

**SUPPORTING STATEMENT
HOMELAND SECURITY ACQUISITION REGULATION (HSAR)
OMB CONTROL NO. 1600-0003
POST-AWARD CONTRACT INFORMATION**

A. JUSTIFICATION

1. Circumstances Making the Collection of Information Necessary

The Department of Homeland Security (DHS) Components and the Office of the Chief Procurement Officer collect information, when necessary in administering public contracts for supplies and services. The information is used to determine compliance with contract terms placed in the contract as authorized by the Federal Property and Administrative Services Act (41 U.S.C. 251 *et seq.*) and the Federal Acquisition Regulation (FAR) (48 CFR Chapter 1). Source selection documentation, Government estimate of contract price, contract modifications, Small Business Administration Certificate of Competency, Justification and approvals, determination and finding are examples of the kinds of post-award contract information collected are identified in pertinent sections of FAR 4.803, Contents of contract files. The complete FAR can be viewed on the Internet at <http://www.arnet.gov>.

The prior information collection request for OMB No. 1600-0003 was approved through January 31, 2012 by OMB.

2. Purpose of Use of the Information Collection

The information requested is used by the Government's contracting officers and other acquisition personnel, including technical and legal staffs to determine contractor's technical and management progress and controls of the firms holding public contracts to determine if the firms are making appropriate progress in work agreed to and are otherwise performing in the Government's best interest. Payment of a firm's invoices (or non-payment) and/or corrective action may result from such reviews. If this information were not collected, the Government would jeopardize its operations by failing to exercise its responsibility for a major internal control in its contracts' post-award phase.

3. Use of Improved Information Technology and Burden Reduction

Many sources of the requested information use automated word processing systems, databases, spreadsheets, project management and other commercial software to facilitate preparation of material to be submitted, particularly in the submission of periodic (e.g., monthly) reports that describe contractor performance and progress of work. With Governmentwide implementation of e-Government initiatives, it is commonplace within many of DHS's Components for submissions to be electronic via email.

4. Efforts to Identify Duplication and Use of Similar Information

The information collected from the public under this request complements but does not duplicate vendor information available to the Governmentwide acquisition community through IAE systems including the Central Contractor Registration (CCR) (collects,

validates, stores, and disseminates basic vendor information relevant to procurement and financial transactions); Online Representations and Certifications Application (ORCA) (replaces contractor paper-based representations and certifications); Past Performance Information Retrieval System (PPIRS) (a web-enabled, Governmentwide application that provides pertinent contractor past performance information to the Federal acquisition community for use in making source selection decisions); and the Excluded Parties List System (EPLS) (provides a single comprehensive list of individuals and firms excluded by Federal government agencies from receiving federal contracts or federally approved subcontracts and from certain types of federal financial and non-financial assistance and benefits).

DHS Components are encouraged to require only the minimum post-award contract information, essential to proper protection of the Government's interests, and compliance with regulation, e.g., contractor performance evaluation.

5. Impact on Small Business or Other Small Entities

Information collection may or may not involve small business contractors, depending on the particular transaction. The burden applied to small businesses is the minimum consistent with the goals of achieving timely resolution of agency protests/resolution of contract claims.

6. Consequences of Collection the Information Less Frequently

Less frequent incidence of collecting such information as a contractor's progress made or its controls over Government furnished property would negatively affect the quality of products and services DHS receives from contractors. For example, firms could complete lengthy studies without providing progress reports to the Government and deliver a final report with substantive weaknesses which could have been identified and strengthened earlier. Also, contractor progress payments are contingent on such reporting, and, in the absence of reports there would be no basis for making such payments. Defective, inadequate, or over-budget contractor deliverables and contractor failure to control Government furnished property would adversely affect DHS's mission requirements in all areas.

7. Special Circumstances Relating to the Guidelines of 5CFR 1320.5

Not Applicable. There are no special circumstances that would cause an information collection to be conducted in any manner indicated above.

8. Efforts to Consult Outside the Agency

On _____, at 72 FR 48290, DHS/OCPO published a 60-Day Notice in the Federal Register allowing for public comment. Comments were due on _____, and none were received from the public in response to the notice.

9. Explanation of Payments and Gifts to Respondents

Not Applicable. There will be no payment or gifts made to respondents.

10. Assurance of Confidentiality Provided to Respondents

Disclosure/non-disclosure of information is handled in accordance with the Freedom of Information Act, other disclosure statutes, and Federal and agency acquisition regulations.

11. Justification for Sensitive Questions

Not Applicable. Questions posed as a means of obtaining contract administration information are of a business rather than a personal or private nature.

12. Estimates of Annualized Burden Hours and Costs

Annual Estimated Burden: The annual estimated burden is 336,000 hours.

Example Table:

Table A.12: Estimated Annualized Burden Hours and Costs

Type of Respondent	Form Name / Form Number	No. of Respondents	No. of Responses per Respondent	Avg. Burden per Response (in hours)	Total Annual Burden (in hours)	Avg. Hourly Wage Rate	Total Annual Respondent Cost
Contractor	Post Contract Award Information	8,000	3	14	336,000	\$27.36	\$9,192,960
Total		8,000					\$9,192,960

The burden hour estimate is based upon Federal Procurement Data System (FPDS) data related to DHS's award of definitive contracts; an estimated average of three reports per respondent, and an estimated burden of 14 hours for the development of each response/report. However, see response to Item 13. Use of electronic commerce and automated systems should gradually reduce the burden to contractors.

13. Estimates of annualized capital and start-up costs.

Expense Type	Expense Explanation	Annual Cost (dollars)
Direct Costs to the Respondents	Senior Contracts Manager (\$105,610, 2 FTE)	\$211,220.00
Subtotal, Direct Costs to the Respondent		\$211,220.00
TOTAL ANNUAL COST TO THE RESPONDENT		\$211,220.00

The total annual cost to the respondents resulting from the collection of post-award information is based on the U.S. Department of Labor, Bureau of Labor Statistics for the annual salary for the top 10 percent of Senior Contracts Manager (\$105,610.00) and the

number of FTEs (2) typically a 100% dedicated to a contract. For a Total Annual Cost of \$105,610.00 X 2= \$211,220.00.

The Senior Contracts Manager ensures that all post-award contract documentation is provided to the Government. This documentation ranges from progress reports, property administration records, submission of engineering change proposals, documentation regarding termination actions, invoices, plant clearance reports, and other post-award information collected as identified in pertinent sections of FAR 4.803, Contents of contract files.

14. Annualized Cost to the Federal Government

Expense Type	Expense Explanation	Annual Cost (dollars)
Direct Costs to the Federal Government	DHS Contract Specialist (GS-13, 2 FTE)	\$178,066.00
Subtotal, Direct Costs to the Government		\$178,066.00
TOTAL ANNUAL COST TO THE GOVERNMENT		\$178,066.00

The total annual cost to Government is based on the annual salary of a GS-13, Step 1 (\$89,033) and the average number of FTE's (2) that are 100% dedicated to administering a contract. For a Total Annual Cost of \$89,033 X 2= \$178,066.00.

DHS Contract Specialists are responsible for submitting request for post-award information and reviewing this information to administer public contracts. The Contract Specialist must interface with the contractor to obtain pertinent post-award documentation. Based on the complexity of the contract, the DHS Contract Specialist may have to request more or less post-award information. The Contract Specialist must determine whether the information provided is adequate.

15. Explanation of Program Changes or Adjustments

According to FPDS-NG, the number of Post-Contract award information has increased each year over the past two years in annual respondent and burden hours. This increase is the result of a new estimate of awards, which contributes to the Post-Award information that is collected. The burden estimates provided in response to Item 12 above, are based upon definitive contract award data reported by DHS and its Components to the Federal Procurement Data System (FPDS).

16. Plans for Tabulation and Publication

There is no planned publication of information for statistical use.

17. Reason(s) Display of OMB Expiration Date is Inappropriate

There are no forms associated with this information collection.

18. Exceptions to the Certification of the Paperwork Reduction Act Submissions
Not applicable. There are no exceptions to the certification statement.