



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
WASHINGTON, D.C. 20555-0001

June 11, 2025

Class Deviation RFO-2025-10

MEMORANDUM TO: Acquisition Management Division and Buyers in the Regions

FROM: Nicole Stevenson, Acting Director
Acquisition Management Division
Office of Administration

A handwritten signature in blue ink, appearing to read "Nicole Stevenson", is written over a horizontal line.

Signed by Stevenson, Nico
on 06/11/25

SUBJECT: FAR Class Deviation for FAR Part 10 in Support of
Executive Order on Restoring Common Sense to Federal
Procurement

1. **PURPOSE:** This memorandum approves a class deviation to Federal Acquisition Regulation (FAR) Part 10 - "Market Research" for purposes of implementing the Federal Acquisition Regulatory Council's (the Council's) model deviation text to FAR part 10. Notable changes include simplified market research requirements for use of strategies and methods appropriate to the circumstances, constructive engagement with industry, and removal of: specific market research techniques, instructions for review of System for Award Management (SAM) and Federal Procurement Data System (FPDS), requirements for consideration of sustainable products/services and market research to inform bundling and consolidation decisions.
2. **BACKGROUND:** On April 15, 2025, the [Executive Order \(E.O.\) 14275 on 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."

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- Remove duplicative or outdated language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. This initiative will make the FAR more concise, understandable, and focused on core procurement requirements.

3. SUMMARY OF CHANGES: FAR Part 10, concerning Market Research, has been updated to offer acquisition teams more flexibility in their research methods:

- Greater flexibility in techniques: The FAR no longer lists specific market research considerations or techniques that must be used.
 - You have the flexibility to choose the market research method that best fits your needs. For example, you might host a reverse industry day or expert panel. This allows industry experts to share their perspectives, commercial practices, and experiences with the acquisition team.
 - For more information on reverse industry days, and to read about more good market research techniques, check out the “Smart Accelerators” in the Practitioner Album available at [Acquisition.gov/far-overhaul](https://www.acquisition.gov/far-overhaul).
- Competition requirements remain: Acquisition professionals must still comply with the Competition in Contracting Act (CICA) (41 U.S.C. § 3301 et seq), which may necessitate market research.
- Flexibility at all dollar values: Acquisition professionals can apply market research concepts to procurements of any size.
- While FAR clause 52.210-1 Market Research is not required by statute, across Government, it has been retained as essential to the acquisition process.

Statutory requirements retained in the RFO FAR part 10 model deviation include, but are not limited to, the following:

- 10 U.S.C. §3453, Preference for Commercial Products and Commercial Services
- 41 U.S.C. §3306, Planning and Solicitation Requirements
- 41 U.S.C. § 3307, Preference for Commercial Products and Commercial Services
- 41 U.S.C. § 1703 note, Effective Communication Between Government and Industry; inclusive of 41 U.S.C. § 3301 et seq and 41 U.S.C. § 2101 et seq.

Other key changes include:

Retained:

- Subparts “10.001 Policy” and “10.002 Procedures” are combined and streamlined to remove duplicative and discretionary guidance.
- FAR clause 52.210-1, Market Research, in solicitations and contracts for noncommercial acquisitions over \$6 million retained as essential to the acquisition process.

- Language encouraging exchanges with industry are moved from FAR part 1 to FAR part 10.

Removed: Content that is outdated, redundant, or otherwise unnecessary

- Requirements to consider various issues in market research, including for consolidation or bundling procurements are removed. Content stemming from 15 U.S.C. 644(e) and 15 U.S.C. 657(q) is mandatory, however the requirement is covered in FAR part 7.
- Requirements for disaster relief purchasing are removed. Content stemming from 6 U.S.C. 796 is mandatory, however the requirement is covered in FAR part 26.

Note: Procedures from FAR subpart 10.002 not required by law are being moved to the FAR Companion Guide. This move allows acquisition teams greater flexibility and discretion to consider techniques which are most appropriate to their acquisition.

4. INSTRUCTIONS: The NRC acquisition workforce shall follow the RFO part 10 model deviation text instead of FAR part 10 as codified at 48 CFR Chapter 1. The Council's RFO part 10 model deviation text is available at [Acquisition.gov/far-overhaul](https://www.acquisition.gov/far-overhaul) and is incorporated into this class deviation.

5. APPLICABILITY: This class deviation applies to all NRC solicitations and new contracts as of May 22, 2025. This deviation does not apply to contracts signed and executed on or before May 21, 2025.

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.

FAR Class Deviation for FAR Part 10 in Support of Executive Order on Restoring Common Sense to Federal Procurement DATE June 11, 2025

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