



ACQUISITION
AND SUSTAINMENT

OFFICE OF THE ASSISTANT SECRETARY OF WAR

**3000 DEFENSE PENTAGON
WASHINGTON, DC 20301-3000**

In reply refer to

DARS Tracking Number: 2026-O0012

MEMORANDUM FOR COMMANDER, UNITED STATES CYBER
COMMAND (ATTN: ACQUISITION EXECUTIVE)
COMMANDER, UNITED STATES SPECIAL OPERATIONS
COMMAND (ATTN: ACQUISITION EXECUTIVE)
COMMANDER, UNITED STATES TRANSPORTATION
COMMAND (ATTN: ACQUISITION EXECUTIVE)
DEPUTY ASSISTANT SECRETARY OF THE ARMY
(PROCUREMENT)
DEPUTY ASSISTANT SECRETARY OF THE NAVY
(PROCUREMENT)
DEPUTY ASSISTANT SECRETARY OF THE AIR FORCE
(CONTRACTING)
DEFENSE AGENCY AND DOD FIELD ACTIVITY DIRECTORS

SUBJECT: Class Deviation—Revolutionary Federal Acquisition Regulation (FAR) Overhaul
Part 14, Defense FAR Supplement (DFARS) Part 214

Effective February 1, 2026, contracting officers shall use—

- The revised FAR Part 14, Sealed Bidding published on the Revolutionary FAR Overhaul web page at <https://www.acquisition.gov/far-overhaul/far-part-deviation-guide/far-overhaul-part-14> in lieu of the text codified at 48 CFR chapter 1 (<https://www.ecfr.gov>); and
- The attached DFARS Part 214, Sealed Bidding in lieu of the text codified at 48 CFR chapter 2.
- The attached new DFARS Procedures, Guidance, and Information (PGI) 214, Sealed Bidding.

This class deviation implements the following:

- Section 2 of E.O. 14275, Restoring Common Sense to Federal Procurement, which 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.”
- Section 4(a) of E.O. 14265, Modernizing Defense Acquisitions and Spurring Innovation in the Defense Industrial Base which requires the Secretary of War to

eliminate or revise any unnecessary supplemental regulations or any other internal guidance, such as relevant parts of the Financial Management Regulation and Defense Federal Acquisition Regulation Supplement.

- The Office of Management and Budget memorandum, M-25-26 issued on May 2, 2025, titled, Overhauling the Federal Acquisition Regulation, which provided additional guidance to federal agencies regarding the FAR overhaul.

This class deviation remains in effect until rescinded or incorporated into the FAR, DFARS, and DFARS PGI. Inquiries regarding this class deviation can be addressed to osd.pentagon.ousd-a-s.mbx.dfar@mail.mil.

John M. Tenaglia
Principal Director,
Defense Pricing, Contracting, and
Acquisition Policy

Attachments:
As stated

PART 214—SEALED BIDDING

SUBPART 214.2—PRESOLICITATION

214.202-4 Part IV—Representations and instructions.

(c) Include an evaluation factor regarding supply chain risk (see part 239) when acquiring information technology, whether as a service or as a supply, that is a covered system, is a part of a covered system, or is in support of a covered system, as defined in part 239.

214.206 Descriptive literature.

(f) When using brand name purchase descriptions, see FAR 6.103-1.

214.207-70 Solicitation provisions.

Insert the provisions at 252.215-7007, Notice of Intent to Resolicit, and 252.215-7008, Only One Offer, as prescribed at 215.371-6 and 215.408(3), respectively.

214.209 Soliciting bids.

(b) See the procedures at PGI 205.101-70 for use of the Solicitation Module within the Procurement Integrated Enterprise Environment.

214.209-70 Policy.

If an Invitation for Bids (IFB), that exceeds the simplified acquisition threshold, allowed less than 30 days for receipt of bids, or resulted in only one bid, the contracting officer shall cancel and resolicit. The new IFB must allow at least 30 days for receipt of bids (see section 215.371).

214.211-370 Procedures.

In addition to the requirements at FAR 14.211-3(a)(1)(iv), include an evaluation factor for supply chain risk (see 214.202-4(c)).

SUBPART 214.3—EVALUATION AND AWARD.

214.304-3 Other mistakes disclosed before award.

See PGI 214.304-3 for the delegation authority to approve determinations.

214.305 Cancellation of invitations after opening.

(1) The contracting officer must make the written determinations required by FAR 14.305.

214.305-70 Only one offer received.

If only one offer is received, follow the procedures at 215.371 in lieu of the procedures at FAR 14.305(e).

214.307 Award

214.307-70 Only one offer received.

If only one offer is received for acquisitions that exceed the simplified acquisition threshold, follow the procedures at 215.371.

1 **PGI 214—SEALED BIDDING**

2 **PGI 214.3—EVALUATION AND AWARD**

3 **PGI 214.304 Mistakes in Bids.**

4 **PGI 214.304-3 Other mistakes disclosed before award.**

5 (e) For the defense agencies, authority for making the determination under FAR 14.304-3 is
6 delegated, without power of redelegation, as follows:

7 (i) Defense Advanced Research Projects Agency: General Counsel, DARPA.

8 (ii) Defense Information Systems Agency: General Counsel, DISA.

9 (iii) Defense Intelligence Agency: Principal Assistant for Acquisition.

10 (iv) Defense Logistics Agency:

11 (A) General Counsel, DLA; and

12 (B) Associate General Counsel, DLA.

13 (v) National Geospatial-Intelligence Agency: General Counsel, NGA.

14 (vi) Defense Threat Reduction Agency: General Counsel, DTRA.

15 (vii) National Security Agency: Director of Procurement, NSA.

16 (viii) Missile Defense Agency: General Counsel, MDA.

17 (ix) Defense Contract Management Agency: General Counsel, DCMA.