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GSA Office of Governmentwide Policy

RFO-2025-FSS-GSAR 538

MEMORANDUM FOR FEDERAL SUPPLY SCHEDULE ORDERING ACTIVITIES

FROM:

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SUBJECT:

General Service Administration Acquisition Regulation (GSAR) Class
 Deviation, Federal Supply Schedule (FSS) Program Ordering
 Procedures

1. Purpose. This memorandum approves a class deviation to the General Service Administration Acquisition Regulation (GSAR) in order to establish Federal Supply Schedule (FSS) program ordering procedures. FSS program ordering procedures are being established in the GSAR for purposes of implementing the Federal Acquisition Regulation (FAR) Council's model deviation text to FAR part 8.

2. Background. [Executive Order \(E.O.\) 14275, Restoring Common Sense to Federal Procurement](#), signed April 15, 2025, mandates a comprehensive review and simplification of the Federal Acquisition Regulation (FAR).

The FAR is being updated to:

- Eliminate non-statutory language
- Remove redundant or obsolete language
- Enhance clarity through plain language
- Align with the new FAR framework
- Preserve essential governmentwide acquisition standards

This project is referred to as the Revolutionary FAR Overhaul (RFO) initiative.

The FAR Council has issued model deviation text for FAR part 8, Required Sources of Supplies and Services (see [Acquisition.gov/far-overhaul](#)). The RFO FAR part 8 model deviation text includes a revision to FAR subpart 8.4, Federal Supply Schedules, which directs ordering activities to use the FSS ordering procedures established by GSA. FAR subpart 8.4 deals with GSA's Federal Supply Schedule (FSS) program.¹

To support the RFO FAR subpart 8.4 model deviation text, this class deviation establishes FSS program ordering procedures in GSAR subpart 538.71.

3. Summary of changes. The FSS program ordering procedures established by this class deviation 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

¹The FSS program also known as the Multiple Award Schedule (MAS) program is directed and managed by GSA.

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

Statutory requirements and principles retained in the deviated FSS ordering procedures include, but may not be limited to, the following:

- 10 U.S.C. § 3204, Use of Procedures Other than Competitive Procedures
- 40 U.S.C. § 501, Services for Executive Agencies
- 41 U.S.C. § 152(3), Competitive Procedures
- 40 U.S.C. § 1103 Note, Architectural and Engineering Services
- 41 U.S.C. § 3302, Requirements for Purchase of Property and Services Pursuant to Multiple Award Contracts
- 41 U.S.C. § 3304, Use of Noncompetitive Procedures

This class deviation involves amendments to the regulatory and non-regulatory portions of the GSAM. The following is a summary of the amendments:

- a. 538.71 is revised in its entirety to incorporate the deviated FSS ordering procedures.
Significant highlights are noted in the table below.
- b. 538.72 “Order-level Materials” and 552.238-115 “Special Ordering Procedures for the Acquisition of Order-Level Materials” are removed and marked “reserved” as this content is covered in the new 538.71.

Change	Description
Retained ²	<ul style="list-style-type: none"> ● Aspects of the FSS ordering requirements, formerly in FAR Part 8, that were retained include, but are not limited to, the following: <ul style="list-style-type: none"> ○ Seeking at least three quotes for acquisitions above the micro-purchase threshold (FAR 8.405-2 and 8.405-3). ○ Providing brief explanations of the basis for award decision (FAR 8.405-2 and 8.405-3). ○ Sole-source justification requirements are revised to statutory exceptions and documentation requirements are streamlined (FAR 8.405-6). ○ Exclusion of architect-engineer services (as defined in FAR 2.101) (FAR 8.403). ○ Pricing discounts and concessions (FAR 8.405-4). ○ Consideration of small businesses (FAR 8.405-5). ○ Payment flexibilities (FAR 8.405-7). ● Documentation requirements for other than fixed-priced orders (previously found in FAR 8.404, 8.405-2 and 8.405-3).
Revised	<ul style="list-style-type: none"> ● Streamlining edits were made to: simplify the ordering experience, provide greater flexibility, improve alignment to statutory requirements,

²Though these requirements were retained, streamlining edits were still made. For example, limited sources justification is now called “sole source justifications.”

	<p>align requirements to current practices, and support the RFO use of guides and other resources. For example:</p> <ul style="list-style-type: none"> ○ Definitions and applicability guidance described in FAR 8.401, 8.403, and 8.404 were streamlined. ○ Ordering procedures described in FAR 8.405-1, 8.405-2, and 8.405-3 were streamlined. This included moving away from the focus on statements of work (SOW) to a focus on the complexity of the acquisition and availability of the product/service/solution at a fixed price. ○ Conforming changes tied to brand-name items (also known as Items peculiar to one manufacturer) (FAR 8.405) were made to align with RFO FAR part 11. ● Standardized processes for obtaining items not priced on FSS contracts. The revised FSS procedures create one method for obtaining such items, reducing confusion associated with multiple terms and/or methods (e.g., open market and order-level materials (OLM)) (FAR 8.402(f) and 8.403(b) Note about OLM). ● Acquisition flexibilities for simplified acquisitions (e.g., emphasizes the use of the Periodic Table of Acquisition Innovations). ● Clarified capability for FSS contractors to use other FSS contracts in performance of an FSS order. ● Clarified that contractor team arrangements are authorized. ● Clarified responsibilities surrounding Disputes (FAR 8.406-6).
Removed	<ul style="list-style-type: none"> ● Outdated, unclear, or non-essential language was removed. For example: <ul style="list-style-type: none"> ○ Section FAR 8.402 “General information”, was removed as the majority of the section includes general information about the FSS program that can be provided via non-regulatory means (e.g., buying guides and the FSS program website). ○ Requirements related to the “American Recovery and Reinvestment Act of 2009” (Pub. L. 111-5) (FAR 8.404(g)(1)), were removed as the program is no longer active. ○ Section FAR 8.406 “Ordering activity responsibilities”, was removed as the essential requirements are already addressed elsewhere in the FAR (e.g., CPARS requirements). ● The requirement for agency-head approval for single-award BPAs with an estimated value exceeding \$100M (FAR 8.405-3) was removed, as the requirement is non-statutory.

This table is not an exhaustive list.

5. Instructions.

- The GSA acquisition workforce must follow the RFO FSS Ordering Procedures instead of FAR subpart 8.4 as codified at 48 CFR chapter 1. To access the new FSS Ordering Procedures, you can:
 - Click the hyperlinked “538” in the part 8 model deviation text at 8.401(b).
 - 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).

- Type [acquisition.gov/FSS-ordering-procedures](https://www.acquisition.gov/FSS-ordering-procedures) in your URL address bar.
- Contracting activities must review templates and related standard operating procedures to align with this class deviation and remove unnecessary processes and steps.
- GSA Federal Acquisition Service (FAS) must take action to apply the amendments made to subpart 538.72, which includes the removal of GSAR clause 552.238-115, to the FSS solicitation and existing FSS contracts.

6. Applicability. This class deviation applies to the FSS program and establishes FSS ordering procedures to be used by all ordering activities.

7. Authority. This class deviation is issued under the authority of EO 14275, [OMB Memo M-25-26](#), 48 CFR 1.4, RFO FAR 1.304 and GSAM 501.404.

8. Effective Date. This class deviation is effective November 3, 2025 and remains in effect until rescinded or incorporated into the GSAR.

9. Points of Contact.

- a. Try asking [GSAi](#) first (upload the new RFO language and GSA's implementing deviation, then ask your question). If you still need clarification, you may email the GSA Acquisition Policy Division at GSARPolicy@gsa.gov.
- b. Feedback regarding RFO part 8 or the RFO FSS Ordering Procedures established by this class deviation can be provided at <https://www.acquisition.gov/far-overhaul>.