward the documents to Vilma Mesa in OGC for her review and approval. Once she responds the department can send the Termination Letter to the vendor and attach it into the attachments before they terminate the agreement in TCM.

Contract Termination Decision Questionnaire

1. Contract details:

- a. Vendor Name:
- b. Contract #:
- c. Please describe the goods/services that are provided for under the Contract:

2. Termination Details:

- a. What factors, circumstances or conditions indicate that termination may be necessary?
- b. What alternatives, if any, are there to termination?
- c. What termination options are available to you? *Please review the contract to make such determination. If you are unable to determine your options, please detail that below.*
- d. What type of termination are you requesting? *(e.g., for cause or for convenience)*

3. Vendor's Current Status:

- a. Are there any outstanding invoices? If so, please provide detail below.
- b. Have the goods/services been completed? If they have not been completed, please detail any outstanding obligations.
- c. Are there any outstanding obligations that FIU owes to the Vendor, financial or otherwise?

4. Effect of the termination on FIU:

- a. Has the department manager approved this termination?
- b. Who has an interest in or would be affected by a termination? *(e.g., other units/departments, students, faculty, etc.)*
- c. What potential/actual costs would FIU incur if we were to terminate the contract?
- d. Would we need to replace the Vendor's goods/services?
- e. If we would need to replace the Vendor, do we have the replacement goods/services lined up and arranged? Have they been approved by Procurement?

5. Other:

- a. Please detail any other factors that are not detailed above:

****If the Contract is not uploaded in TCM (including any and all renewals, amendments, addendums and exhibits), please include such Contract documents with this submission****



(Date)

VIA E-MAIL AND CERTIFIED MAIL,
RETURN RECEIPT REQUESTED

(Vendor Contact Name and Title)

(Vendor Name)

(Vendor Address)

(Vendor Address)

(Via email to (Vendor Contact Email Address))

RE: Termination of Agreement with Florida International University for (Competitive Solicitation # or Description of Contract)

Dear (Vendor Contact Name):

The Florida International University Board of Trustees (“FIU”) and (Vendor Name) entered into that certain Agreement dated (Date contract was executed) in association with (Competitive Solicitation #, if applicable), as amended by that certain Amendment One dated (Date of Amendment, if applicable); as renewed by that certain Renewal dated (Date of Renewal, if applicable), and further renewed by that Renewal dated (Date of Second Renewal, if applicable) (collectively, the “Agreement”). Pursuant to (Section # in Agreement) of the (Agreement/Renewal/Amendment - as applicable) dated (Date of Referenced Agreement), this letter serves as the University’s formal thirty (30) day advance, written notice of termination of the Agreement. The effective date of termination shall be (Date of Termination).

Respectfully,

Name

Title

JC:(Initials of Person Drafting Letter)

L-(Letter #)

c: (Name and Title, if applicable)

OFFICE OF THE GENERAL COUNSEL

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