

## 49.110 Settlement negotiation memorandum.

(a) The TCO *shall*, at the conclusion of negotiations, prepare a settlement negotiation memorandum describing the principal elements of the settlement for inclusion in the termination case file and for use by reviewing authorities. *Pricing* aspects of the settlement *shall* be documented in accordance with [15.406-3](#). The memorandum *shall* be distributed in accordance with [15.406-3](#).

(b) If the settlement was negotiated on the basis of individual items, the TCO *shall* specify the factors considered for each item. If the settlement was negotiated on an overall lump-sum basis, the TCO need not evaluate each item or group of items individually, but *shall* support the total amount of the recommended settlement in reasonable detail. The memorandum *shall* include explanations of matters involving differences and doubtful questions settled by agreement, and the factors considered. The TCO *should* include any other matters that will assist reviewing authorities in understanding the basis for the settlement.

**Parent topic:** [Subpart 49.1 - General Principles](#)