

**(Appendix 2 – Colorado NRCS Contract Termination Documentation Worksheet)**  
**Colorado NRCS Programs Contract Termination Documentation Worksheet**  
 Internal Agency Case File Documentation

**Instructions:**

A contract is subject to termination as a result of a material breach of the terms and conditions included in the Conservation Program Contract (CPC). Termination is initiated by NRCS. Refer to CPM 515.57-58 for further guidance. If contract termination is determined to be the appropriate remedy, use the following worksheet to document the justification and actions taken. This document becomes a part of the case file.

Client: \_\_\_\_\_ Program:  EQIP  WHIP  
 Contract Number: \_\_\_\_\_ Date of Appendix \_\_\_\_\_

**1) Check (✓) all that apply**

- 1  NRCS has documented appropriate effort to resolve breach of contract issues per policy such as annual contract reviews, certified letters, offer of technical services, and termination is the only remaining remedy available.  
 2  Program payments have not been made through this contract.  
 3  Program payments have been made for the total amount of: \$ \_\_\_\_\_  
 4  Installed practices meet conservation program requirements and provide functional benefit(s) as installed.  
 5  Installed practices will not function without support of additional practice components which have not been installed.  
 6

**2) Check (✓) reason that applies and applicable year of contract (from ProTracts) at time of participant's request.**

Contract Termination Liquidated Damages Cost Recovery Decision Matrix*		1st Year	2nd Year	3rd Year	4th+ Year
14	Agency error or omission	0%	0%	0%	0%
15	Termination is due to non-compliance with contract provisions	7.5%	15%	18%	20%
16	Termination is due to fraud	7.5%	15%	18%	20%
17	Practices installed with cost share have not been maintained or have been destroyed	7.5%	15%	18%	20%
18	Release from the contract is requested, but no supporting documentation is provided or supporting documentation does not meet the requirements above	7.5%	15%	18%	20%
19	Involuntary loss of control of property beyond the control of the participant without justification and has not requested cancellation	7.5%	15%	18%	20%
20	Program participant voluntarily transfers ownership without successor in interest or otherwise loses control of land under contract and has not requested cancellation	7.5%	15%	18%	20%
21	Participant violates terms of the contract. Includes failure to install according to contract schedule, failure to install, operate or maintain to practice design standards or other agreed to terms of the program contract.	7.5%	15%	18%	20%
22	Participant's actions pose a threat to the health and safety of NRCS employees.	20.0%	20%	20%	20%
23	Participant fails to allow access to property under contract or refuses to allow completion or participate in required program contract reviews.	20.0%	20%	20%	20%
24	Program participant is non-responsive	7.5%	15%	18%	20%
25	<b>Participant is determined to:</b> • Adopted any scheme or device to defeat the program purpose of other fraudulent representation • Knowingly misrepresented any fact affecting program determination or eligibility requirement	20.0%	20%	20%	20%
26	Other situation approved by the Program Manager	7.5%	15%	18%	20%

\* Area Conservationist has the authority to modify these percentages based on specific situations