



# UNITED STATES DEPARTMENT OF EDUCATION

## OFFICE OF FINANCE AND OPERATIONS

September 5, 2025

### ACQUISITION ALERT 2025-20

TO: Heads of Contracting Activities

FROM: Calvin J. Mitchell Jr. **CALVIN MITCHELL** Digitally signed by CALVIN MITCHELL  
Deputy Assistant Secretary for the Office of Acquisition Management  
Senior Procurement Executive  
Date: 2025.09.05 08:26:47 -04'00'

SUBJECT: FAR Class Deviation for FAR Part 5

- 1. Purpose.** This Acquisition Alert (AA) adopts a class deviation to Federal Acquisition Regulation (FAR) Part 5 for purposes of implementing the Federal Acquisition Regulatory Council's (the Council's) model deviation text to FAR Part 5.
- 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." On May 31, 2025, the enclosed class deviation was issued for the use of all Revolutionary FAR Overhaul (RFO) model deviation texts and corresponding EDAR deviations.
- 3. Summary of Changes.** FAR Part 5, Publicizing Contract Actions, is revised from a complex, topic-based structure to a streamlined, chronological process that mirrors the three main phases of an acquisition. The revision makes extensive use of tables to present complex information regarding content requirements and timing, a significant departure from the dense paragraphs of the original text. The new tables 5-1, 5-2, 5-3, and 5-4 clearly explain posting requirements and timeframes.

This approach directly serves the goals of reducing complexity and enhancing clarity by making the content easier to understand and use.

Statutory requirements retained in the RFO FAR Part 5 model deviation include, but are not limited to, the following:

- 5 U.S.C. § 552, Public Information; Agency Rules, Opinions, Orders, Records, and Proceedings
- 15 U.S.C. § 637(e) and 41 U.S.C. § 1708, Procurement Notice
- 15 U.S.C. § 637(k), Notices of Subcontracting Opportunities
- 15 U.S.C. § 637b, Availability of Information

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- 15 U.S.C. § 644, Awards or Contracts
- 44 U.S.C. §§ 3701-3703, Awarding of Contracts
- Pub. L. 97-219, Small Business Innovation Development Act of 1982

Change	Description
Retained	<ul style="list-style-type: none"> <li>• Section 5.000 “<b>Scope of Part</b>” has been updated to specify that notices are posted in the Governmentwide Point of Entry (GPE). Section 5.001 “<b>Definitions</b>” retains and streamlines the definition of “Contract Action” and adds definitions of “Notice” and “Presolicitation Notice”.</li> <li>• Section 5.002 “<b>Policy</b>” retains the general purpose to <b>increase competition and broaden industry participation</b>. Language in this section has been revised from “assist small business concerns” to <b>inform small business concerns</b> of contract and subcontract opportunities.</li> <li>• <b>New subparts 5.1 “Presolicitation”, 5.2 “Solicitation”, and 5.3 “Award”</b> create logical organization in <b>alignment with the acquisition lifecycle</b>, creating clear points of reference. <ul style="list-style-type: none"> <li>◦ Content from the former <b>Subparts 5.1 “Dissemination of Information”, 5.2 “Synopsis of Proposed Contract Actions”, and 5.3 “Synopsis of Contract Awards”</b> is streamlined within the new subpart structure.</li> </ul> </li> <li>• New tables are added to section 5.101 “Presolicitation Notice” that provide greater readability. Specifically, Table 5-1 identifies <b>presolicitation language regarding trade agreements</b> and Table 5-2 clarifies minimum <b>posting timeframes for presolicitation notices</b>.</li> <li>• Guidance for “<b>Paid Advertisements</b>” is moved from subpart 5.5 to the new section 5.102, and is significantly streamlined.</li> <li>• Guidance on “Special Situations”, previously at 5.205, has been moved to the new section 5.103 “<b>Special Notices</b>” and is significantly streamlined, reflecting notices for Federal Funded Research and Development Centers (FFRDC), and consolidation, bundling, and substantial bundling.</li> <li>• New tables are added to section 5.201 “Solicitation Notice” that provide greater readability. Specifically, Table 5-3 identifies minimum <b>timeframes for receipt of quotations or offers</b>, and Table 5-4 identifies minimum <b>posting timeframes for award notices</b>.</li> </ul>
Removed	<ul style="list-style-type: none"> <li>• With rare exception, the term “<b>synopsis</b>” has been removed.</li> </ul>

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	<ul style="list-style-type: none"> <li>• <b>Subpart 5.4 “Release of Information”</b> has been removed as largely duplicative of the general posting guidance throughout the part.</li> <li>• <b>Subpart 5.6 “Publicizing Multi-Agency Use Contracts”</b>, which required agencies to enter information into a specific governmentwide database of contracts, has been removed as duplicative and outdated.</li> <li>• <b>Subpart 5.7 “Publicizing Requirements Under the American Recovery and Reinvestment Act of 2009 (ARRA)”</b> has been removed because ARRA is no longer active.</li> </ul>
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This table is not an exhaustive list.

#### 4. Instructions.

- The Department of Education’s acquisition workforce shall follow the RFO Part 5 model deviation text instead of FAR Part 5 as codified at 48 CFR Chapter 1. The Council’s RFO Part 5 model deviation text is available at <https://www.acquisition.gov/far-overhaul/far-part-deviation-guide/far-overhaul-part-5> and is incorporated into this class deviation. A separate Acquisition Alert will be issued for any corresponding changes to the EDAR.
- Review templates and related standard operating procedures to align with this deviation and remove unnecessary processes and steps.

**5. Training.** Acquisition Professionals are highly encouraged to complete “Practitioner Album: FAR Part 5 – Publicizing Contract Actions” at [https://www.acquisition.gov/sites/default/files/practitioner\\_albums/far-part-5-publicizing-contract-actions/content/index.html#/](https://www.acquisition.gov/sites/default/files/practitioner_albums/far-part-5-publicizing-contract-actions/content/index.html#/) within 30 days. Please complete the Practitioner Album and mark “yes” under the completion attestation within FAI CSOD.

**6. Effective Date.** This class deviation to FAR Part 5 is effective November 3, 2025 and remains in effect until rescinded or incorporated into the FAR.

**7. Points of Contact.** Direct questions regarding this class deviation to your respective policy points of contact.

**8. Enclosure.** Determination and Findings - Class Deviation for the Revolutionary FAR Overhaul

**DETERMINATION AND FINDINGS**  
Department of Education, All Contracting Activities  
Class Deviation for the Revolutionary FAR Overhaul

This approves a class deviation to all Federal Acquisition Regulation (FAR) and Department of Education Acquisition Regulation (EDAR) parts for purposes of implementing the Federal Acquisition Regulatory Council's (the Council's) model deviation text.

**Findings**

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.

In explaining the Federal Acquisition System, the RFO FAR Part deviation text establishes bedrock principles. Most centrally, it sets a "mission first" message at the top of the guiding principles. The RFO model deviation also increases the emphasis on the best use of taxpayer dollars and calls out the value of time as another guiding principle. Additionally, it retains a focus on satisfying the customer, maximizing use of commercial products and services, promoting competition, and encouraging innovation.

The FAR Council Deviation guidance allows for agencies to deviate agency acquisition regulation supplements as it relates to the RFO.

**Determination**

In accordance with FAR 1.404 and EDAR 3401.404, I hereby issue a class deviation for the use of all RFO model deviation texts and corresponding EDAR deviations. The adoption date for each RFO part model deviation text will be the date of the corresponding Acquisition Alert. EDAR deviation texts may be issued in a separate Acquisition Alert. All Department of Education contracting activities must follow the RFO model deviation texts instead of the FAR Parts codified at 48 CFR. Should the language of the RFO FAR contradict any statutorily granted procurement authorities to the Department of Education including the Office of Federal Student Aid, the statutorily granted authorities prevail.

In the unlikely event that the Department wishes to vary from a RFO model deviation text, a separate deviation will be issued. This class deviation will remain in effect until incorporated into the FAR, EDAR or rescinded.

**RICHARD LUCAS** Digitally signed by RICHARD LUCAS  
Date: 2025.05.31 08:30:12 -04'00'

Richard Lucas

Acting Chief Acquisition Officer (CAO)

Date