

**Class Deviation for Federal Acquisition Regulation Part 15 in accordance with Executive Order 14275, “Restoring Common Sense to the Federal Procurement” (2026-0014)**

**1. Purpose:** To issue a class deviation to Federal Acquisition Regulation (FAR) Part 15 for purposes of implementing the FAR Council’s model deviation text to FAR Part 15.

**2. Effective Date:** Immediately.

**3. Expiration Date:** Expires when the FAR Council’s model deviation text to FAR Part 15 is incorporated into the FAR or this class deviation is otherwise rescinded.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- Remove duplicative or outdated language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 15, *Contract by Negotiation*, is restructured and has significant changes to address long-term pain points for Government and Industry..

Key new improvements and flexibilities to Part 15 include:

- **Logical Flow:** The new framework replaces a topic-based structure with a more intuitive flow based on the acquisition life-cycle.
- **Consolidation:** Concepts that were previously fragmented are now unified creating a more cohesive framework.
- **Core Vocabulary Changes:** Key terms are defined and standardized.
  - The term “discussions” is replaced with “negotiations.” The term “communications,” in the context of competitive range establishment, has been eliminated. The term “deficiency” is redefined.

- The use of “clarifications” now includes robust guidelines for its application. Clarifications permit minor corrections but do not allow for proposal revision and cannot be used to cure proposal deficiencies or material omissions. The scope of permissible clarifications was expanded to include coverage that was previously limited to “communications” before establishing the competitive range. Clarifications may be conducted at any time after receipt of proposals through contract award irrespective of whether a competitive range has been established.
- **Updated Rules of Engagement:** Contracting officers must negotiate with each responsible offeror within the competitive range and may further negotiate with the offerors as needed. Having further negotiations with one offeror does not require the contracting officer to have further negotiations with other offerors. The deviation text provides guidance on industry communication through early exchanges and debriefing.
- **Redefined Competitive Range:** The competitive range is now clearly defined as “the group of evaluated proposals that the contracting officer determines are best suited for further negotiation” instead of “all of the most highly rated proposals”.
- **Enhanced Clarity:** The text has been revised for greater clarity. It employs more direct language and introduces explicit subheadings for complex topics.

Statutory requirements retained in the RFO FAR Part 15 model deviation include, but may not be limited to, the following:

- 6 U.S.C. § 394, Unsolicited Proposals
- 10 U.S.C. § 3206 and 41 U.S.C. § 3306(c), Evaluation Factors
- 10 U.S.C. §§ 3301 et seq and 41 U.S.C. §§ 3701 et seq, Awarding of Contracts
- 10 U.S.C. §§ 3701 et seq and 41 U.S.C. §§ 3501 et seq, Truth in Negotiations Act
- 41 U.S.C. § 2102, Prohibitions on Disclosing and Obtaining Procurement Information

Change	Description
<b>Retained</b>	<ul style="list-style-type: none"> <li>● Part 15 continues to be the part primarily used for establishing <b>negotiated contracts when using a request for proposal (RFP)</b>.</li> <li>● The following <b>provision and clauses</b> are retained (or remain reserved) with no changes: <ul style="list-style-type: none"> <li>○ 52.215-4 remains reserved</li> <li>○ 52.215-7 remains reserved</li> <li>○ 52.215-9 (Clause), Changes or Additions to Make-or-Buy Program</li> <li>○ 52.215-10 (Clause), Price Reduction for Defective Certified Cost or Pricing Data</li> <li>○ 52.215-14 (Clause), Integrity of Unit Prices</li> <li>○ 52.215-16 (Provision), Facilities Capital Cost of Money</li> <li>○ 52.215-17 (Clause), Waiver of Facilities Capital Cost of Money</li> <li>○ 52.215-24 through 52.215-42 remain reserved</li> </ul> </li> </ul>
<b>Moved/Updated</b>	<ul style="list-style-type: none"> <li>● <b>The part structure is revised from six subparts to five:</b> <ul style="list-style-type: none"> <li>○ Subpart 15.1 - Presolicitation and Solicitation</li> <li>○ Subpart 15.2 - Evaluation and Award</li> <li>○ Subpart 15.3 - Postaward</li> <li>○ Subpart 15.4 - Contract Pricing</li> <li>○ Subpart 15.5 - Unsolicited Proposals</li> </ul> </li> <li>● 15.000, “<b>Scope</b>”, is updated to emphasize that the procedures in the part <b>provide an opportunity for back-and-forth negotiation</b> between the Government and an offeror(s) upon receipt of a proposal submitted in response to an RFP.</li> <li>● 15.001 “<b>Definitions</b>”, updates two of the four definitions: <ul style="list-style-type: none"> <li>○ “<b>Deficiency</b>” is updated to remove reference to “unacceptable risk” and clearly define a “material requirement”.</li> <li>○ “<b>Proposal revision</b>” is updated to include the phrase “material elements of a proposal”. This revision clarifies that not every change made during negotiations constitutes a proposal revision, focusing the definition on changes that are substantive in nature.</li> </ul> </li> </ul>

The preceding table is not an exhaustive list.

**6. Required Action:** The CFPB acquisition workforce shall follow the RFO Part 15 model deviation text instead of FAR Part 15 as codified at 48 CFR Chapter 1. The Council’s RFO Part 15 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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