

CONSULTING ON GOVERNMENT PROCUREMENT, INC.
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December 15, 2008

FAR Desk Officer
OMB, Room 10102, NEOB
Washington, DC 20503

✓ General Services Administration
FAR Secretariat (VPR)
Attn: Cecelia Davis, Contract Policy Division
1800 F Street, NW, Room 4041
Washington, DC 20405

**CONSULTING ON GOVERNMENT
PROCUREMENT, INC.**

Charles R. (Bob) Thompson, CPCM
Senior Staff Consultant

4219 Burke Station Road
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Mrcharlest@aol.com
(703) 978-5823

Subject: Reinstatement of OMB Control No. 9000-0062, Material and Workmanship

Dear Cecelia:

Consulting On Government Procurement, Inc., (COGP) is a small business that provides advice to clients on federal acquisition issues. We are pleased to offer these comments in response to the Federal Register notice, December 3, 2008, page 73639, request for public comments regarding a request for reinstatement of OMB Control No. 9000-0062, as related to FAR 52.236-5, Material and Workmanship.

We note that public comments are particularly invited on:

Whether this collection of information is necessary for the proper performance of functions of the FAR, and whether it will have practical utility;

COGP Comment: We believe collection of this information is necessary for the proper performance of functions of the FAR, and its continuation will have practical utility.

Whether our estimate of the public burden of this collection of information is accurate, and based on valid assumptions and methodology;

COGP Comment: No comment

Ways to enhance the quality, utility, and clarity of the information to be collected;
and

COGP Comment: The quality, utility and clarity of information collected could be enhanced if the clause at 52.236-5 included a requirement for a statement of the extent of competition used in selecting the recommended material or articles. The

benefits of this addition are: 1) increased competition at the subcontract or supplier level; 2) a potential cost reduction in the project cost due to increased competition; and, 3) a potential increase in small business participation at supplier level. The suggested clause revision, underlined, is:

52.236-5 -- Material and Workmanship. Material and Workmanship (XXX)

(a) Omitted here; no change proposed

(b) The Contractor shall obtain the Contracting Officer's approval of the machinery and mechanical and other equipment to be incorporated into the work. When requesting approval, the Contractor shall furnish to the Contracting Officer the name of the manufacturer, the model number, and other information concerning the performance, capacity, nature, and rating of the machinery and mechanical and other equipment. When required by this contract or by the Contracting Officer, the Contractor shall also obtain the Contracting Officer's approval of the material or articles which the Contractor contemplates incorporating into the work. When requesting approval, the Contractor shall provide full information concerning the material or articles, including a statement of the extent of competition used to select the recommended material or articles. When directed to do so, the Contractor shall submit samples for approval at the Contractor's expense, with all shipping charges prepaid. Machinery, equipment, material, and articles that do not have the required approval shall be installed or used at the risk of subsequent rejection.

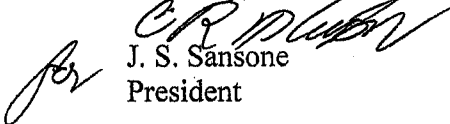
(c) Omitted here; no change proposed
(End of Clause)

Ways in which we can minimize the burden of the collection of information on those who are to respond, through the use of appropriate technological collection techniques or other forms of information technology.

COGP Comment: No comment

We are available to discuss these comments at your convenience.

Sincerely,


J. S. Sansone
President



Doris
Stallard/VIR/CO/GSA/GOV
02/23/2009 04:19 PM

To Hada N. Flowers/VIR/CO/GSA/GOV@GSA
cc
bcc
Subject Fw: Reinstatement of OMB Control No. 9000-0062, Material
and Workmanship

----- Forwarded by Doris Stallard/VIR/CO/GSA/GOV on 02/23/2009 04:19 PM -----



Lori B.
Sakalos/VPC/CO/GSA/GOV
01/26/2009 02:00 PM

To Mrcharlest@aol.com
cc Lori B. Sakalos/VPC/CO/GSA/GOV@GSA, Edward C.
Loeb/VB/CO/GSA/GOV@GSA, Doris
Stallard/VIR/CO/GSA/GOV@GSA
Subject RE: Reinstatement of OMB Control No. 9000-0062, Material
and Workmanship

Mr. Charles R. Thompson,

This email is in response to your letter dated 15 Dec 2008. I have contacted the FAR Principals on the subject comment and its was determined that a FAR change is not necessary at this time.

Thank you for your comments,

Lori Sakalos
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