



Millennium Challenge Corporation
Contracts and Grants Management Division
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MEMORANDUM

Date: August 11, 2025

From: Jonathan C. Hamlet
Managing Director & Senior Procurement Executive
Contracts and Grants Management Division
Department of Administration and Finance
Millennium Challenge Corporation

To: MCC Contracts and Grants Management Division Staff

Subject: Class Deviation to Implement the FAR Revisions Part 5 *Publicizing Contract Actions*
Issued on August 7, 2025

Findings

On April 15, 2025, President Trump signed the [Executive Order \(E.O.\) 14275, “Restoring Common Sense to Federal Procurement”](#) to reform the Federal Acquisition Regulation (FAR). This E.O. further advances the intent of the [E.O. 14192, “Unleashing Prosperity Through Deregulation,”](#) signed on January 31, 2025, which established that the policy of the executive branch is to be prudent and financially responsible in the expenditure of funds and to alleviate unnecessary regulatory burdens placed on the American people.

The E.O. orders the Administrator of the Office of Federal Public Procurement Policy (OFPP), in coordination with the other members of the Federal Acquisition Regulatory Council (FAR Council), the heads of agencies, and appropriate senior acquisition and procurement officials from agencies to amend the FAR to ensure that it contains only provisions that are required by statute or that are otherwise necessary to support simplicity and usability, strengthen the efficacy of the procurement system, or protect economic or national security interests. This project is referred to as the Revolutionary FAR Overhaul (RFO) initiative.

On May 2, 2025, the Office of Management and Budget (OMB) released its memo M-25-25 “Overhauling the Federal Acquisition Regulation” that directs all agencies to “Generally issue individual or class deviations to implement the FAR Council’s deregulated coverage within 30 days after the Council releases its model deviation text. Provide copies of class deviations to the FAR Secretariat at gsaregsec@gsa.gov for public posting on Acquisition.gov.”

On August 7, 2025, the FAR Council issued completed revisions for [FAR Part 5](#). The RFO FAR Part 5 model deviation text has been revised from a complex, topic-based structure to a streamlined, chronological process that mirrors the three main phases of 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.

Statutory requirements retained in the RFO FAR Part 5 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
- 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

Some other key changes include:

Retained:

- Section 5.000 “Scope of Part” has been updated to specify that notices are posted in the Governmentwide Point of Entry (GPE). Section 5.001 “Definitions” retains and streamlines the definition of “Contract Action” and adds definitions of “Notice” and “Presolicitation Notice”.
- Section 5.002 “Policy” retains the general purpose to increase competition and broaden industry participation. Language in this section has been revised from “assist small business concerns” to inform small business concerns of contract and subcontract opportunities.
- New subparts 5.1 “Presolicitation”, 5.2 “Solicitation”, and 5.3 “Award” create logical organization in alignment with the acquisition lifecycle, creating clear points of reference.
 - Content from the former subparts 5.1 “Dissemination of Information”, 5.2 “Synopsis of Proposed Contract Actions”, and 5.3 “Synopsis of Contract Awards” is streamlined within the new subpart structure
- New tables are added to section 5.101 “Presolicitation Notice” that provide greater readability. Specifically, Table 5-1 identifies presolicitation language regarding trade agreements and Table 5-2 clarifies minimum posting timeframes for presolicitation notices.
- Guidance for “Paid Advertisements” is moved from subpart 5.5 to the new section 5.102, and is significantly streamlined.
- Guidance on “Special Situations”, previously at 5.205, has been moved to the new section 5.103 “Special Notices” and is significantly streamlined, reflecting notices for Federal Funded Research and Development Centers (FFRDC), and consolidation, bundling, and substantial bundling.
- New tables are added to section 5.201 “Solicitation Notice” that provide greater readability. Specifically, Table 5-3 identifies minimum timeframes for receipt of quotations or offers, and Table 5-4 identifies minimum posting timeframes for award notices.

Removed:

- With rare exception, the term “synopsis” has been removed.

- Subpart 5.4 “Release of Information” has been removed as largely duplicative of the general posting guidance throughout the Part.
- Subpart 5.6 “Publicizing Multi-Agency Use Contracts”, which required agencies to enter information into a specific governmentwide database of contracts, has been removed as duplicative and outdated.
- Subpart 5.7 “Publicizing Requirements Under the American Recovery and Reinvestment Act of 2009 (ARRA)” has been removed because ARRA is no longer active.

Determination

To fully comply with the President’s E.O.s and the revised FAR Part 5, MCC shall follow the [RFO Part 5 model deviation text](#) instead of FAR Part 5 as codified at 48 CFR Chapter 5. The FAR Council’s RFO Part 5 model deviation text is available at [Acquisition.gov](#), under the “[FAR Overhaul](#)” link.

This deviation applies to all solicitations and new contracts as of August 7, 2025. This deviation does not apply to contracts signed and executed on or before August 6, 2025.

Approval

In accordance with RFO FAR 1.304 *Class deviations*, MCC Contracts Operating Manual (COM) 1.305-3 *Contracts and Grants Management Division MD/SPE*, and the OMB memo M-25-25, the RFO Part 5 model deviation text is hereby approved effective as of August 7, 2025 for use by all MCC Contracting Officers until final implementation of the FAR update or rescission of this Memo by the SPE. Additional instructions related to this Memo may be issued by the Senior Procurement Executive, Deputy Managing Director, and the Supervisory Procurement Analyst of the MCC CGM Division on an *ad hoc* basis.

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Attachments

OMB Memo M-25-25 *Overhauling the Federal Acquisition Regulation*