

Paperwork Burden Analysis

A. Justification

1. This is a request for extension of the expiration date of the information collection requirement currently approved in the amount of 92 hours under OMB Control Number 0704-390, Taxes-Defense Federal Acquisition Regulation Supplement (DFARS) Part 229 and related clauses at 252.229. OMB Control Number 0704-0390 expires August 31, 2008.

We have updated the estimates for the number of respondents and the number of actions to reflect the most current data available from the Federal Procurement Data System - Next Generation (FPDS-NG) and DoD subject matter experts. As a result of using the fiscal year 2007 FPDS-NG data, the estimated burden on the public has increased by 208 hours and the estimated annual cost has increased by \$5,069 from the 2004 estimates.

The clause at DFARS 252.229-7010, Relief from Customs Duty on Fuel (United Kingdom) is prescribed in DFARS 229.402-70(j), for use in solicitations issued/contracts awarded in the United Kingdom that require the use of fuels (gasoline or diesel) and lubricants in taxis or vehicles other than passenger vehicles. This clause implements an agreement between the United States Government and Her Majesty's (HM) Customs and Excise of the United Kingdom. The clause requires the contractor to submit to the contracting officer evidence that an attempt to obtain relief from customs duty on fuels and lubricants has been initiated.

2. This information, that the contractor has initiated an attempt to obtain relief, is used by Government contracting officers to determine adjustments to the contract price. If an attempt to obtain relief has been initiated, then the contracting officer will await the decision of HM Customs and Excise before appropriately adjusting the contract price. If the contractor does not attempt to obtain relief within the time specified, the contracting officer may deduct from the contract price the amount of relief that would have been allowed if HM Customs and Excise had favorably considered a request for relief.

3. Improved information technology is used to the maximum extent practicable. Standardized or repetitive data is not involved. Contractors may, however, submit the information in formats that are compatible with their automated systems.

4. As a matter of policy, DoD reviews the Federal Acquisition Regulation to determine if adequate language already exists. This rule applies only to the Department of Defense and does not duplicate any other regulation. No similar information is available from any other source.

5. These collections are not expected to have a significant economic impact on a substantial number of small entities because the burdens imposed are not significant and most contractors to which the rule applies are not "small entities" as defined in 5 U.S.C. 601.

6. This collection of information is conducted on an occasional basis as the need arises to obtain tax relief. Less frequent collection or no collection of information would result in increased costs for the Government.

7. The information will not be collected in a manner that requires an explanation of special circumstances. Collection is consistent with the guidelines in 5 CFR 1320.6.

8. Public comments were solicited in the Federal Register on May 5, 2008 (73 FR 24576), as required by 5 CFR 1320.8(d). No comments were received in response.

9. No payments or gifts will be provided to respondents to this information collection requirement, other than remuneration to contractors.
10. The information collected will be disclosed only to the extent consistent with prudent business practices, current regulations, and in accordance with the requirements of the Freedom of Information Act. No assurance of confidentiality is provided to respondents.
11. No sensitive questions are involved.
12. The estimated hour burden of the collection of information and the estimated annualized cost to respondents were based on information generated from FPDS-NG using fiscal year 2007 data and the estimates from contracting or subject matter professionals. DoD awarded 1,494, contracts in fiscal year 2007 with the place of performance in the United Kingdom. We estimate that 5 percent of these actions called for the use of fuels and lubricants for taxis or nonpassenger vehicles (1,494 x .05 = ~75 respondents). Specific estimates of burden are as follows:

Number of respondents	75
Responses/respondent	x 1
Annual responses	<u>75</u>
Hours per response	x 4
Total hours	300
Cost per hour*	<u>x \$ 23.47</u>
Total annual cost to public	\$ 7,041.00

* Based on fiscal year 2008 GS-07, step 5 salary, plus 32.85 percent overhead, with the total annual cost rounded to the nearest whole dollar.

13. Estimates of annualized public cost burden, other than costs associated with burden hours: None.
14. Estimates of annualized cost to the Federal Government.

The time required for Government review of offeror responses is based on confirming that relief has been requested or calculating the reduction in contract price, if relief has not been requested as required by the clause. The latter would be time consuming, but is estimated to be an infrequent occurrence. It is estimated that the average time associated with this task is approximately 1 hour per response.

Number of respondents	75
Hours per response	<u>x 1</u>
Total hours	75
Cost per hour*	<u>x \$ 34.74</u>
Total annual cost to public	\$ 2,605.00

* Based on fiscal year 2008 GS-11, step 5 salary, plus 32.85 percent overhead, with the total annual cost rounded to the nearest whole dollar.

15. The increase in both public and Government burden is an adjustment due to use of fiscal year 2007 FPDS-NG data. There is no program change.
16. Results of this information collection will not be published.
17. We do not seek approval not to display the expiration date for OMB approval of the information collection.

18. There are no exceptions to the certification accompanying this Paperwork Reduction Act Submission. The information to respondents required by 50 CFR 1320.8(b)(3) will be provided in a separate Federal Register notice announcing OMB approval of this information collection.

B. Collections of Information Employing Statistical Methods.

Results will not be tabulated. Statistical methods will not be employed.