



**U.S. Department
of Transportation**

1200 New Jersey Ave., S.E.
Washington, DC 20590

Office of the Secretary
of Transportation

SUBJECT: Class Deviation No. 2026-06 from the Transportation Acquisition Regulation for TAR Part 1206 in Support of Executive Order 14275, Restoring Common Sense to Federal Procurement

FROM: Chrishaun Jones
Senior Procurement Executive
Office of the Senior Procurement Executive

TO: Department of Transportation Chiefs of the Contracting Offices

- I. Purpose:** This memorandum approves a class deviation to the Transportation Acquisition Regulation (TAR) part 1206 for the purpose of implementing, in the TAR, Federal Acquisition Regulation (FAR) Class Deviation (CD) (No. 2025-10) for FAR part 6 in support of Executive Order (E.O.) 14275, “Restoring Common Sense to Federal Procurement.”
- II. Effective Date:** Immediately.
- III. Background:** On April 15, 2025, [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.” The Revolutionary FAR Overhaul (RFO) initiative will make the FAR more concise, understandable, and focused on core procurement requirements. This also applies to agency supplements to the FAR.

Under this initiative, 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- Remove duplicative or outdated language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.

The RFO FAR part 6 model deviation text upon which this RFO TAR part 1206 deviation is also based, establishes bedrock principles. The Department of Transportation (DOT) issued [FAR CD 2025-10](#) for FAR part 6 on July 23, 2025.

To ensure alignment with issued E.O.s and the RFO FAR part CD, it is necessary to issue this RFO TAR CD in advance of a proposed rule to implement these requirements to ensure DOT

policies and procedures align with these requirements. DOT intends on conducting further analysis and developing a rule for publication in the Federal Register for public comment after the release of this CD, and after FAR proposed and final rules are published.

IV. Summary of Changes: The following table is not an exhaustive list but includes notable updates to TAR part 1206:

Change	Description
New/Retained/Updated	General – Updated TAR content and headings to align with RFO FAR Part 6. • Section 1206.003, Advocates for competition. ○ Added content to reflect the title for the DOT Advocate for Competition appointee, as well as a link to the public-facing OSPE website directing users to information on agency and procuring activity advocates for competition. • Subpart 1206.1, Presolicitation. Added subpart to align with RFO FAR part 6. ○ 1206.102-1, Establishing or maintaining alternative sources. Moved and revised content from 1206.202 to combine paragraphs (a) and (b) that delegates authority to the HCA to sign the Determination and Findings (D&F).
Removed	General – Text has been deleted in the subparts or sections below to remove non-statutory guidance. • Subpart 1206.2, Full and Open Competition After Exclusion of Sources. ○ Section 1206.202, Establishing or maintaining alternative sources, moved to 1206.102-1 to align with RFO FAR part 6. Existing paragraph (b) removed as unnecessary and redundant. Revised new paragraph (b) is under 1206.102-1 noted above. • Subpart 1206.3, Other Than Full and Open Competition. Including underlying sections 1206.302, Circumstances permitting other than full and open competition; 1206.302-1, Only one responsible source and no supplies or services will satisfy agency requirements; and 1206.302-7, Public interest. ○ 1206.302-1, Only one responsible source and no supplies or services will satisfy agency requirements. The TAR references language that has since been removed from the FAR, making this section both outdated and redundant. ○ 1206.302-7, Public interest. The FAR does not permit further delegation of the agency head responsibilities, so this TAR coverage is outdated and unnecessary. ○ Content is redundant to revised RFO FAR part 6 and is unnecessary. • Subpart 1206.5, Advocates for Competition. Including underlying section 1206.501, Requirement. ○ Moved to section 1206.003, Advocates for competition, to align with RFO FAR part 6.

- V. Required Actions:** Contracting Officers shall follow the RFO TAR part 1206 deviation text, in lieu of TAR part 1206 as codified at 48 CFR, chapter 12. The RFO TAR deviation text is shown in the Attachment.

Chiefs of the Contracting Offices (COCOs) must ensure this deviation is disseminated to the acquisition workforce and ensure compliance with the requirements in the CD.

- VI. Applicability:** This CD applies to all DOT Operating Administrations (OAs), the Office of the Secretary of Transportation (OST), and the Office of the Inspector General (OIG), excluding the Federal Aviation Administration (FAA) in accordance with RFO TAR 1201.103-70(b).
- VII. Authority:** This CD is issued under the authority of RFO FAR 1.304, Class deviations; TAR 1201.404, Class deviations; and the revised citation at RFO TAR 1201.304, for the purpose of implementing policy in the TAR to comply with requirements of certain E.O.s, statutes, and other directives in DOT FAR CD No. 2025-10 and as described below.
- VIII. Expiration Date:** This CD will remain in effect until it is incorporated into the TAR, superseded, or is otherwise rescinded, whichever occurs first.
- IX. Point of Contact:** Questions or comments regarding this deviation may be directed to DOTAcquisitionPolicy@dot.gov.

Attachment:

- A. RFO TAR Part 1206 Deviation Text – Bold/Bracketed/Line-in Line-Out (BB-LILO)

Transportation Acquisition Regulation (TAR) Class Deviation (CD) No. 2026-06

Attachment A

RFO TAR Part 1206 Deviation Text

TAR Text Baseline is 48 CFR chapter 12 as of March 26, 2026.

Additions are shown as **[bolded and bracketed]** and deletions are shown in strikethrough deletions. TAR Text unchanged shown as asterisks.

Part 1206—Competition Requirements

[1206.003 Advocates for competition.]

~~Subpart 1206.2—Full and Open Competition After Exclusion of Sources~~

[Subpart 1206.1 – Presolicitation]

1206.202[102-1] Establishing or maintaining alternative sources.

~~Subpart 1206.3—Other Than Full and Open Competition~~

~~1206.302—Circumstances permitting other than full and open competition.~~

~~1206.302-1—Only one responsible source and no other supplies or services will satisfy agency requirements.~~

~~1206.302-7—Public interest.~~

~~Subpart 1206.5—Advocates for Competition~~

~~1206.501—Requirement.~~

Authority: [5 U.S.C. 301](#); [41 U.S.C. 1121\(c\)\(3\)](#); [and] [41 U.S.C. 1702](#); and ~~[48 CFR 1.301](#)~~ through [1.304](#).

PART 1206—COMPETITION REQUIREMENTS

[1206.003 Advocates for competition.

(a) The Deputy Assistant Secretary for Administration is appointed as the DOT Advocate for Competition. Information on agency and procuring activity advocates for competition is at <https://www.transportation.gov/assistant-secretary-administration/procurement/senior-procurement-executive>.]

Subpart 1206.2[1] [- Presolicitation]—~~Full and Open Competition After Exclusion of Sources~~

1206.[102-1]202 Establishing or maintaining alternative sources.

(a)[b]) The head of the contracting activity (HCA) is delegated authority to exclude a particular source from a contract action in order to establish or maintain an alternative source ~~under the conditions listed in~~[pursuant to] FAR 6.[102-1(a)]202(a) [and to sign the supporting determination and findings].

(b) The HCA is also delegated authority to approve a Determination and Findings (D&F) in support of a contract action awarded under the authority of FAR 6.202(a).

Subpart 1206.3—~~Other Than Full and Open Competition~~

1206.302 Circumstances permitting other than full and open competition.

1206.302-1 ~~Only one responsible source and no other supplies or services will satisfy agency requirements.~~

(b) (4) The HCA is authorized to determine that only specified makes and models of technical equipment and parts will satisfy the agency's needs under FAR 6.302-1(b)(4).

1206.302-7 Public interest.

(a)

(2) The authority under FAR 6.302-7 whereby full and open competition need not be provided for when determined that it is not in the public interest in a particular acquisition is reserved by the Secretary and may not be delegated. A written determination made and signed by the Secretary shall be included in the contract file.

(c) (3) The contracting officer shall prepare a justification to support the determination under FAR 6.302-7(c)(3).

~~Subpart 1206.5—Advocates for Competition~~

~~1206.501 Requirement.~~

~~The DOT Agency Advocate for Competition is the Deputy Assistant Secretary for Administration.~~
