



Pension Benefit Guaranty Corporation  
445 12th St, SW, Washington, DC 20024

Class Deviation PBGC-2026-0041

## MEMORANDUM FOR PBGC ACQUISITION WORKFORCE

**Date:** February 20, 2026  
**From:** Damon Q. McClure, Senior Procurement Executive  
**Subject:** FAR Class Deviation for FAR Part 5 in Support of Executive Order on Restoring Common Sense to Federal Procurement

**1. Purpose:** This class deviation is issued in accordance with FAR 1.304 and pursuant to the Office of Federal Procurement Policy memorandum entitled, “Deviation Guidance to Support the Overhaul of the Federal Acquisition Regulation,” to provide contracting officers with revised FAR Part 5 language and implement the FAR Council’s model deviation to FAR Part 5.

**2. Background:** On April 15, 2025, [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- Remove duplicative or outdated language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 the 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.

**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
- 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
<b>Retained</b>	<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 “Synopses of Proposed Contract Actions”, and 5.3 “Synopses 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 presolicitation language regarding trade agreements and Table 5-2 clarifies minimum posting timeframes for presolicitation notices.</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 <b>minimum timeframes for receipt of quotations or offers</b>, and Table 5-4 identifies minimum <b>posting timeframes for award notices</b>.</li> </ul>
<b>Removed</b>	<ul style="list-style-type: none"> <li>• With rare exception, the term “<b>synopsis</b>” has been removed.</li> <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>

This table is not an exhaustive list

**4. Instructions:**

- The PBGC 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 [Acquisition.gov/far-overhaul](https://www.acquisition.gov/far-overhaul) and is incorporated into this class deviation.
- Review templates and related standard operating procedures to remove unnecessary process steps.

**5. Applicability:** This deviation applies to all Pension Benefit Guaranty Corporation solicitations and new contracts.

**6. Authority:** This class deviation is issued under the authority of Executive Order (E.O.) 14275, [OMB M-25-26](#), 48 CFR Subpart 1.4, and FAR RFO 1.304.

**7. Effective Date:** This class deviation remains in effect until the changes described herein are incorporated in the FAR, superseded, or otherwise rescinded.

**8. Point of Contact:** Questions or comments on this class deviation may be sent to Jeff Gangi at [gangi.jeffrey@pbgc.gov](mailto:gangi.jeffrey@pbgc.gov).