

National Aeronautics and Space Administration Washington, DC 20546

Procurement Class Deviation

PCD 25-18

SEPTEMBER 22, 2025

CLASS DEVIATION FROM FEDERAL ACQUISITION REGULATION (FAR) PART 8 AND NASA FAR SUPPLEMENT (NFS) PART 1808 TO IMPLEMENT THE REVOLUTIONARY FAR OVERHAUL (NASA Case 2025-N020)

PURPOSE: To provide a Class Deviation from the FAR to implement the FAR Council's model deviation text to FAR Part 8, Required Sources of Supplies and Services, and deviation to NFS Part 1808, Required Sources of Supplies and Services.

BACKGROUND: On April 15, 2025, the Executive Order (E.O.) 14275, "Restoring Common Sense to Federal Procurement" was signed. Section 2 of the E.O. 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." To implement E.O. 14275, the Office of Federal Procurement Policy (OFPP) is leading the **Revolutionary FAR Overhaul (RFO)** initiative. This effort is supported by the Federal Acquisition Regulatory Council (the Council) member agencies—General Services Administration, Department of Defense, NASA, along with other agencies. In line with the E.O., the initiative aims to eliminate unnecessary regulations and policies across all levels of the federal government.

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

FAR Streamlining. As part of the RFO, the FAR will be streamlined to include only statutory requirements, while non-statutory content will move to new buying guides, collectively forming the Strategic Acquisition Guidance (SAG). The Council will first issue model deviation guidance by FAR part, followed by formal rulemaking through the notice-and-comment process. Agencies will have 30 days to issue class deviations based on the model text once it is released.

Streamlining Agency Acquisition Supplements. Agencies must streamline their FAR supplements by removing regulations not based on statute or executive orders and aligning

with the FAR Council's deviation guidance. Supporting policies must also be updated to reflect these changes. This approach ensures the NASA FAR Supplement (NFS) remains consistent with the streamlined FAR.

FAR Buying Guides and NFS Companion Guide (CG) (coming soon). As the FAR and the NFS are streamlined, helpful non-regulatory content will be moved to new FAR Buying Guides and NFS CG. These guides are intended to offer practical instructions and best practices for implementing effective contracting methods.

RFO Part 8 model deviation has been released by the FAR Council. RFO Part 8 prioritizes sources of supplies and services for use by the Government. The model deviation language simplifies mandatory source guidance, makes clear that Governmentwide Best-In-Class (BIC) contracts are mandatory, and retains focus on the importance of the AbilityOne Program. Ordering procedures are now in General Services Acquisition Manual (GSAM/R) part 538 for timely and efficient maintenance, consistent with statutory analysis of the Federal Supply Schedule (FSS) program. FAR Part 51, Use of Government Sources by Contractors, statutory text and essential text retained to support sound procurement is moved to FAR part 8. Burdensome, duplicative, or outdated language and language not required by statute have been removed from FAR Part 8. This plain language version of FAR Part 8 shall be adhered to.

To align with the RFO FAR Part 8, the NFS Part 1808, Required Sources of Supplies and Services, is revised to remove non-statutory and outdated language. This deviation implements the revised RFO Part 8 and NFS Part 1808.

GUIDANCE:

- (1) Contracting officers shall follow the RFO Part 8 deviated text instead of FAR Part 8 as codified at 48 CFR Chapter 1, Subchapter B, Part 8. The FAR Council's RFO text is available at FAR Overhaul Part 8 | Acquisition.GOV.
- (2) COs shall also follow the NFS Part 1808 deviated text enclosed within this deviation.

ACTION REQUIRED BY CONTRACTING OFFICERS: Effective immediately, ensure that new contract actions issued on or after the effective date comply with the policy in the PCD.

EFFECTIVE DATE: This PCD is effective as dated and shall remain in effect until implemented in the FAR and NFS or otherwise rescinded.

PROVISION AND CLAUSE CHANGES: This deviation renders the following FAR clauses obsolete:

- 52.208-4, Vehicle Lease Payments;
- 52.208-5, Condition of Leased Vehicles;
- 52.208-6, Marking of Leased Vehicles; and
- 52.208-7, Tagging of Leased Vehicles

Additionally, the following clause changes are in effect:

- 1) FAR 8.005, the prescription for FAR clause 52.208-9, is now found in FAR 8.105.1(b).
- 2) FAR Clause 52.251-1, Government Supply Sources, has been revised to FAR clause 52.208-10, Government Supply Sources and is now prescribed in FAR 8.105-2(c);
- 3) FAR Clause 52.251-2, Interagency Fleet Management System Vehicles and Related Services has been revised to FAR clause 52.208-11, GSA Fleet and Related Services, and is prescribed in FAR 8.105-3(c).

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Enclosure

Changes in the NFS Deviation text below are identified as follows: Deletions shown as strike throughs; and additions shown as [bold in brackets].

PART 1808 REQUIRED SOURCES OF SUPPLIES AND SERVICES

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SUBPART 1808.11 LEASING OF MOTOR VEHICLES

PART 1808 REQUIRED SOURCES OF SUPPLIES AND SERVICES

1808.003 Use of other mandatory sources.

1808.003-70 Acquisition of radioisotopes.

(a) <u>U.S. Department of Energy Isotope and Technical Service Order Form CA-10-90.COM, and U.S. Nuclear Regulatory Commission Application for Material License, NRC Form 313, shall be used to acquire radioisotopes.</u>

(b) NRC Form 313 shall be filed with the Chief, Radioisotopes Licensing Branch, Division of Fuel Cycle and Material Safety, United States Nuclear Regulatory Commission, Washington, DC 20555. If the application meets all regulatory requirements and applicable standards, the Radioisotopes Licensing Branch, Nuclear Regulatory Commission, will issue a license to the applicant. After receipt of the license, a completed DOE Form CA-10-90.COM (in duplicate, if the contracting office wants an accepted copy of the form back from the supplier), the license, and a Government bill of lading shall be sent to the appropriate DOE laboratory. If a bill of lading is not furnished, shipment shall be made collect on a commercial bill of lading, to be converted at destination.

(c) NRC Form 313 and DOE Form CA-10-90.COM may be requisitioned directly from the United States Nuclear Regulatory Commission, Attn: Radioisotopes Licensing Branch, Division of Fuel Cycle and Material Safety, Washington, DC 20555.

(d) Isotope program guidance is available from DOE.

1808.003-71 Acquisition of helium, hydrogen, nitrogen, oxygen, other propellants and acrospace fluids.

See Appendix A, A-102.1 for policy related to the acquisition of helium, hydrogen, nitrogen, oxygen, other propellants and aerospace fluids.

[PN 19-12]

1808.003-72 NASA Strategic Sourcing Initiative.

[PN 18-04]

1808.003-7201 Policy.

Requiring offices and contracting officers shall follow the guidance at 1808.004 and Governmentwide commercial purchase cardholders shall follow the guidance at 1813.301 to make use of the existing NASA contracts that are available for use by other Centers to satisfy requirements for supplies and services. The use of NASA contracts that are available for use by other Centers

allows NASA to obtain favorable terms and pricing for supplies and services as described in the Office of Procurement Strategic Sourcing Website.

[PN 18-04]

1808.003-7202 Purchase request.

Prior to submitting a purchase request, the requiring activity shall review the existing NASA contracts that available for use by other Centers as identified on the Office of Procurement Strategic Sourcing Searchable Repository to determine if the requirement is available through the NASA Strategic Sourcing Initiative.

[PN 18-04]

1808.003-73 Acquisition of mercury.

- (a) Requests for mercury by NASA installations for their use or for use by their cost-reimbursement type contractors shall be made to the Mercury Contract Specialist, Directorate of Stockpile Contracts, DLA, Defense National Stockpile Center, 8725 John J. Kingman Rd., #3339, Ft. Belvoir, VA 22060-6223. DLA will furnish the current fair market value to NASA. The unit of issue is a 76-pound flask.
- (b) Requests for clearance to purchase quantities of 76 pounds or more from sources other than DLA shall be submitted to the office in paragraph (a) of this section and must be accompanied by a statement of reasons why the available excess mercury is unsuitable for use by the requesting field installation.

1808.004 Use of other sources.

- (a)(1)(A) For requirements for supplies or services that cannot be satisfied from the mandatory sources listed at FAR 8.002 and 8.003, contracting officers shall follow the below order of preference in order to obtain favorable terms and pricing for supplies and services, and support achievement of NASA's small business and strategic sourcing goals:
 - (1) The enterprise procurement strategies identified in Appendix A.
- (2) Existing NASA contracts identified as available for use by other Centers on the NASA Office of Procurement Strategic Sourcing Searchable Repository.
- (3) Best in Class (BIC) solutions. BICs can be identified using the Best-in-Class Research Tool.
- (4) Multi-agency contracts, Government-wide Acquisition Contracts (GWACs) or Federal Supply Schedules. Multi-agency contracts and GWACs can be identified using the Solutions Finder. For schedules, visit the GSA eLibrary or list of schedule offerings.
- (5) Commercial sources (including educational and non-profit institutions) in the open market.
- (B) For situations (e.g., immediacy of need, availability of better pricing elsewhere, etc.) that do not warrant the use of the contracts designated as mandatory by the enterprise strategies in Appendix A for satisfying requirements within the scope of those contracts, the contracting officer shall prepare

and submit a request for deviation for approval by the Senior Procurement Executive in accordance with 1801.471.

[PN 18-04, PN 19-12, PN 20-07]

Subpart 1808.1—Excess Personal Property [Presolicitation]

1808.103 Information on available excess personal property.

In addition to the sources identified in FAR 8.103, information on availability of NASA excess property is maintained by the Installation Property Disposal Officer and the NASA Equipment Management System (NEMS) Coordinator.

[1808.105 Contractor use of Government supply sources.

8.105-3 Contractor use of GSA Fleet.

(c) When the clause at FAR 52.208-11 is included in a solicitation or contract, the contracting officer must include the clause set forth at 1852.223-76.]

Subpart 1808.4—Federal Supply Schedules

See PCD 14-01 for further guidance related to FAR 8.404.

1808.404 Use of Federal Supply.

(h)(3)(ii)(A) The contracting officer shall use the Time and Materials and Labor Hour Contract/Order Determination and Findings template.

1808.405 Ordering Procedures for Federal Supply Schedules.

1808.405-3 Blanket purchase agreements (BPAs)

(a)(3)(ii) The authority to make the determination to award a single-award BPA with an estimated value exceeding \$100 million, is delegated to the Senior Procurement Executive. Requests for approval of this determination shall be submitted through the cognizant Procurement Strategic Operations Division Procurement Analyst in Headquarters' Office of Procurement.

(c) The limitations in 1813.303-3(a)(4) on the individuals authorized to purchase under a BPA apply to BPAs established under Federal Supply Schedule contracts.

1808.405-6 Limiting sources.

(c)(1) The contracting officer shall use the Limited Sources Justification (LSJ) General Services Administration (GSA) Federal Supply Schedule (FSS) template to document the file for proposed orders or BPAs estimated to exceed the simplified acquisition threshold based on a limited sources justification or restricting consideration to an item peculiar to one manufacturer.

Subpart 1808.6—Acquisition from Federal Prison Industries, Inc.

1808.602 Policy.

(d) When disputes occur, the contracting officer shall refer the matter to the Senior Procurement Executive, through the cognizant Procurement Strategic Operations Division Procurement Analyst in Headquarters' Office of Procurement, for review and any further action. Such referrals shall include a complete statement of the attempts made to resolve the matter.

1808.604 Waivers.

(a) NASA purchase orders or contracts written pursuant to a general or blanket waiver need not be supported by a copy of the waiver, but the waiver number must be cited on the purchase order or contract as well as on the initial voucher. A copy of the waiver certificate must be attached to the initial voucher.

Subpart 1808.7—Acquisition from Nonprofit Agencies Employing People Who are Blind or Severely Disabled

1808.705 Procedures.

1808.705-1 General.

The Federal Standard Requisitioning and Issue Procedure (FEDSTRIP) shall be used to obtain nonprofit agency-produced supplies from GSA supply distribution facilities. The FEDSTRIP Operating Guide is available here.

- (c) The potential use of AbilityOne shall be considered during the market research phase of acquisition planning. Contracting Officers shall initiate coordination with AbilityOne, as early as possible. Where indicated in Appendix A, use of AbilityOne is an allowable exception to the enterprise procurement strategies detailed therein.
- (d) For the AbilityOne service requirements, listed by North American Industry Classification System (NAICS), located at AbilityOne Product and Services the contracting officer shall perform the following steps:
- (i) Contact the AbilityOne Program at <u>opportunity@abilityone.org</u> to discuss the feasibility of adding the requirement to the Procurement List in accordance with FAR 8.705-3. In the correspondence include a completed version of the AbilityOne Coordination Template.
- (ii) 41 CFR § 51-2.4 prohibits transitioning requirements to AbilityOne if the transition would cause a severe adverse impact to the incumbent contractor(s). Accordingly, an AbilityOne Certified Nonprofit Agency (CNA) will perform a preliminary impact assessment to determine if the requirement can be transitioned to AbilityOne without severe adverse impact.
- (iii) If a requirement is determined not suitable for AbilityOne due to severe adverse impact or the comprehensive nature of the requirement (i.e., AbilityOne can only perform a

portion of the requirement), contracting officers shall consider including AbilityOne subcontracting goals in the resultant solicitation for the requirement.

(iv) If the preliminary impact assessment indicates AbilityOne can perform the requirement and transitioning it would not cause severe adverse impact to the incumbent, the CNA will coordinate a formal capability presentation to NASA. If requested, the CNA can also coordinate a capability presentation(s) by one or more NPAs. The contracting officer shall ensure appropriate representatives from the Center Office of Procurement and the requiring/technical activity, as well as the NASA AbilityOne Representative (ABOR), are invited to attend. At the capability presentation, the CNA or NPA(s) will present its understanding of the technical requirements and demonstrated past success in meeting the specific requirements of the type to be performed under the contemplated contract on schedule.

(v) If the capability presentation successfully demonstrates that AbilityOne can perform the requirement, the contracting officer shall provide a solicitation/draft contract and negotiate price and other terms and conditions with the NPA and the CNA. Following agreement on a fair market price/cost, the CNA shall coordinate addition of the requirement to the Procurement List (PL) by the AbilityOne Commission. The contracting officer may proceed with contract award upon confirmation of the PL addition from the CNA.

[PN 21-06]

Subpart 1808.8[5]—Acquisition of Printing and Related Supplies [Acquisitions of Government printing and related supplies]

1808.802 Policy.

- (b)(i) The Headquarters Chief Information Officer is the NASA central printing authority.
- (ii) Requests for approval to contract for printing supplies or services shall be addressed to the Office of Chief Information Officer. Approval to contract for such supplies or services is restricted to those requirements meeting the following conditions:
- (A) An individual order is under \$1,000.
- (B) The order is not of a continuing or repetitive nature.
- (C) The Public Printer certifies it cannot be provided more economically through the GPO.

1808.8[5]70 Contract clause.

The contracting officer shall [must] insert the clause at 1852.208-81, Restrictions on Printing and Duplicating, in solicitations and contracts where there is a requirement for any printing, and/or any duplicating/copying in excess of that described in paragraph (c) of the clause.

Subpart 1808.11—Leasing of Motor Vehicles

1808.1100 Scope of subpart.

NASA procedures for leasing motor vehicles from GSA or commercial sources are contained in NPD 6000.1, Transportation Management.

PART 1852 SOLICITATION PROVISIONS AND CONTRACT CLAUSES

Subpart 1852.2—Text of Provisions and Clauses

1852.208-81 Restrictions on Printing and Duplicating.

As prescribed in 1808.8[5]70, insert the following clause:

RESTRICTIONS ON PRINTING AND DUPLICATING (NOV 2004) [DEVIATION SEP 2025]

- (a) The Contractor may duplicate or copy any documentation required by this contract in accordance with the provisions of the Government Printing and Binding Regulations, No. 26, S. Pub 101-9, U.S. Government Printing Office, Washington, DC, 20402, published by the Joint Committee on Printing, U.S. Congress.
- (b) The Contractor shall not perform, or procure from any commercial source, any printing in connection with the performance of work under this contract. The term "printing" includes the processes of composition, platemaking, presswork, duplicating, silk screen processes, binding, microform, and the end items of such processes and equipment.
- (c) The Contractor is authorized to duplicate or copy production units provided the requirement does not exceed 5,000 production units of any one page or 25,000 units in the aggregate of multiple pages. Such pages may not exceed a maximum image size of 10-3/4 by 14-1/4 inches. A "production unit" is one sheet, size 8-1/2 x 11 inches (215 x 280 mm), one side only, and one color ink.
- (d) This clause does not preclude writing, editing, preparation of manuscript copy, or preparation of related illustrative material as a part of this contract, or administrative duplicating/copying (for example, necessary forms and instructional materials used by the Contractor to respond to the terms of the contract).
- (e) Costs associated with printing, duplicating, or copying in excess of the limits in paragraph (c) of this clause are unallowable without prior written approval of the Contracting Officer. If the Contractor has reason to believe that any activity required in fulfillment of the contract will necessitate any printing or substantial duplicating or copying, it immediately shall provide written notice to the Contracting Officer and request approval prior to proceeding with the activity. Requests will be processed by the Contracting Officer in accordance with the provisions of the Government Printing and Binding Regulations, NFS 1808.802, and NPR 1490.5, NASA Procedural Requirements for Printing, Duplicating, and Copying Management [NPD 1490.1, NASA Printing, Duplicating, and Copying Management].

(f) The Contractor shall include in each subcontract which may involve a requirement for any printing, duplicating, and copying in excess of the limits specified in paragraph (c) of this clause, a provision substantially the same as this clause, including this paragraph (f).

(End of clause)

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(Revised October 1, 2024)

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1853.208-70 Other Government sources (Department of Energy Form CA-10-90.COM, Nuclear Regulatory Commission Form 313).

PART 1853 FORMS

Subpart 1853.1—General

1853.208 Required sources of supplies and services.

1853.208-70 Other Government sources (Department of Energy Form CA-10-90.COM, Nuclear Regulatory Commission Form 313).

- (a) U.S. Department of Energy Isotope and Technical Service Order Form CA-10-90.COM. Prescribed in 1808.003-70(a).
- (b) Nuclear Regulatory Commission Form NRC Form 313, Application for Materials License. Prescribed in 1808.003-70(a).

CLEAN REGULATORY VERSION WITH CHANGES INCORPORATED:

PART 1808 REQUIRED SOURCES OF SUPPLIES AND SERVICES

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PART 1808 REQUIRED SOURCES OF SUPPLIES AND SERVICES

Subpart 1808.1—Presolicitation

1808.105 Contractor use of Government supply sources.

8.105-3 Contractor use of GSA Fleet.

(c) When the clause at FAR 52.208-11 is included in a solicitation or contract, the contracting officer must include the clause set forth at 1852.223-76.

Subpart 1808.5—Acquisitions of Government printing and related supplies

1808.570 Contract clause.

The contracting officer must insert the clause at 1852.208-81, Restrictions on Printing and Duplicating, in solicitations and contracts where there is a requirement for any printing, and/or any duplicating/copying in excess of that described in paragraph (c) of the clause.

PART 1852 SOLICITATION PROVISIONS AND CONTRACT CLAUSES

Subpart 1852.2—Text of Provisions and Clauses

1852.208-81 Restrictions on Printing and Duplicating.

As prescribed in 1808.570, insert the following clause:

RESTRICTIONS ON PRINTING AND DUPLICATING (DEVIATION SEP 2025)

- (a) The Contractor may duplicate or copy any documentation required by this contract in accordance with the provisions of the Government Printing and Binding Regulations, No. 26, S. Pub 101-9, U.S. Government Printing Office, Washington, DC, 20402, published by the Joint Committee on Printing, U.S. Congress.
- (b) The Contractor shall not perform, or procure from any commercial source, any printing in connection with the performance of work under this contract. The term "printing" includes the processes of composition, platemaking, presswork, duplicating, silk screen processes, binding, microform, and the end items of such processes and equipment.
- (c) The Contractor is authorized to duplicate or copy production units provided the requirement does not exceed 5,000 production units of any one page or 25,000 units in the aggregate of multiple pages. Such pages may not exceed a maximum image size of 10-3/4 by 14-1/4 inches. A "production unit" is one sheet, size 8-1/2 x 11 inches (215 x 280 mm), one side only, and one color ink.
- (d) This clause does not preclude writing, editing, preparation of manuscript copy, or preparation of related illustrative material as a part of this contract, or administrative duplicating/copying (for example, necessary forms and instructional materials used by the Contractor to respond to the terms of the contract).
- (e) Costs associated with printing, duplicating, or copying in excess of the limits in paragraph (c) of this clause are unallowable without prior written approval of the Contracting Officer. If the Contractor has reason to believe that any activity required in fulfillment of the contract will necessitate any printing or substantial duplicating or copying, it immediately shall provide written notice to the Contracting Officer and request approval prior to proceeding with the activity. Requests will be processed by the Contracting Officer in accordance with the provisions of the Government Printing and Binding Regulations and NPD 1490.1, NASA Printing, Duplicating, and Copying Management.
- (f) The Contractor shall include in each subcontract which may involve a requirement for any printing, duplicating, and copying in excess of the limits specified in paragraph (c) of this clause, a provision substantially the same as this clause, including this paragraph (f).

(End of clause)