

**SUPPORTING STATEMENT**  
**0704-0398**  
**DFARS Subpart Part 211 - Describing Agency Needs**

**A. JUSTIFICATION**

**1. Circumstances requiring the information collection.** This information collection requirement is currently approved under OMB Control Number 0704-0398, Defense Federal Acquisition Regulation Supplement (DFARS) Part 211, Describing Agency Needs. These requirements pertain to the possible use of alternatives to military preservation, packaging, and packing requirements and the use of approved Single Process Initiative (SPI) processes in lieu of military or Federal specifications or standards. Due to a change in the methodology used to estimate the number of annual burden hours, this renewal justification supports a decrease of 1,190 hours in the total annual burden hours. This decrease is due to reduced participation in the SPI program addressed under DFARS 252.211-7005 whereby contractors may request approval of a management or manufacturing process in lieu of a specific military or Federal specification or standard at specific facilities.

OMB Control Number 0704-0398 covers the burden hours related to the following two DFARS clauses:

- a. 252.211-7004, Alternate Preservation, Packaging, and Packing (DEC 1991); and
- b. 252.211-7005, Substitutions for Military or Federal Specifications and Standards (NOV 2005).

As a point of reference, there are two other clauses in Part 211 that require information collections, however, these requirements are addressed under separate OMB Clearance Numbers, are not part of this supporting statement, and do not fall under 0704-0398. They are: 252.211-7006, Radio Frequency Identification, OMB Control # 0704-0434; and 252.211-7007, Reporting of Government-Furnished Equipment in the DoD Item Unique Identification (IUID) Registry, OMB Control # 0704-0246.

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

- a. 252.211-7004, allows offerors to propose 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. 252.211-7005 encourages offerors to propose 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. Use of Electronic Systems.** Improved information technology will be used to the maximum extent practicable in obtaining this information.

**4. Duplication.** 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. Small Business Impact.** 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 SPI-approved processes in lieu of military or Federal specifications or standards need do so.

b. DoD estimates that very few contractors still 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. Consequence if not Collected.** 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. Special Circumstances.** There are no special circumstances that require the collection to be conducted in any manner listed in 5 CFR 1320.5(d)(2).

**8. Publication in Federal Register.** Collection is consistent with the guidelines in 5 CFR 1320.5. Under the procedures established for development of the DFARS, agency and public comments were solicited by publication of a notice in the Federal Register at [78 FR 68831](#) on November 15, 2013. No comments were received. On January 22, 2014, DARS published a notice in the Federal register at [79 FR 3576](#) stating that the proposed information collection had been submitted to OMB for approval and any public comments should be provided to OMB by February 21, 2014.

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

**10. Assurance of Confidentiality.** 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. Sensitive Questions.** No sensitive questions are involved.

**12. Public Burden.** 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 General Schedule 2013 Base pay table rate of \$22.57 for the equivalent of a GS-9 step 5 plus overhead of 36.25 percent<sup>1</sup>,

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<sup>1</sup> The burden rate used is that mandated by OMB Memorandum M-08-13 for use in public-private competitions.

rounded to the nearest dollar, or \$31 an hour:

Respondents	375
Responses/respondent	<u>x 1.5</u>
Responses	563
Hours per response	<u>x 2</u>
Total hours	1,126
Cost per hour	<u>x \$31</u>
Total annual cost to public	\$34,906

**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 SPI program 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, submit documentation of DoD acceptance of the SPI process.

Previous renewal estimates of contractors participating in the SPI program were based on a review of criteria contained in a Defense Contract Management Agency guidebook, and these reviews reflected that approximately 300 contractors had approved SPIs. The SPI criteria are no longer published in the guidebook. Government subject matter experts estimate that the number of contractors participating in this program has decreased significantly with the maturation of the program initiative and the introduction of other streamlined procurement methods such as FAR Part 12 and DFARS Part 212 procedures. DoD estimates that only 10 contractors participate in SPI and that each participant will respond to 1 solicitation per year for which SPI processes will be proposed and that each response will take approximately 1 hour.

Number of respondents	10
Responses/respondent	<u>x 1</u>
Total annual responses	10
Hours per response	<u>x 1</u>
Total burden hours	10
<sup>2</sup> Cost per hour	<u>x \$31</u>
Total public cost	\$310

**c. Total**

Respondents	385
Responses/respondent	<u>x 1.49</u>
Responses	573
Hours per response	<u>x 1.98</u> (total hours)
Total hours	1,136
Cost per hour	<u>x \$31</u>
Total annual cost to public	\$35,216

**13. Recordkeeping Burden.** None.

**14. Government Burden.** The estimated annual reporting cost to the Government to review and analyze the responses to this information collection requirement is 1 hour per response, at \$27.31 an hour, based on the OPM General Schedule 2013 Base pay table rate of \$27.31 for a GS-11, step 5 plus 36.25 percent burden rounded to the nearest dollar, or \$37 an hour.

Number of responses	1,136
Avg. hours per response	<u>x 1</u>
Total hours	1,136
Cost per hour	<u>x \$37</u>
Total annual cost to Government	\$42,032

**15. Explanation for any Program Changes or Adjustments.** The amount of contractors participating in SPI has decreased significantly and the overall cost and a burden hour of this information collection has decreased as a result. See additional information in paragraph 12.b.

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

**17. Approval to not Display Results.** We do not seek approval to not display the expiration dates for OMB approval of the

<sup>2</sup> \*Cost per hour is based on the equivalent of a GS-9 step 5 of \$22.57, plus overhead of 36.25 percent, rounded to the nearest dollar, or \$31 an hour.

information collection.

**18. Exceptions to Certification Statement.** 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.