



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF FINANCE AND OPERATIONS

November 25, 2025

ACQUISITION ALERT 2026-2

TO: Heads of Contracting Activities

FROM: Calvin J. Mitchell Jr. CALVIN MITCHELL
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Date: 2025.11.25 09:38:05 -05'00'

SUBJECT: FAR Class Deviation for FAR Part 17 in Support of Executive Order 14275, Restoring Common Sense to Federal Procurement.

- 1. Purpose.** This Acquisition Alert (AA) adopts a class deviation to Federal Acquisition Regulation (FAR) Part 17 for purposes of implementing the Federal Acquisition Regulatory Council's (the Council's) model deviation text to FAR Part 17.
- 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 17, Special Contracting Methods, has been streamlined. The revisions can be characterized by three overarching themes: organizing information in a way that's easier to understand and use; combining related topics and removing repeated information; and making the language clearer through simpler sentences, active voice, and better formatting.

Statutory requirements retained in the RFO FAR Part 17 model deviation include, but may not be limited to, the following:

- 41 U.S.C. § 3903 and 10 U.S.C. § 3501, Multiyear Contracts
- 31 U.S.C. § 1341, Limitations on Expending and Obligating Amounts
- 31 U.S.C. § 1535, The Economy Act
- Pub. L. 110-417 Sec. 865, Preventing Abuse of Interagency Contracts
- Pub. L. 110-181 Sec. 801, Internal Controls for Procurements on Behalf of the Department of Defense by Certain Non-defense Agencies

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Change	Description
Retained	<ul style="list-style-type: none"> • Section 17.000 “Scope of Part”, is retained and expanded to provide a more complete list of the special contracting methods covered within the part. • Subpart 17.1 “Multiyear Contracting”, is retained and restructured. This reorganization involves the deletion of some sections, the consolidation of others, and the creation of new sections to house relocated and revised content. • The “Definitions” for multiyear contracting are moved to section 17.102, and all are retained with some plain language or clarifying updates. • The “Policy” for multiyear contracting is moved to subsection 17.103-1 and revised to include two statutory requirements for DoD when considering entering into a multiyear contract for supplies: <ul style="list-style-type: none"> ○ (b)(6): The contract must promote national security of the United States. ○ (b)(7): For contracts valued at \$500,000,000 or more, the Secretary must certify that specific conditions outlined in 10 U.S.C. § 3501 will be met. • Subpart 17.2 “Options”, is retained and restructured. This reorganization involves the consolidation of some sections, and the creation of new sections to house relocated and revised content. • Subpart 17.3 remains reserved. • Subpart 17.5 “Interagency Acquisitions”, is updated with plain-language revisions and formatting improvements for clarity. • Subparts 17.6 and 17.7 are reordered, creating a more logical flow by placing all content concerning interagency acquisitions in sequential order. <ul style="list-style-type: none"> ○ “Interagency Acquisitions: Acquisitions by Non- defense Agencies on Behalf of the Department of Defense” <ul style="list-style-type: none"> ■ Previously at subpart 17.7, now at 17.6 ○ “Management and Operating Contracts” <ul style="list-style-type: none"> ■ Previously at subpart 17.6, now at 17.7 • Subparts 17.1 “Multiyear Contracting”, 17.2 “Options”, 17.7 “Management and Operating Contracts”, and 17.8 “Reverse Auctions” are reorganized to follow the stages of the acquisition lifecycle

	<ul style="list-style-type: none"> ■ Presolicitation ■ Evaluation and Award ■ Postaward ● All clauses and provisions prescribed in this part are retained. <ul style="list-style-type: none"> ○ The following provisions have been updated to reflect current cross-references: <ul style="list-style-type: none"> ■ 52.217-4, Evaluation of Options Exercised at Time of Contract Award ■ 52.217-5, Evaluation of Options ○ Please note that the fill-ins at 52.217-8 and 52.217-9 remain the same and must still be completed by the acquisition team.
Removed	<ul style="list-style-type: none"> ● Content from previous section 17.105-2 about the objectives and benefits of multiyear contracting is removed and is expected to be moved to the FAR Companion. ● Content from previous sections 17.203 and 17.204 reflecting best practices for options in solicitations and contracts is expected to be moved to the FAR Companion. ● Previous sections 17.107 “Options” and 17.205 “Documentation” are removed as the content was redundant and unnecessary. ● Content previously at section 17.207 “Exercise of Options” is streamlined and moved to 17.204-1. ● Subpart 17.4 “Leader Company Contracting”, has been significantly streamlined. The new subpart retains an explanation of the technique but the detailed procedures and best practices for this technique is expected to be moved to the FAR Companion. ● Criteria for identifying management and operating contracts, previously at section 17.604 “Identifying management and operating contracts”, is removed as it is unnecessary. ● Content from previous section 17.802(c) for best practices for reverse auctions is expected to be moved to the FAR Companion.

This table is not an exhaustive list.

4. Instructions.

- The Department of Education’s acquisition workforce shall follow the RFO Part 17 and corresponding Part 52 model deviation text instead of FAR Parts 17 and 52 as codified at 48 CFR Chapter 1. The Council’s RFO Part 17 model deviation text is available at <https://www.acquisition.gov/far-overhaul/far-part-deviation-guide/far-overhaul-part-17> and is incorporated into this class deviation. A separate

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Acquisition Alert will be issued for any corresponding changes to the EDAR Part 3417.

- 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>.
 - 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 17 - Special Contracting Methods” at https://www.acquisition.gov/sites/default/files/practitioner_albums/far-part-17-special-contracting-methods/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 17 is effective January 30, 2026, 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.

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Richard Lucas

Date

Acting Chief Acquisition Officer (CAO)