



# UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF THE CHIEF FINANCIAL OFFICER

May 11, 2020

## **ACQUISITION ALERT 2020-04**

**TO:** Heads of Contracting Activities  
Office of Finance and Operations/Contracts and Acquisitions Management  
Federal Student Aid/Federal Student Aid Acquisitions  
Executive Officers

**FROM:** J. F. Stader, P.E.  
Acting, Deputy Assistant Secretary for Acquisition Management

**SUBJECT:** Class Deviation – Original Documents, Signatures, Seals, and Notarization

- 1. Purpose:** Implementing a class deviation from the Federal Acquisition Regulation (FAR) authorized by the Civilian Agency Acquisition Council (CAAC) Chair in CAAC Letter 2020-04. The class deviation eliminates the requirement for hard copy original documents, signatures, notarization, seal on bonds, and other seals for certain contract requirements.
- 2. Deviated language:** See CAAC Letter 2020-04 attachment.
- 3. Applicability:** This policy applies when:
  - a. obtaining financial protection against losses under contracts per FAR part 28;
  - b. when processing assignment of claims per FAR subpart 32.8; and
  - c. when executing novation agreements and change-of-name agreements per FAR part 42.
- 4. Effective Date:** This class deviation is effective immediately and remains in effect until rescinded.
- 5. Background:** Social distancing policies and orders, issued as a result of COVID-19 national emergency, have forced public and private sector employees to work from home, making it difficult for notaries to be present to witness oaths and affirmations and to physically affix their signature and notary stamp on documents. CAAC Letter 2020-04 encourages agencies to issue FAR deviations to allow greater flexibility by eliminating the requirement for hard copy original documents, original signatures, notarization, seals on bonds and other scenarios confronting the acquisition workforce in connection with the COVID-19 pandemic.
- 6. Guidance:** Contracting officers shall utilize this class deviation from the FAR to provide flexibility with regard to original documents, manual signatures, seals, and notarization.
- 7. Attachment:** CAAC Letter 2020-04, dated May 1, 2020.
- 8. Additional Information:** Contact the Strategic Acquisition Management Initiatives Division with any questions.