



Global Acquisitions

U.S. DEPARTMENT *of* STATE

Acquisition Alert 26-12

TO: All Contracting Activities

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SUBJECT: Federal Acquisition Regulation (FAR) Class Deviation for FAR Part 15 in Support of Executive Order on Restoring Common Sense to Federal Procurement

- 1. Introduction:** The purpose of this Acquisition Alert is to issue a class deviation to FAR part 15 and DOSAR part 615 for purposes of implementing the Federal Acquisition Regulatory Council's model deviation text to that part.
- 2. Background:** On April 15, 2025, 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- Remove duplicative or outdated language;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 plain language;
- Revise language for the new FAR framework; and
- Retain language necessary for governmentwide acquisition standards.

This project is referred to as the Revolutionary FAR Overhaul (RFO) initiative. This class deviation is issued under the authority of E.O. 14275, OMB M-25-25, and 48 CFR 1.4.

Deviation Summary

FAR part 15, Contracting by Negotiation, has been significantly revised. The revised version features a topic-based structure that aligns with the acquisition lifecycle, redefines and standardizes key terms, and overhauls the negotiations process. The new language includes the following:

- Part 15 is organized to align with the acquisition lifecycle. The new subparts are:
 - 15.1 - Presolicitation and Solicitation,
 - 15.2 - Evaluation and Award,
 - 15.3 - Postaward,
 - 15.4 - Contracting Pricing, and
 - 15.5 - Unsolicited Proposals.
- Updated Rules of Engagement: Generally, this section encourages multiple exchanges negotiation with all parties to pursue best value for the government. For example, 15.000 “Scope” emphasizes the opportunity for negotiations; 15.204-1 instructs Contracting Officers to negotiate with *all* members of the competitive range.
 - 15.204-1 Clearly defines the competitive range as “the group of evaluated proposals that the contracting officer determines are best suited for further negotiation” instead of “all of the most highly rated proposals”.
 - Having further negotiations with one offeror does not require the contracting officer to have further negotiations with other offerors. The deviation text provides guidance on industry communication through early exchanges (15.101) and debriefing (15.206 – preaward, 15.201 – postaward).
- 15.102, “Structuring a request for proposals”, more clearly outlines the required format and content for RFPs.
- 15.103, “Developing a Competitive Source Selection Approach”, adds two new approaches: Highest Technically Rated with a Fair and Reasonable Price and Phased Acquisitions to the existing approaches of Lowest Price Technically Acceptable and Tradeoff.
- The following sections were consolidated into 15.105, “Other Considerations”, including: oral presentations, negotiations disclosure, make-or-buy decision, and more.
- 15.202, “Evaluating Competitive Proposals” revises the definition of **clarifications** to expand this term from simply correcting or clarifying administrative errors to “enhance the Government’s understanding of a

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proposal” to address ambiguities. This expanded term does not allow offerors to revise their proposal and cannot be used to cure deficiencies or material omissions, however.

- Best practice guidance on the best value continuum, source selection approaches, oral presentations, and amendments based on alternate solutions were moved to the FAR Companion Guide.
- The following provisions and clauses have been retained with no revision:
 - 52.215-4 remains reserved
 - 52.215-7 remains reserved
 - 52.215-9 (Clause), Changes or Additions to Make-or-Buy Program
 - 52.215-10 (Clause), Price Reduction for Defective Certified Cost or Pricing Data
 - 52.215-14 (Clause), Integrity of Unit Prices
 - 52.215-16 (Provision), Facilities Capital Cost of Money
 - 52.215-17 (Clause), Waiver of Facilities Capital Cost of Money
 - 52.215-24 thru 52.215-42 remain reserved
- The following provisions and clauses were revised for plain language, updating cross-references, removing outdated content, and streamlining:
 - 52.215-1, Instructions to Offerors- Competitive Acquisition
 - 52.215-2, Audit and Records- Negotiation (Alternate I has been removed)
 - 52.215-6, Place of Performance
 - 52.215-8, Order of Precedence-Uniform Contract Format
 - 52.215-9, Changes or Additions to Make-or-Buy Program
 - 52.215-11, Price Reduction for Defective Certified Cost or Pricing Data-Modifications
 - 52.215-12, Subcontractor Certified Cost or Pricing Data
 - 52.215-13, Subcontractor Certified Cost or Pricing Data-Modifications
 - 52.215-15, Pension Adjustments and Asset Reversions
 - 52.215-18, Reversion or Adjustment of Plans for Postretirement Benefits (PRB) Other Than Pensions
 - 52.215-19, Notification of Ownership Changes
 - 52.215-20, Requirements for Certified Cost or Pricing Data and Data Other Than Certified Cost or Pricing Data
 - 52.215-21, Requirements for Certified Cost or Pricing Data and Data Other than Certified Cost or Pricing Data-Modifications
 - 52.215-22, Limitations on Pass-Through Charges-Identification of Subcontract Effort
 - 52.215-23, Limitations on Pass-Through Charges

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Statutory requirements retained in the RFO FAR part 15 model deviation include, but are not limited to, the following:

- 6 U.S.C. § 394, Unsolicited Proposals
- 10 U.S.C. § 3206 and 41 U.S.C. § 3306(c), Evaluation Factors
- 10 U.S.C. §§ 3301 et seq and 41 U.S.C. §§ 3701 et seq, Awarding of Contracts
- 10 U.S.C. §§ 3701 et seq and 41 U.S.C. §§ 3501 et seq, Truth in Negotiations Act
- 41 U.S.C. § 2102, Prohibitions on Disclosing and Obtaining Procurement Information

Non-statutory requirements removed from FAR part 15 include, but are not limited to, the following:

- Section 15.205, “Issuing Solicitations”, is removed because it is repetitive of information found in other FAR parts.
- The following provisions are deleted:
 - 52.215-3, Request for Information or Solicitation for Planning Purposes, is now reserved, as the information is covered by the new 15.101(c).
 - 52.215-5, Facsimile Proposals, is now reserved.

Corresponding DOSAR Deviation Summary

Based on the Council’s model deviated language, a class deviation is hereby issued to the Department of State Acquisition Regulation (DOSAR) to make the following corresponding changes:

- Adjusting terminology and section titles to mirror FAR part 15 changes and
- Other administrative updates.

3. Acquisition Impact: The changes resulting from this class deviation affect all DoS procurements issued on or after the effective date of the AA.

4. Action Required: The acquisition workforce must follow the RFO part 15 model deviation text instead of FAR part 15 as codified at 48 CFR Chapter 1. The FAR Council’s RFO model deviation text is available at [Acquisition.gov/far-overhaul](https://www.acquisition.gov/far-overhaul), and is incorporated into this class deviation.

5. Effective Date: The model deviated language was released on September 30, 2025; however, this deviation will be effective on February 27, 2026.

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6. Expiration Date: This Acquisition Alert expires upon incorporation into the FAR, DOSAR, and/or DOSAM.

7. Additional Information: Questions regarding this Acquisition Alert may be directed to AcquisitionPolicy@state.gov.

8. Attachments: [DOSAR Part 615 Deviation Line In Line Out](#)

9. Referenced Documents, Checklists, Guides and Templates:

[FAR Part 15 Practitioner Album](#)