



10/28/2025

RFO-2025-09
Supplement 1

MEMORANDUM FOR GSA CONTRACTING ACTIVITIES

FROM: JEFFREY A. KOSES 
SENIOR PROCUREMENT EXECUTIVE
OFFICE OF ACQUISITION POLICY (MV)

SUBJECT: Supplement to Certain GSA Implementing Deviations in Support of Executive Order 14275, Restoring Common Sense to Federal Procurement

1. Purpose. This supplement provides updates and amendments to certain GSA implementing deviations.

2. Background. In accordance with [Executive Order \(E.O.\) 14275, Restoring Common Sense to Federal Procurement](#), between May and September 2025, the FAR Council issued model deviation text by FAR part in support of the Revolutionary FAR Overhaul (RFO) initiative. This initiative is intended to make the FAR more concise, understandable, and focused on core procurement requirements.

In accordance with OMB Memorandum M-25-26, GSA issued implementing class deviations following release of each RFO FAR part deviation text. More information about the purpose of the RFO initiative and background on individual model deviation language can be found in the original GSA implementing deviation for each part.

Subsequent review has identified the need to update and amend GSA’s implementing deviations for RFO FAR parts 5, 8, 9, 12, 13, and 23. The specific changes and rationale are discussed below.

3. Summary of Supplement Updates

RFO FAR parts 5, 12, 13, and 23	
Background	RFO FAR parts 5, 12, 13, and 23 included corresponding definition updates to part 2, but the implementing GSA deviations did not provide instructions to the workforce on how to use the revised part 2 definitions in concert with existing definitions in part 2.
Supplement Update	In GSA’s class deviations implementing RFO FAR parts 5, 12, 13, and 23, section 4, “Instructions”, is updated to add the following bullet: The GSA acquisition workforce must use the definitions (Part 2 - Definitions of Words and Terms) found on Acquisition.gov/far-overhaul. The remainder of the deviation is unchanged.

RFO FAR part 8	
Background	The FAR Council initially released the RFO FAR part 8 model deviation text on August 14, which required use of Office of Federal Property Policy best-in-class (BIC) contracts. On August 29, OFPP updated the model deviation text to reference “required use” contracts at 8.104 instead of BIC contracts. It is understood that OFPP will be establishing a new class of “required use” contracts (and associated criteria) that will be separate from BIC contracts. “Required use” contracts will be mandatory. BICs may be prioritized, but are not mandatory. GSA’s class deviation implementing RFO FAR part 8 is amended as follows, to reflect the updated RFO FAR part 8 model deviation text:
Supplement Update 1	Section 3, “Summary of Changes”, is updated as follows: 3. Summary of Changes. FAR part 8, Required Sources of Supplies and Services, is significantly updated. The model deviation language: - Enhances usability by restructuring and organizing the part in the logical flow of the acquisition lifecycle. - Simplifies mandatory source guidance. Makes the use of Governmentwide Best-In-Class (BIC) contracts mandatory[Makes the use of OFPP-designated “Required Use” contracts mandatory]. - Retains focus on the importance of the AbilityOne Program.
Supplement Update 2	The fourth bullet in the “Retained” section of the table in Section 3, “Summary of Changes”, is updated as follows: Use of Existing Contracts. 8.104 replaces section 8.004, “Use of Other Sources”. Best-in-class (BIC)[OFPP-designated “Required Use”] contracts or BPAs are now required[mandatory] to be used when a commercial product or commercial service meets an agency’s need, unless approved by the Head of the Contracting Activity (HCA). If a BIC["required use" contract] is not suitable, agencies should consider use of an existing governmentwide contract, BPA, or shared service.
Miscellaneous	OFPP is expected to provide more information about “required use” contracts in the future.

RFO FAR part 9	
Background	The GSA implementing deviation stated that all existing provisions and clauses are retained (or remain reserved if previously reserved) with no

	changes to the text. The implementing class deviation is amended as follows to highlight that some provisions and clauses were updated.
Supplement Update 1	The third bullet in the “Retained” section of the table in Section 3, “Summary of Changes”, is updated as follows: From: All existing provisions and clauses are retained (or remain reserved if previously reserved) with no changes to the text. To: The following provision and clause are retained (or remain reserved if previously reserved) with no changes to the text: ● 52.209-8 remains reserved ● 52.509-12 (Provision), Certification Regarding Tax Matters ● 52.209-14 (Clause), Reserve Officer Training Corps and Military Recruiting on Campus
Supplement Update 2	A new section titled “Updated” is added to the table in Section 3, “Summary of Changes”. The following bullet is added: ● The following provisions and clauses have been updated to reflect plain language, update cross-references, or to correspond with updates made within the part: ○ 52.209-1 (Clause), Qualification Requirements ○ 52.209-2 (Provision), Prohibition on Contracting with Inverted Domestic Corporations-Representation ○ 52.209-3 (Clause), First Article Approval-Contractor Testing ■ Note - The Alternates are not updated ○ 52.209-4 (Clause), First Article Approval-Government Testing ■ Note - The Alternates are not updated ○ 52.209-5 (Provision), Certification Regarding Responsibility Matters ○ 52.209-6 (Clause), Protecting the Government's Interest When Subcontracting With Contractors Debarred, Suspended, Proposed for Debarment, or Voluntarily Excluded ○ 52.209-7 (Provision) Information Regarding Responsibility Matters ○ 52.209-9 (Clause), Updates of Publicly Available Information Regarding Responsibility Matters ○ 52.209-10 (Clause), Prohibition on Contracting with Inverted Domestic Corporations ○ 52.209-11 (Provision), Representation by Corporations Regarding Delinquent Tax Liability or a Felony Conviction under any Federal Law ○ 52.209-13 (Provision) Violation of Arms Control Treaties or Agreements-Certification
Supplement Update 3	Section 4, “Instructions”, is updated to add the following bullets:

	- For new solicitations or contracts, when using any provisions or clauses that have been revised, utilize the RFO model deviation language at RFO FAR part 52. - 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. All other bullets in Section 4, “Instructions” are unchanged.
Miscellaneous	For ease of reference, GSA’s Office of Acquisition Policy has created a helpful tool to easily find and sort provision and clauses changes: RFO Part 52 P&C Table.

4. Applicability. This supplement to applicable class deviations applies to all GSA procurements.

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

6. Effective Date. This supplement is effective consistent with the effective date of the respective applicable GSA implementing deviation (check Section 7 of the applicable GSA implementing deviation) and remains in effect until rescinded or incorporated into the FAR. All GSA implementing deviations can be found on [acquisition.gov](#).

7. Points of Contact. Try asking [GSAi](#) first (upload the new RFO language and GSA's implementing deviation, then ask your question). If you still need clarification, you may email the GSA Acquisition Policy Division at GSARPolicy@gsa.gov.

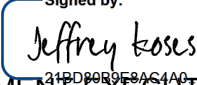


GSA Office of Governmentwide Policy

8/19/2025

RFO-2025-09

MEMORANDUM FOR GSA CONTRACTING ACTIVITIES

FROM: JEFFREY A. KOSES ^{Signed by:} 
 SENIOR PROCUREMENT EXECUTIVE
 OFFICE OF ACQUISITION POLICY (MV)

SUBJECT: FAR Class Deviation for FAR Part 9 in Support of Executive Order 14275, Restoring Common Sense to Federal Procurement

1. Purpose. This memorandum approves a class deviation to Federal Acquisition Regulation (FAR) part 9 for purposes of implementing the Federal Acquisition Regulatory Council's (the Council's) model deviation text to FAR Part 9.

2. Background. [Executive Order \(E.O.\) 14275, 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. FAR Part 9 - largely based in statute - establishes the standards and procedures for determining contractor responsibility and eligibility for federal contracts, ensuring that only qualified, reliable contractors receive government awards. It protects the government's interests by requiring contractors to demonstrate they have adequate financial resources, technical capability, integrity, and past performance to successfully fulfill contract requirements.

Statutory requirements and presidential directives retained in the RFO FAR part 9 model deviation include, but are not limited to, the following:

- 6 U.S.C. § 395, Prohibition on Contracts with Corporate Expatriates
- 10 U.S.C. § 3206 and 41 U.S.C. § 3306, Planning and Solicitation Requirements
- 10 U.S.C. § 3243 and 41 U.S.C. § 3311, Qualification Requirements
- 22 U.S.C. § 2593e, Measures Against Activities that Violate Arms Control Treaties
- 41 U.S.C. § 113, Responsible Source
- 41 U.S.C. § 2303, Ethics Safeguards Related to Contractor Conflicts of Interest
- 41 U.S.C. § 2304, Conflict of Interest Standards for Consultants
- 41 U.S.C. § 2313, Database for Suspension and Debarment Officials
- Pub. L. 103-355 Sec 2455, Uniform Suspension and Debarment

- Pub. L. 111-84 Sec 815, Clarification of Uniform Suspension and Debarment Requirement
- Pub. L. 117-324, Preventing Organization Conflicts of Interest in Federal Acquisition
- E.O. 12549 and E.O. 12689, Debarment and Suspension

Change	Description
Retained	• Subparts 9.1, 9.2, and 9.3 are significantly streamlined with some shifting and reorganizing of sections and subsections throughout. • Subparts 9.4 “Debarment, Suspension, and Ineligibility”, and 9.5 “Organizational and Consultant Conflicts of Interest”, are retained and updated with plain language edits. • All existing provisions and clauses are retained (or remain reserved if previously reserved) with no changes to the text.
Removed	• Section 9.000 “Scope of Part”, has been removed as the language was duplicative. • The definition of “Surveying activity” has been removed from section 9.101, “Definitions”. • Section 9.104-2 “Special Standards”, has been removed and may be moved to non-regulatory content. • Section 9.106 “Preaward Surveys”, has been removed and may be moved to non-regulatory content. This includes the reference to utilizing the Standard Form 1403, <i>Preaward Survey of Prospective Contractor (General)</i>. • Section 9.107 “Surveys of Nonprofit Agencies Participating in the AbilityOne Program” has been removed. The AbilityOne Program is covered in part 8 and nuances of pre-award surveys relevant to the AbilityOne Program are now covered in non-regulatory content. • Subpart 9.6 “Contractor Team Arrangements”, has been removed and may be moved to non-regulatory content. • Subpart 9.7 “Defense Production Pools and Research and Development Pools”, has been removed and may be moved to non-regulatory content.

This table is not an exhaustive list.

4. Instructions.

- The GSA acquisition workforce must follow the RFO part 9 instead of FAR part 9 as codified at 48 CFR Chapter 1. The Council’s RFO part 9 model deviation text is available at [Acquisition.gov/far-overhaul](https://www.acquisition.gov/far-overhaul), and is incorporated into this class deviation.
- Contracting activities must review templates and related standard operating procedures to align with this class deviation and remove unnecessary processes and steps.

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

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

7. Effective Date. This class deviation is effective November 3, 2025 and remains in effect until rescinded or incorporated into the FAR.

8. Points of Contact. Try asking [GSAi](#) first (upload the new RFO language and GSA's implementing deviation, then ask your question). If you still need clarification, you may email the GSA Acquisition Policy Division at GSARPolicy@gsa.gov.