

**SUPPORTING STATEMENT
FOR PAPERWORK REDUCTION ACT SUBMISSION
OMB Control No. 9000-0035, CLAIMS AND APPEALS**

A. Justification.

- 1. Administrative requirements.** This is a request for an extension of an existing information collection requirement (FAR Subpart 33.2 and 52.233-1, Disputes). It is the Government's policy to try to resolve all contractual issues by mutual agreement at the contracting officer's level without litigation. Contractor's claims must be submitted in writing to the contracting officer for a decision. The Contract Disputes Act of 1978 (41 U.S.C. 605) requires that claims exceeding \$100,000 must be accompanied by a certification that (1) the claim is made in good faith; (2) supporting data are accurate and complete; and (3) the amount requested accurately reflects the contract adjustment for which the contractor believes the Government is liable. Contractors may appeal the contracting officer's decision by submitting written appeals to the appropriate officials.
- 2. Uses of information.** The information is to decide the claim.
- 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.
- 4. Efforts to identify duplication.** This requirement is being issued under the Federal Acquisition Regulation (FAR) which has been developed to standardize Federal procurement practices and eliminate unnecessary duplication.
- 5. If the collection of information impacts small businesses or other entities, describe methods used to minimize burden.** The burden applied to small businesses is the minimum consistent with applicable laws, Executive orders, regulations, and prudent business practices.
- 6. Describe consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently.** This collection of information applies only to contractors submitting a contract claim against the Government.

7. **Special circumstances 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 and each comment addressed before finalization of the text. A notice requesting comments was published in the Federal Register at 73 FR 18785, April 7, 2008, which made this requirement available to the public. No major problems regarding this requirement were reported.

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.** This information is disclosed only to the extent consistent with prudent business practices and current regulations.

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

12 & 13. **Estimated total annual public hour and cost burden.** Time required to read and prepare information is estimated at 1 hour per completion.

Annual Burden and Cost to Public

Estimated respondents.		4,500
Responses	x	<u>3</u>
Total responses.		13,500
Estimated hrs/response.	x	<u>1</u>
Estimated total burden/hrs.		13,500
Cost per hour	x	<u>\$24</u>
Benefits and overhead	+	<u>75%</u>
Estimated cost to public.		\$567,000

14. **Estimated cost to the Government.** Time required for Governmentwide review is estimated at 3 hours per response.

Annual Reporting Burden and Cost

Reviewing time/hr.		3
Responses/yr	x	<u>13,500</u>
Review time/yr		40,500
Average wages/hr	x	<u>\$20</u>

Average wages/yr	\$810,000
Benefits and overhead	+ <u>100%</u>
Estimated cost to public\$1,620,000

15. **Explain reason for program changes or adjustments reported in Item 13 or 14.** This submission requests an extension of OMB approval of an information collection requirement in the FAR. The information collection requirement in the FAR remains unchanged.

16. **Outline plans for published results of information collections.** Results will not be tabulated or published.

17. **Approval not to display expiration date.** Not applicable.

18. **Explanation of exception to certification statement.** Not applicable.

B. Collections of Information Employing Statistical Methods.
Statistical methods are not used in this information collection.