

SUPPORTING STATEMENT

A. JUSTIFICATION

1. This is a request for an extension of the expiration date of the information collection requirement currently approved under OMB Control Number 0704-0398, Defense Federal Acquisition Regulation Supplement (DFARS) Part 211, Describing Agency Needs. The approval for 0704-0398 expires on December 31, 2010. This request covers the burden hours related to the requirements at DFARS Part 211 and its associated clauses. There are currently eight (8) clauses in Part 211:

- 252.211-7000, Acquisition Streamlining (DEC 1991);
- 252.211-7001, Availability of Specifications, Standards, and Data item Descriptions Not Listed in the Acquisition Streamlining and Standardization Information System (ASSIST), and Plans, Drawings, and other Pertinent Documents (MAY 2006);
- 252.211-7002, Availability for Examination of Specifications, Standards, Plans, Drawings, Data Item Descriptions, and Other Pertinent Documents (DEC 1991);
- 252.211-7003, Item Identification and Valuation (AUG 2008);
- 252.211-7004, Alternate Preservation, Packaging, and Packing (DEC 1991);
- 252.211-7005, Substitutions for Military or Federal Specifications and Standards (NOV 2005);
- 252.211-7006, Radio Frequency Identification (FEB 2007); and
- 252.211-7007, Reporting of Government-Furnished Equipment in the DoD Item Unique Identification (IUID) Registry (NOV 2008).

Of the eight clauses above, two (252.211-7001 and 252.211-7002) are notifications to offerors and contractors of the availability of certain materials for examination, not information collections. Another clause, 252.211-7000, Acquisition Streamlining, authorizes, but does not require, contractors to submit recommendations for acquisition streamlining; this does not qualify as an information collection. Two of the remaining five clauses in Part 211 are information collections but are addressed separately from this, # 0704-0398, information collection. They are—

- a. 252.211-7006, Radio Frequency Identification (FEB 2007),

OMB Control # 0704-0434; and

b. 252.211-7007, Reporting of Government-Furnished Equipment in the DoD Item Unique Identification (IUID) Registry, OMB Control # 0704-0246.

A sixth clause, 252.211-7003, Item Identification and Valuation, was added to the DFARS as an interim rule in 2004 and, at that time, was determined not to be an information collection.

Quoting from the final rule (70 FR 20835, dated April 22, 2005), "(t)his rule establishes DoD policy for marking and valuation of items delivered under DoD contracts....DoD believes that the small businesses in the manufacturing categories subject to the rule normally use some form of product identification already, i.e., bar coding, as part of their commercial business practices..The rule does not impose any information collection requirements."

The two remaining clauses prescribed in DFARS Part 211 (252.211-7004, Alternate Preservation, Packaging, and Packing; and 252.211-7005, Substitutions for Military or Federal Specifications and Standards) are information collections and are addressed in the following sections.

The DFARS is available on-line at

<http://www.acq.osd.mil/dpap/dars/dfars/index.htm>.

2. The information to be submitted pursuant to the two clauses addressed in this justification allows offerors to propose-

- a. Alternatives to military preservation, packaging, or packing specifications. DoD uses the information to evaluate and award contracts using commercial or industrial preservation, packaging, or packing if the offeror chooses to propose such alternates; and/or
- b. Single Process Initiative (SPI) processes as alternatives to military or Federal specifications and standards cited in DoD solicitations for previously developed items. DoD uses the information to verify Government acceptance of an SPI process as a valid replacement for a military or Federal specification or standard.

3. Improved information technology will be used to the maximum extent practicable in obtaining this information.

4. As a matter of policy, DoD reviews the DFARS to determine whether adequate language already exists. This information

collection does not duplicate any other requirement.

5. The burden applied to small businesses is the minimum consistent with applicable laws, Executive orders, regulations, and prudent business practices.

- a. Only those offerors that wish to (1) propose alternate preservation, packaging, or packing or (2) use Single Process Initiative (SPI) approved processes in lieu of military or Federal specifications or standards need do so.
- b. Approximately 300 contractors participate in the SPI program, and it is estimated that most of these contractors are not small businesses. Furthermore, participation in SPI is voluntary, and the purpose is to simplify contract requirements.

6. If the information is not obtained from the applicable offerors—

- a. The contracting officer cannot evaluate the suitability of proposed alternate preservation, packaging, or packing, and all offerors would be required to follow the military preservation, packaging, or packing specifications, thus losing any potential cost savings.
- b. Offerors may not be able to substitute their previously approved SPI processes for military or Federal specifications or standards, and potential cost savings might not be realized.

7. There are no special circumstances that require the collection to be conducted in any manner listed in 5 CFR 1320.5(d)(2).

8. Public comments were solicited in the Federal Register on April 21, 2010 (75 FR 20825) as required by 5 CFR 1320.8(d) (TAB A). We received no comments in response to the request for comments.

9. No payment or gift will be provided to respondents, other than remuneration of contractors under their contracts.

10. The information collected will be disclosed only to the extent consistent with prudent business practice, current regulations, and statutory requirements. No assurance of

confidentiality is provided to respondents.

11. No sensitive questions are involved.

12. Estimate of public burden.

a. **252.211-7004, Alternate Preservation, Packaging, and Packing, paragraph (b).** This provision is prescribed at 211.272 for use in solicitations that include military preservation, packaging, or packing specifications when it might be feasible to evaluate and award using commercial or industrial preservation, packaging, or packing. Paragraph (b) requires submission of information sufficient to allow evaluation of alternate packaging, but only if the offeror chooses to propose alternate packaging.

We do not estimate any change to the currently approved estimate of 375 solicitations a year with military preservation, packaging or packing specifications, an average of 1.5 responses per solicitation offering alternative packaging, and 2 hours per response. The cost per hour, however, is updated to reflect the OPM 2010 rate of \$22.57 for the equivalent of a GS-9 step 5 plus overhead of 33 percent, rounded to the nearest dollar, or \$30 an hour:

Respondents	375
Responses/respondent	<u>x</u> 1.5
Responses	563
Hours per response	<u>x</u> 2
Total hours	1,126
Cost per hour	<u>x</u> \$30
Total annual cost to public	\$33,780

b. **252.211-7005, Substitutions for Military or Federal Specifications and Standards.** The DFARS permits offerors responding to solicitations for previously developed items, described by military or Federal specifications and standards in the solicitation, to propose management or manufacturing processes that have been previously accepted by the Department of Defense under the Single Process Initiative (SPI) as valid replacements for military or Federal specifications or standards. DFARS 252.211-7005(c) requires an offeror proposing such SPI processes to provide the following information in its offer:

- (1) The specific military or Federal specification or standard for which the SPI process has been accepted;

(2) Each facility at which the offeror proposes to use the specific SPI process in lieu of military or Federal specifications or standards cited in the solicitation;

(3) The contract line items, subline items, components, or elements affected by the SPI process; and

(4) If the proposed SPI process has been accepted at the facility at which it is proposed for use, but is not yet listed at the Internet site specified in the clause, submit documentation of DoD acceptance of the SPI process.

Based on a review of the website at <http://guidebook.ddma.mil/20/modified2005-02-15.xls>, approximately 300 contractors have approved SPIs. We estimate that each participant will respond to approximately 4 solicitations per year for which SPI processes will be proposed and that each response will take approximately 1 hour.

Number of respondents	300
Number of responses per respondent per year	<u>x</u> 4
Total annual responses	1,200
Hours per response	<u>x</u> 1
Total burden hours	1,200
*Cost per hour	<u>x</u> \$30
Total public cost	\$36,000

*Cost per hour is based on the equivalent of a GS-9 step 5 of \$22.57, plus overhead of 33 percent, rounded to the nearest dollar, or \$30 an hour.

c. Total

Respondents	675
Responses/respondent	<u>x</u> 2.61
Responses	1,763
Hours per response	<u>x</u> 1.32 (total hours/ responses)
Total hours	2,326
Cost per hour	<u>x</u> \$30
Total annual cost to public	\$69,780

13. None.

14. Estimated annual reporting cost to the Government.

We estimate the annual cost to the Government to review and analyze the responses to this information collection requirement to be 1 hour per response, at \$27.31 an hour, based on the OPM

2010 salary for a GS-11, step 5 plus 33 percent burden rounded to the nearest dollar, or \$36 an hour.

Number of responses	1,763
Avg. hours per response ¹	x 1
Total hours	1,763
Cost per hour	x \$36
Total annual cost to Government	\$63,468

15. The amount of time needed to review a solicitation and determine that an approved SPI process is available has been reevaluated and revised upward. Recalculating the burden associated with both clauses and using current salary tables has resulted in upward adjustments of total costs.

16. Results of this information collection will not be tabulated or published.

17. We do not seek approval to not display the expiration dates for OMB approval of the information collection.

18. There are no exceptions to the certification accompanying this Paperwork Reduction Act submission.

B. Collections of Information Employing Statistical Methods

Statistical methods will not be employed.