



## OFFICE OF FINANCE AND ADMINISTRATION

WASHINGTON, D.C. 20460

### MEMORANDUM

**SUBJECT:** Environmental Protection Agency (EPA) Interim Policy Notice (IPN) 25-26, Federal Acquisition Regulation (FAR) Class Deviation, RFO-2025-28, for FAR Part 28 in Support of Executive Order 14275 on Restoring Common Sense to Federal Procurement

**FROM:** Stefan Martiyan  
EPA Senior Procurement Executive  
Office of the Chief Procurement Officer

**TO:** EPA Acquisition Community

1. Purpose. This IPN approves a class deviation to the FAR for purposes of implementing the Federal Acquisition Regulatory Council's (the Council's) model deviation text to FAR Part 28.
2. Background. [Executive Order \(E.O.\) 14275 on Restoring Common Sense to Federal Procurement](#) signed April 15, 2025, mandates a comprehensive review and simplification of the FAR.

The FAR is being updated to:

- Eliminate non-statutory language
- Remove redundant or obsolete language
- Enhance clarity through plain language
- Align with the new FAR framework
- Preserve essential governmentwide acquisition standards

This project is referred to as the Revolutionary FAR Overhaul (RFO) initiative. This initiative will make the FAR more concise, understandable, and focused on core procurement requirements.

3. Summary of Changes. All content in FAR Part 28, Bonds and Insurance, has been retained with minimal deletions and minor updates made for plain language. No changes were made to provisions or clauses.

Statutory requirements retained in the RFO FAR Part 28 model deviation include, but may not be limited to, the following:

- 15 U.S.C. §§ 694a et seq, Surety Bond Guarantees
- 31 U.S.C. §§ 3901 et seq, Prompt Payment
- 31 U.S.C. §§ 9301 et seq, Sureties and Surety Bonds

- 40 U.S.C. §§ 3131 et seq, Bonds
- 42 U.S.C. §§ 1651 et seq, Defense Base Act
- Pub. L. 103-355 Sec 2091, Government-wide Application of Payment Protections for Subcontractors and Suppliers
- Pub. L. 114-92 Sec 874, Surety Bond Requirements and Amount of Guarantee

4. Instructions. The EPA acquisition workforce must follow the RFO Part 28 model deviation text instead of FAR Part 28 as codified at 48 CFR Chapter 1. The Council's RFO Part 28 model deviation text is available at [Acquisition.gov/far-overhaul](https://Acquisition.gov/far-overhaul) and is incorporated into this class deviation. At this time there is no impact to EPA's Acquisition Regulation (EPAAR) or EPA Acquisition Policy (EPAAP). Also,

- Do not include any of the removed provisions or clauses in future solicitations and contracts.
- For open solicitations or awarded contracts, the contracting officer has discretion regarding the need to enforce or amend the provisions or clauses. However, if removed provisions or clauses remain in the open solicitations or awarded contracts, the contracting officer may be required to separately address certain aspects in the contract.

5. Applicability. This class deviation applies to all EPA procurements.

6. Authority. This class deviation is issued under the authority of E.O. 14275, [OMB M-25-26](#), and 48 CFR 1.4 and RFO FAR 1.304.

7. Effective Date. This class deviation is effective immediately and remains in effect until rescinded or incorporated into the FAR.

8. Points of Contact. Questions regarding this class deviation may be directed to [OMS-ARM-OAS-AcquisitionPolicy@epa.gov](mailto:OMS-ARM-OAS-AcquisitionPolicy@epa.gov).