

**SUPPORTING STATEMENT
FOR PAPERWORK REDUCTION ACT SUBMISSION
9000-0163, Small Business Size Representation**

A. Justification.

1. **Administrative requirements.** Federal Acquisition Regulation (FAR) Section 19.301 and FAR clause 52.219-28 implement the Small Business Administration (SBA) Final Rule, Small Business Size Regulations; Size for Purposes of Governmentwide Acquisition Contracts, Multiple Award Schedule Contracts and Other Long-Term Contracts; 8(a) Business Development/Small Disadvantaged Business; Business Status Determinations.

2. **Uses of information.** The purpose of implementing small business rerepresentation in the FAR is to ensure that small business size status is accurately represented and reported over the life of long-term contracts. The FAR also provides for provisions designed to ensure more accurate reporting of size status for contracts that are novated, merged or acquired by another business. This information is used by the SBA, Congress, Federal agencies and the general public for various reasons such as determining if agencies are meeting statutory goals, set-aside determinations, and market research.

3. **Consideration of information technology.** We use improved information technology to the maximum extent practicable. Where both the Government agency and contractors are capable of electronic interchange, the contractors may submit this information collection requirement electronically. Contractors are able to use the Central Contractor Registration (CCR), Online Representations and Certifications Application (ORCA) and online solicitations and modifications.

4. **Efforts to identify duplication.** This rule is necessary to implement SBA's regulation into the FAR. The FAR standardizes Federal procurement practices and eliminates unnecessary duplication.

5. **If the collection of information impacts small businesses or other entities, describe methods used to minimize burden.** Small businesses and other entities are required to rerepresent size status. The burden on Federal

contractors is minimal because contractors can use ORCA which requires small businesses placing offers on Federal contracts to electronically certify their status for the specific NAICS code contained in the solicitation. In addition, small businesses must review and update the data, at the minimum, on an annual basis.

6. Describe consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently. Without the information collection covered by this clearance, the Federal Government will be unable to ensure accurate reporting of small business data used to report small business and other socioeconomic programs to Congress.

7. Special circumstance for collection. Collection is consistent with the guidelines in 5 CFR 1320.6.

8. Efforts to consult with persons outside the agency. Under the procedures established for development of the FAR, agency and public comments were solicited via *Federal Register* Notice publications at 72 FR 36852, on July 5, 2007, and 73 FR 64308, on October 29, 2008. No comments were received.

9. Explanation of any decision to provide any payment or gift to respondents, other than reenumeration of contractors or guarantees. Not applicable.

10. Describe assurance of confidentiality provided to respondents. Information concerning a firm's size status will be in accordance with procedures being developed by the Small Business Administration. As applicable, information collected will be subject to review and release in accordance with the Freedom of Information Act.

11. Additional justification for questions of a sensitive nature. No questions of a sensitive nature are asked.

12/13. Estimated total annual public hour burden and cost burden. Estimated total annual burden to the public applies to long-term contracts (a contract of more than five years in duration, including options) and to contracts that are novated, merged, or acquired. The Contractor is required to represent to the Contracting Officer by validating or updating its representations in the Online Representations and Certifications Application and its data in Central

Contractor Registration. The Contractor is required to notify the contracting officer by e-mail, or otherwise in writing, that the rerepresentations have been made, and provide the date on which they were made. It is estimated that approximately 10,000 will recertify in a year.

Rerepresentation on long-term contracts, acquisitions, mergers and novations:

a. Number of respondents:	10,000
b. Responses per respondent:	<u>x 1</u>
c. Total annual responses:	10,000
d. Hours per response:	<u>x .5</u>
e. Total hours:	5,000
f. Hourly rate	<u>\$26</u>
g. Total Cost	130,000

Task is expected to be accomplished by midlevel personnel equivalent to a GS-11, step 5, salary.

Estimate of annualized costs to the Federal Government.

a. Total annual responses:	10,000
b. Hours per response:	<u>x 2</u>
c. Total hours:	20,000
d. Average cost per hour:	<u>x 26</u>
e. Total annual cost to Government:	\$520,000

Task is expected to be accomplished by midlevel personnel equivalent to a GS-11, step 5, salary.

Government hours per response are based on the time required to modify a review the rerepresentation and if necessary, modify the contract.

14. Explain reasons for program changes or adjustments reported in Item 13 or 14. New information collection.

15. Outline plans for published results of information collections. Results of this collection will not be published.

16. Approval not to display expiration date. Not applicable.

17. Explanation of exception to certification statement.
Not applicable.

B. Collection of Information Employing Statistical Methods.

Statistical methods will not be employed.