



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF FINANCE AND OPERATIONS

September 12, 2025

ACQUISITION ALERT 2025-23

TO: Heads of Contracting Activities

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Senior Procurement Executive

SUBJECT: FAR Class Deviation for FAR Part 8

- 1. Purpose.** This Acquisition Alert (AA) adopts a class deviation to Federal Acquisition Regulation (FAR) Part 8 for purposes of implementing the Federal Acquisition Regulatory Council's (the Council's) model deviation text to FAR Part 8.
- 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 8, Required Sources of Supplies and Services, is significantly updated. The model deviation language:
 - Enhances usability by restructuring and organizing the part in the logical flow of the acquisition lifecycle.
 - Simplifies mandatory source guidance.
 - Makes the use of Governmentwide Best-In-Class (BIC) contracts mandatory.
 - Retains focus on the importance of the AbilityOne Program.

This revolutionary change also moves the procedures for ordering under the Federal Supply Schedule (FSS) from the FAR into the General Services Administration Acquisition Regulation (GSAR). The new language represents a significant shift from the overly prescriptive framework found in FAR subpart 8.4. FSS ordering procedures have been revised to create a streamlined structure that provides only the essential requirements needed to place orders and establish blanket purchase agreements (BPAs) against FSS contracts. This streamlined structure enhances the speed of acquisition and

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The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

empowers acquisition professionals to use innovative approaches to acquire products/services/solutions under the FSS program.

Statutory requirements retained in the RFO FAR part 8 model deviation include, but are not limited to, the following:

- 10 U.S.C. § 3905, Products of Federal Prison Industries
- 18 U.S.C. § 4124, Purchase of Prison-Made Products by Federal Departments
- 40 U.S.C. § 501, Services for Executive Agencies
- 41 U.S.C. § 152(3), Competitive Procedures
- 41 U.S.C. § 3302, Requirements for Purchase of Property and Services Pursuant to Multiple Award Contracts
- 41 U.S.C. §§ 8501 et seq, Committee for Purchase from People Who are Blind or Severely Disabled
- 44 U.S.C. §§ 501 et seq, Production and Procurement of Printing and Binding
- Pub. L. 108-136, Title XIV, Services Acquisition Reform Act of 2003

Change	Description
Retained	<ul style="list-style-type: none">• The substance of the “Scope” in 8.000 is retained.• Many definitions, previously scattered across different subparts of Part 8, are now consolidated at new section 8.001.• Use of Mandatory Sources. The priorities and requirements for use of mandatory sources are moved from 8.002 to new sections 8.102, and 8.103. Former section 8.003, “Use of Other Mandatory Sources”, is deleted, but its content is preserved and merged into the new section 8.101.• Use of Existing Contracts. 8.104 replaces section 8.004, “Use of Other Sources”. OFPP designated “Required Use” Governmentwide Contract or BPAs are now required to be used when a commercial product or commercial service meets an agency’s need, unless approved by the Head of the Contracting Activity (HCA). If a required use is not suitable, agencies should consider use of an existing governmentwide contract, BPA, or shared service.• Contractor permitted use of Government supply sources. This new content moves from FAR Part 51 to the new section at 8.105. A new clause is prescribed in section 8.105-1 and discussed below.• Contractor Use of GSA Fleet. Former subpart 8.11, “Leasing of Motor Vehicles”, is deleted but guidance for authorizing contractor use of GSA Fleet is preserved and moved to section 8.105-3.

	<ul style="list-style-type: none"> ● Ordering under the Federal Supply Schedule. This new subpart 8.4 directs agencies to follow the ordering procedures established by GSA found at General Services Acquisition Regulation (GSAR) Part 538. ● Requirements and procedures for Acquisition From Federal Prison Industries, Inc. are retained and streamlined. The content has been moved from subpart 8.6 to the new subpart 8.3. ● Requirements and procedures for Acquisition From AbilityOne Participating Nonprofit Agencies are retained and streamlined. The content has been moved from subpart 8.7 to the new subpart 8.2. ● Requirements and procedures for Acquisitions of Government Printing and Related Supplies are retained and streamlined. The content has been moved from subpart 8.8 to the new subpart 8.5. ● The following clauses are retained or relocated from other parts: <ul style="list-style-type: none"> ○ Clause 52.208-9, Contractor Use of Mandatory Sources of Supply and Services, is streamlined. <ul style="list-style-type: none"> ■ The prescription is now at 8.105-1(b). ○ Clause 52.208-10 Government Supply Sources (previously at 52.251-1) <ul style="list-style-type: none"> ■ The prescription is now at 8.105-2(c). ○ Clause 52.208-11, GSA Fleet and Related Services (previously at 52.251-2) <ul style="list-style-type: none"> ■ The prescription is now at 8.105-3(c). ○ 52.208-1 through 52.208-8 remain reserved.
Removed	<ul style="list-style-type: none"> ● Section 8.001, “General”, is removed. It contained a general requirement for IT acquisitions to comply with capital planning rules. This information is not specific to the core purpose of Part 8. ● Subpart 8.1, “Excess Personal Property” is removed. The new 8.103(a)(2) points readers to the authoritative Federal Management Regulation (41 C.F.R. 102-36) to avoid outdated information. ● Subpart 8.4, “Federal Supply Schedules” is retitled to “Ordering under the Federal Supply Schedule”, and streamlined with the majority of the content moving to GSAM/R 538. ● The following clauses associated with “Leasing of Motor Vehicles” are removed: <ul style="list-style-type: none"> ○ 52.208-4, Vehicle Lease Payments ○ 52.208-5, Condition of Leased Vehicles ○ 52.208-6, Marking of Leased Vehicles

	<ul style="list-style-type: none"> ○ 52.208-7, Tagging of Leased Vehicles
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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 8 and corresponding 52 model deviation text instead of FAR Part 8 and 52 as codified at 48 CFR Chapter 1. The Council’s RFO Part 8 model deviation text is available at <https://www.acquisition.gov/far-overhaul/far-part-deviation-guide/far-overhaul-part-8> and is incorporated into this class deviation. A separate Acquisition Alert will be issued for any corresponding changes to the EDAR.
- GSA’s deviation moving the FSS Ordering Procedures into the GSAM/R can be viewed at https://www.acquisition.gov/sites/default/files/page_file_uploads/GSA_RFO_FSS-Ordering-Procedures_538.pdf
- To access the new FSS Ordering Procedures, you can:
 - i. Click the hyperlinked “538” in the part 8 model deviation text at 8.401(b).
 - ii. Click the hyperlinked “NEW - FSS Ordering Procedures” link in the new box at the top right of [Acquisition.gov/far-overhaul/far-part-deviation-guide](https://www.acquisition.gov/far-overhaul/far-part-deviation-guide).
 - iii. Type [acquisition.gov/fss-ordering-procedures](https://www.acquisition.gov/fss-ordering-procedures) in your URL address bar.
- For new solicitations or contracts, when using any provisions or clauses that have been revised, utilize the RFO model deviation language at <https://www.acquisition.gov/far-overhaul/far-part-deviation-guide/far-overhaul-part-52>. Do not include any of the removed provisions or clauses in future solicitations and contracts.
- For open solicitations or awarded contracts, 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 the contract.
- 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 8 – Required Sources of Supplies and Services” at https://www.acquisition.gov/sites/default/files/practitioner_albums/far-part-8-required-sources-of-supplies-and-services/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 8 is effective November 3 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
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Richard Lucas

Acting Chief Acquisition Officer (CAO)

Date