

**SUPPORTING STATEMENT  
HOMELAND SECURITY ACQUISITION REGULATION (HSAR)  
OMB CONTROL NO. 1600-0005  
SOLICITATION OF PROPOSAL INFORMATION FOR AWARD OF PUBLIC  
CONTRACTS**

**A. JUSTIFICATION**

**1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of appropriate section of each statute and regulation mandating or authorizing the collection of information.**

The Department of Homeland Security (DHS) Components and the Office of the Chief Procurement Officer collect a variety of information when inviting firms to submit bids, proposals, and offers for public contracts for supplies and services. The information collection is necessary for compliance with the Federal Property and Administrative Services Act (41 U.S.C. 251 *et seq.*) and the Federal Acquisition Regulation (FAR) (48 CFR Chapter 1). The complete FAR can be viewed on the Internet at <http://www.arnet.gov>.

For solicitations to contract made through a variety of means, whether conducted orally or in writing, contracting officers normally request information from prospective offerors such as pricing information, delivery schedule compliance, and whether the offeror has the resources (both human and financial) to accomplish requirement. Examples of the kinds of information collected can be found in the FAR at FAR 13.106-1, 13.106-3, 13.302-1, -3, -5, subpart 13.5, subpart 14.2, and subpart 15.2.

An example where collections of information occur in soliciting for supplies/services is the issuance of a request for proposal (RFP). The Government generally issues an RFP using the uniform contract format (FAR 15.204-1) with the intent of awarding a contract to one or more prospective offerors. The RFP can require those interested in making an offer to provide information in the following areas: schedule (FAR 15.204-2); contract clauses (FAR 15.204-3); list of documents, exhibits and other attachments (FAR 15.204-4) or representations and instructions (15.204-5).

These are longstanding requirements, practices and procedures, and they are recognized throughout the Government procurement community, by the Government Accountability Office (GAO), and embodied in the FAR, as being required for the issuance, award, and administration of contracts. Should DHS require a collection of information for its acquisitions not contemplated by the FAR system, DHS will submit a request for Office of Management and Budget (OMB) approval.

The prior information collection request for OMB No. 1600-0005 was approved through August 31, 2008 by OMB in a Notice of OMB Action on August 17, 2005.

**2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.**

The information requested is used by the Government's contracting officers and other acquisition personnel, including technical and legal staffs to determine adequacy of technical and management approach, experience, responsibility, responsiveness, and expertise of the firms submitting offers. This is done to determine which firm's offer is in the Government's best interest and should be selected for contract award. If this information was not collected, the Government would not be able to make informed decisions in awarding contracts.

**3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any considerations of using information technology to reduce burden.**

Many sources of the requested information use automated word processing systems, databases, spreadsheets and other commercial software to facilitate preparation of material to be submitted. With Governmentwide implementation of e-Government initiatives, e.g., Integrated Acquisition Environment (IAE), it is common place within many of DHS's Components for submissions to be electronic.

**4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.**

The information collected from the public under this request complements but does not duplicate vendor information available to the Governmentwide acquisition community through IAE systems including the Central Contractor Registration (CCR) (collects, validates stores, and disseminates basic vendor information relevant to procurement and financial transactions); Online Representations and Certifications Application (ORCA) (replaces contractor paper-based representations and certifications); Past Performance Information Retrieval System (PPIRS) (a web-enabled, Governmentwide application that provides pertinent contractor past performance information to the Federal acquisition community for use in making source selection decisions); and the Excluded Parties List System (EPLS) (provides a single comprehensive list of individuals and firms excluded by Federal government agencies from receiving federal contracts or federally approved subcontracts and from certain types of federal financial and non-financial assistance and benefits).

In addition, through Strategic Sourcing initiatives, DHS Components are encouraged to consolidate their own respective similar transactions for internal administrative economies.

The subject information collection is intended to cover information specific to individual DHS contracting requirements, e.g., offerors'/bidders' technical and pricing information, delivery information, not available under existing systems.

**5. If the collection of information impacts small or other small entities (Item 5 of the OMB Form 83-I), describe any methods used to minimize burden.**

Information collection may or may not involve small business contractors, depending on the particular transaction. The burden applied to small businesses is the minimum consistent with the goals of ensuring responsiveness to Government requirements and achieving timely resolution of agency protests.

**6. Describe consequences to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.**

Less frequent incidence of collecting such information as offerors' management approach, technical approach, experience statements, and resumes indicating level of expertise would negatively affect the quality of products and services DHS receives from contractors. Potentially, contracts would be awarded to firms without sufficient experience and expertise, thereby placing the Department's operations in jeopardy. Defective and inadequate contractor deliverables would adversely affect fulfillment DHS's fulfillment of mission requirements in all areas.

**7. Explain any special circumstances that would cause an information collection to be conducted in a manner:**

- **Requiring respondents to report information to the agency more often than quarterly;**
- **Requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**
- **Requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;**
- **In connection with a statistical survey, that is not designed to produce valid or reliable results that can be generalized to the universe of study;**
- **Requiring the use of statistical data classification that has not been reviewed and approved by OMB;**
- **That includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of with other agencies for compatible confidential use; or**
- **Requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

Not Applicable. There are no special circumstances that would cause an information collection to be conducted in any manner indicated above.

**8. If applicable, provide a copy and identify the date and page number of the publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.**

A 60-Day Notice and request for comments: Extension without change of a currently approved collection, 1600-0005 was published in the *Federal Register* on June 6, 2008, at 73 FR 32343 -32344. Comments are due by August 5, 2008. No comments have been received to date. A copy of the *Federal Register* notice is attached.

**9. Explain any decision to provide any payment or gifts to respondents, other than remuneration of contractors or grantees.**

Not Applicable. There will be no payment or gifts made to respondents.

**10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.**

Disclosure/non-disclosure of information is handled in accordance with the Freedom of Information Act, other disclosure statutes, and Federal and agency acquisition regulations.

**11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to the person from whom the information is requested, and any steps to be taken to obtain their consent.**

Not Applicable. Questions posed as a means of obtaining information on offerors' pricing, delivery, management approach, technical approach, experience statements and other information in proposals, quotes, etc., are of a business rather than a personal or private nature.

**12. Provide estimates of the hour burden of the collection of information. The statement should:**

- **Indicate the number of respondents, frequency of responses, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain**

**information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.**

- **If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I.**
- **Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.**

Estimated burden Hours:

No. of Respondents	No. of Responses per Respondent	No. of Responses Total	Average Burden Response (Hours)	Total Annual Burden (Hours)
10,850	3	32,550	14	455,700

The number of competitive solicitations and award actions has increased each year over the past two fiscal years, thereby expanding the universe of possible respondents to DHS and its Components' solicitations. E-Gov Integrated Acquisition Environment tools such as the Central Contractor Registration (CCR), FedBizOpps, ORCA, and other electronic processes and systems, which allow prospective offerors/bidders to provide information regarding their organizations once (with appropriate updates) with multiple uses, and make more comprehensive vendor information available to DHS contracting officers from centralized sources, help limit the information collection burden hours for prospective offerors/bidders to a level necessary for DHS contracting officers to make informed decisions regarding offerors'/bidders' specific technical, price, and delivery information. DHS will continue to encourage its Components to utilize e-Gov solutions and implement programs that use less paper-oriented methods in contracting, such as the use of oral proposals and automated systems for contract solicitations.

In addition, issuance of solicitations over the Internet or electronic systems, as authorized by FAR 15.203(c); increased use of oral proposals in supplementation or in lieu of written proposals, as permitted under FAR 15.102; and increased use of combined contract action notices/requests for proposals, as encouraged by FAR 12.603 in the case of solicitation for commercial items, contribute to the stability of DHS's information collection burden to the public despite increased numbers of solicitations and

respondents. Annual renewal of the Commercial Item Test Program Pilot (\$5.5 million for commercial actions), as implemented in FAR subpart 13.5, allows for the issuance of purchase orders and other simplified contracts, which, in turn minimizes the need for vendors to submit more lengthy and formal proposals.

**13. Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14.)**

- **The cost estimated should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life; and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.**
- **If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.**
- **Generally, estimates should include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.**

Such costs could not be estimated, as the size and complexity of each request for additional information is dependent upon the circumstances of the particular acquisition, e.g., information requests can range from the simple confirmation of delivery information to more complex information related to a proposal's technical approach.

**14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support**

**staff), and any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 in a single table.**

Such costs could not be estimated, as the size and complexity of each request for additional information is dependent upon the circumstances of the particular acquisition.

**15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I.**

The burden estimates provided in response to Item 12 above are based upon competitive award data reported by DHS and its Components to the Federal Procurement Data System (FPDS). According to FPDS, the number of competitive solicitations and award actions has increased each year over the past two years, thereby increasing the universe of possible respondents to DHS and its Components' solicitations.

However, a parallel increase in the information collection burden associated with the gathering of additional information to support the evaluation of solicitation responses has been offset, thanks to increased vendor information available through centralized e-Gov Integrated Acquisition Environment tools such as the CCR, FedBizOpps, and ORCA. For example, business size, type, and related financial information can be obtained by contracting officers through the Central Contractor Registration, which reduces the need to obtain this kind of information directly from offerors.

In addition, issuance of solicitations over the Internet or electronic systems, as authorized by FAR 15.203(c); increased use of oral proposals in lieu of written proposals, permitted under FAR 15.102; and increased use of combined contract action notices/requests for proposals, as encouraged by FAR 12.603, are contributing to the relative stability of DHS's information collection burden to the public. Annual renewal of the Commercial Item Test Program Pilot (\$5.5 million for commercial actions), as implemented in FAR Part 13, allows for the issuance of purchase orders and other simplified contracts, which, in turn minimizes the need for vendors to submit more lengthy and formal proposals.

**16. For collection of information whose results will be published, outline plans for tabulation, and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.**

There is no planned publication of information for statistical use.

**17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.**

The OMB control number and expiration date will be displayed on the information collection.

**18. Explain each exception to the certification statement identified in Item 19, “Certification for Paperwork Reduction Act Submissions,” of OMB Form 83-I.**

Not applicable. There are no exceptions to the certification statement.

**B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS**

The collection does not employ statistical methods.