

**Class Deviation for Federal Acquisition Regulation Part 13 in accordance with Executive Order 14275, “Restoring Common Sense to the Federal Procurement”  
(2026-0012)**

**1. Purpose:** To issue a class deviation to Federal Acquisition Regulation (FAR) Part 13 for purposes of implementing the FAR Council’s model deviation text to FAR Part 13.

**2. Effective Date:** Immediately.

**3. Expiration Date:** Expires when the FAR Council’s model deviation text to FAR Part 13 is incorporated into the FAR or this class deviation is otherwise rescinded.

**4. Background:** On April 15, 2025, the [Executive Order \(EO\) 14275, Restoring Common Sense to Federal Procurement](#), was signed. Section 2 of the EO establishes the policy that the FAR “should only contain provisions required by statute or essential to sound procurement, and any FAR provisions that do not advance these objectives should be removed.”

The FAR is being updated to:

- Remove language that is not required by statute
- Remove duplicative or outdated language
- Clarify or provide more plain language
- Revise language for the new FAR framework
- Retain language necessary for governmentwide acquisition standards.

This project is referred to as the Revolutionary FAR Overhaul (RFO) initiative.

**5. Summary of Changes:** FAR Part 13 is renamed from “Simplified Acquisition Procedures” to “Simplified Procedures for Non-commercial Acquisitions”. The part has been significantly changed:

- From a focus on: Simplified procedures for the acquisition of commercial products and commercial services
- To a focus on: Simplified procedures for the acquisition of non-commercial products and services valued at or below the simplified acquisition threshold (SAT).

The procedures in this part may be used only if:

- There are no commercial products or commercial services that can satisfy the agency’s needs (see RFO Part 12)
- The supplies or services are not available from a required source (see RFO Part 8)

It’s important to note that some statutory text and other text essential to support sound procurement has been or will be moved to other RFO FAR parts, to include:

- Definition of governmentwide commercial purchase card (RFO Part 2)
- Simplified procedures for procuring commercial items (RFO Part 12)
- Price or cost evaluation factor for multiple-award contracts (RFO Part 16)
- Advance payments for subscriptions and fast payment procedures (RFO Part 32).

Statutory requirements retained in the RFO FAR Part 12 model deviation include, but are not limited to, the following:

- 41 U.S.C. §§ 1901-1905, Simplified Acquisition Procedures
- 41 U.S.C. § 3305 and 10 U.S.C. § 3205, Simplified Procedures for Small Purchases
- 41 U.S.C. § 3306 and 10 U.S.C. § 3206, Planning and Solicitation Requirements

Change	Descriptions
<p><b>Retained, New &amp; Revised</b></p>	<ul style="list-style-type: none"> <li>• 13.001, “Applicability”, retains the prohibition on splitting requirements to stay below the SAT.</li> <li>• 13.101, “Competition”, retains the requirement that agencies must promote competition to the maximum extent practicable when procuring noncommercial products and services valued at or below the SAT.</li> <li>• 13.102, “Small Business”, retains the requirement that acquisitions of supplies or services with an anticipated dollar value above the MPT, but at or below the SAT, must be set aside for small business concerns.</li> <li>• 13.301, “Notifications”, consolidates instructions for notifying unsuccessful quoters. It retains award notice posting requirements of FAR subpart 5.3 and brief explanations.</li> <li>• 13.302, “Cancellations and Terminations”, provides a clear distinction between canceling an unaccepted purchase order and terminating an accepted purchase order and directs the contracting officer to FAR Part 49 or clause 52.213-4 for terminations.</li> <li>• The revised part structure now reflects the acquisition lifecycle:               <ul style="list-style-type: none"> <li>○ Subpart 13.1 – Presolicitation</li> <li>○ Subpart 13.2 - Solicitation, Evaluation, and Award</li> <li>○ Subpart 13.3 - Postaward</li> <li>○ Subpart 13.4 - Micro-purchases</li> </ul> </li> <li>• The lengthy list of inapplicable laws in former 13.005 is moved to a dynamic link, now at 13.001 (<a href="https://www.acquisition.gov/inapplicablelaws">https://www.acquisition.gov/inapplicablelaws</a>). This is a significant modernization, ensuring the regulation points to a continuously updated official source rather than a static list that could become outdated.</li> <li>• The definition of “governmentwide commercial purchase card” is moved from the former 13.001, “Definitions”, to section 2.101.</li> <li>• 13.201, “Procedures”, and 13.202, “Evaluation”, cross reference part 12. This cross-referencing achieves several goals. It promotes consistency in government procurement practices, reducing the need for contracting officers to master two distinct sets of procedures for simple buys and leverages the best practices in commercial acquisitions.</li> <li>• 13.204, “Contract Clauses”, authorizes the use of the revised clause 52.213-4 for a streamlined set of terms and conditions for inspection/acceptance, excusable delays, terminations, and warranties.</li> </ul>

	<ul style="list-style-type: none"> <li>○ The primary clause for noncommercial simplified acquisitions, 52.213-4, has been retitled and revised. The title is changed from “Terms and Conditions—Simplified Acquisitions (Other Than Commercial Products and Commercial Services)” to “Terms and Conditions—Simplified Acquisitions (Noncommercial)” to align with the new focus of Part 13.</li> <li>○ 13.204(c) explicitly prohibits the use of part 12 clauses (52.212-1, 52.212-2, and 52.212-4) in noncommercial acquisitions</li> <li>● 13.303, “Contractor Financing and Payments”, now directs readers to part 32 for payment procedures, including fast payment procedures.</li> <li>● 13.401, “General”, for micropurchases, now points to part 12 when making purchases below the micropurchase threshold (MPT) ensuring that the simplest and most common type of acquisition is governed by a single, consistent set of rules, regardless of whether the item is commercial or noncommercial.</li> </ul>
<b>Removed</b>	<ul style="list-style-type: none"> <li>● A significant amount of content has been streamlined, and removed from part 13 and shifted to other parts of the FAR as highlighted in the summary of changes above the table.</li> <li>● The following clauses were deleted: <ul style="list-style-type: none"> <li>○ 52.213-1, Fast payments procedures will be covered in part 32.ucts and Commercial Services</li> <li>○ 52.213-2, Invoices. General payment procedures will be covered in part 32</li> <li>○ 52.213-3, Notice to Supplier. The streamlined procedures and the general principles of offer and acceptance are deemed adequate without this specific clause</li> </ul> </li> </ul>

The preceding table is not an exhaustive list.

**6. Required Action:** The CFPB acquisition workforce shall follow the RFO Part 13 model deviation text instead of FAR Part 13 as codified at 48 CFR Chapter 1. The Council’s RFO Part 13 model deviation text is available at [Acquisition.gov/far-overhaul](https://www.acquisition.gov/far-overhaul) and is incorporated into this class deviation. The CFPB acquisition workforce shall also use the definitions (Part 2 – Definitions of Words and Terms) found on [Acquisition.gov/far-overhaul](https://www.acquisition.gov/far-overhaul).

For new solicitations or contracts, when using any provisions or clauses that have been revised, utilize the RFO model deviation text language at RFO FAR Part 52 available at [Acquisition.gov/far-overhaul](https://www.acquisition.gov/far-overhaul).

For open solicitations or awarded contracts, the contracting officer has discretion regarding the need to enforce or amend the provisions or clauses. Note that without some of the removed provisions or clauses, the contracting officer may be required to separately address certain aspects in the contract.

Review templates and related standard operating procedures to align with this class deviation and remove unnecessary processes and steps.

**7. Applicability:** This class deviation applies to all CFPB procurements.

**8. Authority:** This deviation is issued under the authority of Executive Order 14275, OMB Memo M-25-26, 48 CFR 1.4 and RFO FAR 1.304.

**9. Point of Contact:** If you have any questions, please contact Vanessa del Toro, Supervisory Contracting Officer, at [vanessa.deltoro@cfpb.gov](mailto:vanessa.deltoro@cfpb.gov).

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