



UNITED STATES OFFICE OF PERSONNEL MANAGEMENT

Washington, DC 20415

MEMORANDUM

DATE: April 8, 2026

TO: Office of Personnel Management (OPM) Acquisition Workforce

FROM: Matthew J. Manning
OPM Senior Procurement Executive

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

1. Purpose

This supplement provides updated and amendments to certain OPM 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, OPM 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 OPM implementing deviation for each part.

Subsequent review has identified the need to update and amend OPM'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

FAR Part 9, Contractor Qualifications – 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.

The following items are updated or retained:

- Statutory requirements and presidential directives retained in the RFO FAR Part 9 model deviation include, but are not limited to, the following:
 - o 6 U.S.C. § 395, Prohibition on Contracts with Corporate Expatriates
 - o 10 U.S.C. § 3206 and 41 U.S.C. § 3306, Planning and Solicitation Requirements
 - o 10 U.S.C. § 3243 and 41 U.S.C. § 3311, Qualification Requirements
 - o 22 U.S.C. § 2593e, Measures Against Activities that Violate Arms Control Treaties
 - o 41 U.S.C. § 113, Responsible Source
 - o 41 U.S.C. § 2303, Ethics Safeguards Related to Contractor Conflicts of Interest
 - o 41 U.S.C. § 2304, Conflict of Interest Standards for Consultants
 - o 41 U.S.C. § 2313, Database for Suspension and Debarment Officials
 - o Pub. L. 103-355 Sec 2455, Uniform Suspension and Debarment
 - o Pub. L. 111-84 Sec 815, Clarification of Uniform Suspension and Debarment
 - o Requirement o Pub. L. 117-324, Preventing Organization Conflicts of Interest in Federal Acquisition
 - o E.O. 12549 and E.O. 12689, Debarment and Suspension
- 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.

The following items have been 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 nonregulatory content.
- Section 9.106 “Preaward Surveys”, has been removed and may be moved to

nonregulatory content. This includes the reference to utilizing the Standard Form 1403, Preaward Survey of Prospective Contractor (General).

- 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.

4. Applicability. This supplement to applicable class deviations applies to all OPM 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.

7. Deviation

The OPM acquisition workforce must follow the RFO Part 9 model deviation text instead of FAR Part 9 as codified at 48 CFR Chapter 1. The Council’s RFO Part 9 model deviation text is available at <https://www.acquisition.gov/far-overhaul/far-part-deviation-guide/far-overhaul-part9>.

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

9. Points of Contact. Try asking OPM first (upload the new RFO language and OPM’s implementing deviation, then ask your question). If you still need clarification, you may email the OPM Procurement Service Division Senior Procurement Executive at Senior_Procurement_Executive@opm.gov.