



Global Acquisitions

U.S. DEPARTMENT *of* STATE

Acquisition Alert 26-03-01

TO: All Contracting Activities

FROM: Sharon D. James
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SUBJECT: Federal Acquisition Regulation (FAR) Class Deviation for FAR Part 13 in Support of Executive Order on Restoring Common Sense to Federal Procurement

- 1. Introduction:** The purpose of this Acquisition Alert is to issue a FAR class deviation to part 13 for purposes of implementing the Federal Acquisition Regulatory Council's model deviation text to that part. **The purpose of this amendment is to revise the effective date. Changes implemented as part of this amendment are outlined in red font.**
- 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- Remove duplicative or outdated language;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 plain language;
- Revise language for the new FAR framework; and
- Retain language necessary for governmentwide acquisition standards.

This project is referred to as the Revolutionary FAR Overhaul (RFO) initiative. This class deviation is issued under the authority of E.O. 14275, OMB M-25-25, and 48 CFR 1.4.

Deviation Summary

This deviation renames FAR part 13 from Simplified Acquisition Procedures to Simplified Procedures for Noncommercial Acquisitions and has been updated to focus on noncommercial contracts under the SAT. A summary of changes is as follows:

- The procedures in part 13 may only be used if there are no commercial products or services that can satisfy the agency's needs (Reference FAR part 12 model deviation), and the supplies or services are not available from a required source (Reference FAR part 8 model deviation).
- Section 13.303 regarding Blanket Purchase Agreements has been removed in its entirety.
- FAR Clause 52.213-4 has been changed from "Terms and Conditions—Simplified Acquisitions (Other Than Commercial Products and Commercial Services)" to "Terms and Conditions Simplified Acquisitions (Noncommercial)" to align with the new focus of FAR part 13.
- FAR 13.204 (c) now explicitly prohibits the use of FAR part 12 clauses (52.212-1, 52.212-2, and 52.212-4) in noncommercial acquisitions.
- Section 13.301, Notifications, consolidates instructions for notifying unsuccessful quoters. It retains posting requirements of FAR subpart 5.3. and brief explanations.
- Section 13.302, Cancellations and Terminations, now provides a clearer distinction between canceling an unaccepted purchase order and terminating an accepted purchase order and directs the contracting officer to FAR part 49 or clause 52.213-4 for terminations.
- Sections 13.201, Procedures, and 13.202, Evaluation, contain cross references to FAR part 1 to promote consistency in government procurement practices, reduce the need for contracting officers to master two distinct sets of procedures for simple buys, and signals that the flexible techniques used for commercial acquisitions are considered best practices for simple noncommercial buys.
- Part 13 information moved to other parts:
 - Definition of governmentwide commercial purchase card (part 2)
 - Simplified procedures for commercial products (part 12)
 - Price or cost evaluation factor for multiple-award contracts (part 16)
 - Advance payments for subscriptions and fast payment procedures (part 32)

Statutory requirements retained in the RFO FAR part 13 model deviation include:

- Simplified Acquisition Procedures (41 U.S.C. §§1901-1905)
- Simplified Procedures for Small Purchases (41 U.S.C. §3305; 10 U.S.C. §3205)
- Planning and Solicitation Requirements (41 U.S.C. §3306; 10 U.S.C. § 3206)

Requirements removed from FAR part 13 include:

- 52.213-1, Fast Payment Procedure (covered in part 32)
- 52.213-2, Invoices (covered in part 32)
- 52.213-3, Notice to Supplier

Corresponding DOSAR Deviation Summary

Based on the Council's model deviated language, a class deviation is hereby issued to the Department of State Acquisition Regulation (DOSAR) to make the following corresponding changes:

- Adjusting terminology and section titles to mirror FAR part 13 changes; and
- Removing sections that no longer align with FAR sections.

3. Acquisition Impact: The changes resulting from this class deviation affect all DoS procurements issued on or after the effective date of the AA.

4. Action Required: The acquisition workforce must follow the RFO part 13 model deviation text instead of FAR part 13 as codified at 48 CFR Chapter 1. The FAR Council's RFO model deviation text is available at [Acquisition.gov/far-overhaul](https://www.acquisition.gov/far-overhaul), and is incorporated into this class deviation.

- a. For new solicitations or contracts, when using any provisions or clauses that have been revised, utilize the RFO model deviation language at RFO FAR part 52. Do not include any of the removed provisions or clauses in future solicitations and contracts.
- b. 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.

5. **Effective Date:** The model deviated language was released on September 18, 2025; however, this deviation is effective **January 30, 2026, or 30 days following the end of the current lapse in appropriations; whichever is later.**
6. **Expiration Date:** This Acquisition Alert expires upon incorporation into the FAR, DOSAR, and/or DOSAM.
7. **Additional Information:** Questions regarding this Acquisition Alert may be directed to AcquisitionPolicy@state.gov.
8. **Attachments:** [DOSAR Part 13 lineout](#)
9. **Referenced Documents, Checklists, Guides and Templates:**
[FAR Part 13 Practitioner Album](#)