

**Paperwork Reduction Act Submission
(OMB Control No. 3090-0280), Tax Adjustment Clause 552.270-30**

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 the appropriate section of each statute and regulation mandating or authorizing the collection of information. GSAR 552 and 570 are being amended

to incorporate a new clause 552.270-30, Tax Adjustment. The clause will be incorporated in acquisitions of leasehold interests in real property when GSA determines that a tax adjustment is necessary for changes in real estate taxes. Under the procedures established in this clause, there may be an adjustment due to an increase or decrease in real estate taxes during the lease term over the amount established as the base year taxes. GSAR Section 570.603 is also being amended to add a new prescription at the end of the section for this clause.

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 Government's Contracting Officer shall review and evaluate the information to determine if the lessor is entitled to a tax adjustment or if the Government is entitled to a refund.

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 consideration of using information technology to reduce burden. Information is submitted in writing to the Contracting Officer. Solicitations are posted electronically but proposals are received manually. If the capability exists in the future, this information will be collected electronically.

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 nature of this requirement is such that it relates to a single procurement and cannot be duplicated.

5. If the collection of information impacts small businesses, describe any methods used to minimize the burden. There is no significant economic impact on small businesses. The burden of this collection applies equally to all businesses that contract with GSA for the leasing of real property.

6. Describe the consequences to Federal activities if the collection is not conducted or is conducted less frequently. Current regulations do not include a tax adjustment clause. Each lease provides for adjustments due to changes in real estate

taxes on land and buildings occupied by the Government under the lease. Adjustments shall apply to each tax year during the lease term after the base tax year. If this collection is not conducted or is conducted less frequently, the Government or the lessor will not benefit or experience the tax adjustment applicable to that leasing contract. This will ultimately result in an overpayment or underpayment of taxes by the lessor or the Government.

7. Special circumstances. Collection is consistent with guidelines in 5 CFR 1 320.6.

8. If applicable, provide a copy and identify the date and page number of 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.

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported. Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years – even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

Notices in the *Federal Register* at 74 FR 31278, June 30, 2009, made this requirement available to the public and requested comments. No comments were received regarding this requirement.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees. N/A.

10. Describe any assurance of confidentiality provided to respondents and the basis for assurance in statute, regulation, or agency policy. 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. Explain how you estimated the reporting burden. Used the annual actions for real property leasing reported in FPDS of 14,082/2 x estimated burden to provide the requested information of six (6) hours. We also used an estimated hourly salary for the contractor.

Total annual responses	7041	
Estimates hours/response	6	
Estimated total burden/hrs	42,246	
Average cost per hour	\$35.00	(GS 13 equivalent pay)
Total cost to the public	\$1,478,610	

13. Identify any other costs to the affected public not covered in item 12. None.

14. Provide estimates of annualized costs to the Federal Government. Also, provide a description of the method used to estimate cost, which should include qualification 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 may also aggregate cost estimates from Items 12, 13, and 14 in a single table. We looked at the FPDS annual data for fiscal year 2001 on real property leasing contracts, the review time, and the salaries of the contracting officer involved in the review process to determine annualized costs.

Annual Reporting Burden and Cost. Time required for GSA review is estimated at 6 hours per response.

Reviewing time/hour	6 hours	
Responses/yr	7041	
Review time/yr	42,246	
Average cost per hour	\$35.00	(GS 13)
Total Government cost	\$1,478,610	

15. Explain reasons for program changes or adjustments reported in Item 13 and 14. There are no changes in burden.

16. For collections 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. Results will not be tabulated or published. Data collected will be used for internal administration of contracts.

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. GSA is not seeking such approval for this collection.

18. Explain any exception to the certification statement identified. N/A.

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