U.S. Department of Transportation

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

Office of the Secretary of Transportation

SUBJECT: Class Deviation No. 2026-40 from the Transportation Acquisition Regulation for TAR Part 1240 in Support of Executive Order 14275, Restoring Common Sense to Federal Procurement

FROM: Chrishaun Jones CHRISHAUN PATRICE JONES Digitally signed by CHRISHAUN PATRICE JONES Date: 2026.11.02 17:56:10 -05'00'
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 1240 for the purpose of implementing, in the TAR, Federal Acquisition Regulation (FAR) Class Deviation (CD) (No. 2025-24) for FAR part 40 in support of Executive Order (E.O.) 14275, "Restoring Common Sense to Federal Procurement."

II. Effective Date: 1 December 2026.

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- Remove duplicative or outdated language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 40 model deviation text upon which this RFO TAR part 1240 deviation is based, establishes bedrock principles. The Department of Transportation (DOT) issued FAR CD 2025-24 for FAR part 40 on September 9, 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 1240:

Change	Description
New/Retained/ Updated	General – New. Implemented coverage to add two new clauses on evaluation of supply chain risk and monitoring of supply chain risk during contract performance. Aligns with RFO FAR Part 40. **TAR Part 1240—Information Security and Supply Chain Security** • **Subpart 1240.1—Processing Supply Chain Risk Information.** New. o Added new RFO TAR Part to align with RFO FAR Part responsibilities and to increase standardization of DOT evaluation and monitoring of these risks during the solicitation evaluation phase and during contract performance. o 1240.170 Solicitation provision and contract clause. o Prescribed a solicitation provision and a contract clause as noted below. • **1252.240-70, Notice of Evaluation of Supply Chain Risk** (DEC 2026)(RFO DEVIATION). o States that the Government may consider supply chain risk information, as defined in RFO FAR Part 40, during the evaluation process. o Provides that unacceptable supply chain risks may be grounds to remove an offeror from consideration. • **1252.240-71, Supply Chain Risk Monitoring.** (DEC 2026)(RFO DEVIATION). o States that the Government monitors supply chain risk information as defined in FAR 40.101. o Also provides that if supply chain risks are identified that cannot be reasonably mitigated, the Government will take corrective action and spells out potential available remedies available, but limited to the Government.
Removed	• None – new RFO TAR Part

V. Required Actions: Contracting Officers shall follow the RFO TAR part 1240 deviation text, including the corresponding part 1252 deviation text, in lieu of TAR part 1240 and part 1252 as codified at 48 CFR, chapter 12. The RFO TAR deviation text is shown in the Attachment

including any cognizant TAR part 1252 solicitation provisions or contract clauses prescribed in TAR part 1240.

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.

For new solicitations, contracts or orders:

- Include applicable deviated provisions and clauses (marked **(DEC 2026)(RFO Deviation)**) as attached.

For open solicitations:

- The contracting officer has discretion regarding the need to enforce or amend the provisions or clauses. Note that without some of the removed provisions or clauses, the contracting officer may be required to separately address certain aspects in an awarded contract.

For existing contracts and orders:

- No action required for the clause associated with this class deviation.

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. 2025-24.

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 1240 & Applicable Part 1252 Deviation Text – Bold/Bracketed/Line-in Line-Out (BB-LILO)

Transportation Acquisition Regulation (TAR) Class Deviation (CD) No. 2026-40

Attachment A

RFO TAR Part 1240 and 1252 Deviation Text

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

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

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[PART 1240—INFORMATION SECURITY AND SUPPLY CHAIN SECURITY [(RFO Deviation)]

Subpart 1240.1—Processing Supply Chain Risk Information
1240.170 Solicitation provision and contract clause.

Authority: 5 U.S.C. 301; 41 U.S.C. 1121(c)(3); and 41 U.S.C. 1702.]

[PART 1240— INFORMATION SECURITY AND SUPPLY CHAIN SECURITY (RFO DEVIATION)

Subpart 1240.1—Processing Supply Chain Risk Information

1240.170 Solicitation provision and contract clause.

(a) Insert a provision substantially the same as the provision at 1252.240-70, Notice of Evaluation of Supply Chain Risk, in solicitations, including those for commercial products and commercial services, when the acquisition will require the evaluation of supply chain risk as part of the evaluation criteria.

(b) Insert a clause substantially the same as the clause at 1252.240-71, Supply Chain Risk, in solicitations and contracts, including those for commercial products and commercial services, when the acquisition will require supply chain risk monitoring during contract performance.]

Part 1252 – Solicitation Provisions and Contract Clauses (RFO Deviation)

Subpart 1252.2—Text of Provisions and Clauses

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[1252.240-70 Notice of Evaluation of Supply Chain Risk (DEC 2026)(RFO DEVIATION)
1252.240-71 Supply Chain Risk (DEC 2026)(RFO DEVIATION)]

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Subpart 1252.2—Text of Provisions and Clauses

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[1252.240-70 Notice of Evaluation of Supply Chain Risk.

As prescribed in 1240.170(a), insert the following provision:

NOTICE OF EVALUATION OF SUPPLY CHAIN RISK (DEC 2026)(RFO DEVIATION)

The Government may consider supply chain risk information as defined in FAR 40.101 (DOT RFO FAR Class Deviation 2025-24) during the evaluation process. Unacceptable supply chain risks may be grounds to remove an offeror from consideration.

(End of provision)

1252.240-71 Supply Chain Risk Monitoring.

As prescribed in 1240.170(b), insert the following clause:

SUPPLY CHAIN RISK MONITORING (DEC 2026)(RFO DEVIATION)

The Government monitors supply chain risk information as defined in FAR 40.101 (DOT RFO FAR Class Deviation 2025-24) throughout contract performance. If supply chain risks are identified that cannot be reasonably mitigated, the Government will take corrective action using any available remedies, such as, but not limited to:

(a) Removal of the product, service, or solution from the contract;
(b) Not extending contract performance;
(c) Contract cancellation; or
(d) Contract termination.

(End of clause)]