

SUPPORTING STATEMENT

2700- 0089: Acquisition Process Reports Required for Contracts with a Value of more than \$500,000.00

TYPE OF ACTION: Reinstatement

A. Justification.

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.

This information collection is required by the NASA FAR Supplement (NFS).

NASA is required to monitor contract performance in support of NASA's mission and in accordance with contractual requirements. This information collection focuses on miscellaneous reports/information collected from NASA contractors when the contract value is greater than \$500,000.

This information collection does not include financial, property, and patent/data/copyright reports. Those reports are covered by separate OMB approved information collections.

2. Indicate how, by whom, how frequently, and for what purpose the information will be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.

NASA contractors support authorized programs and projects, and the scope of that support is documented in each contract's Statement of Work. Although there may be some similarity between contracts, each contract is unique and has its own reporting requirements. Some reporting requirements are routine and some reports are required only if and when specific events occur, such as a mishap report in the wake of a safety event. Consequently, this information collection addresses miscellaneous reporting requirements and the corresponding burden on contractors to submit the reports.

NASA's technical program and contract management personnel use this information to effectively manage and administer contracts, measure the contractor's performance, evaluate contractor management systems, ensure compliance with mandatory public policy provision, evaluate and control costs charged against contracts, detect and minimize conditions conducive to fraud, waste and abuse, and to form a database for general overview reports to the Congressional and Executive Branches. Without this information, NASA would not be able to

gain the insight into contractor activity required to effectively manage and meet NASA mission requirements.

These reports/records will be retained in accordance with the NASA Records Retention Schedule 5.1/Procurement Files.

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. Also describe any consideration of using information technology to reduce burden.

NASA encourages the use of computer technology and is participating in Federal efforts to extend the use of information technology to more processes via the Internet. NASA accepts most reports in electronic format via electronic submission.

4. Describe efforts to identify duplication.

NASA procurement procedures are continually reviewed to identify duplication of effort and other inefficiencies. This information collection supports contracts valued at \$500,000 and greater. Information collected through this information collection is not duplicated within NASA.

5. If the collection of information impacts small businesses or other small entities (Item five of form OMB 83-1, the Paperwork Reduction Act Submission form), describe any methods used to minimize burden.

Small businesses and other small entities are impacted to the extent that they are awarded contracts in excess of \$500,000. Because the reports are required to support activity under the contract, it is necessary to require the reports of all NASA contractors regardless of size status.

All contractors are reimbursed for preparation and submission of reports in accordance with contract terms, thereby minimizing the cost burden to all. Burden is the minimum necessary consistent with prudent business practices.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently.

If any restrictions were placed on the collection of information, NASA would not be able to effectively manage its contracts, thereby compromising its ability to meet its mission requirements.

7. Explain any special circumstances that would cause an information collection to be conducted in certain manners (as listed):

- *REQUIRING RESPONDENTS TO REPORT INFORMATION TO THE AGENCY MORE OFTENTHAN QUARTERLY;*
- *REQUIRING RESPONDENTS TO PREPARE A WRITTEN RESPONSE TO A COLLECTION OF INFORMATION IN FEWER THAN 30 DAYS AFTER RECEIPT OF IT;*
- *REQUIRING RESPONDENTS TO SUBMIT MORE THAN AN ORIGINAL AND TWO COPIES OF ANY DOCUMENT;*
- *REQUIRING RESPONDENTS TO RETAIN RECORDS, OTHER THAN HEALTH, MEDICAL, GOVERNMENT CONTRACT, GRANT-IN-AID, OR TAX RECORDS FOR MORE THAN 3 YEARS;*
- *IN CONNECTION WITH A STATISTICAL SURVEY, THAT IS NOT DESIGNED TO PRODUCE VALID AND RELIABLE RESULTS THAT CAN BE GENERALIZED TO THE UNIVERSE OF STUDY;*
- *REQUIRING THE USE OF A STATISTICAL DATA CLASSIFICATION THAT HAS NOT BEEN REVIEWED AND APPROVED BY OMB;*
- *THAT INCLUDES A PLEDGE OF CONFIDENTIALITY THAT IS NOT SUPPORTED BY AUTHORITY ESTABLISHED IN STATUE OR REGULATION, THAT IS NOT SUPPORTED BY DISCLOSURE AND DATA SECURITY POLICIES THAT ARE CONSISTENT WITH THE PLEDGE, OR WHICH UNNECESSARILY IMPEDES SHARING OF DATA WITH OTHER AGENCIES FOR COMPATIBLE CONFIDENTIAL USE; OR*

REQUIRING RESPONDENTS TO SUBMIT PROPRIETARY TRADE SECRET, OR OTHER CONFIDENTIAL INFORMATION UNLESS THE AGENCY CAN DEMONSTRATE THAT IT HAS INSTITUTED PROCEDURES TO PROTECT THE INFORMATION'S CONFIDENTIALITY TO THE EXTENT PERMITTED BY LAW

No special circumstances have been identified by NASA.

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 before submission to OMB.

The 60-day Federal Register Notice 13-135 was published on November 27, 2013. Volume 78, No. 229, page 70962. No comments were received from the public.

The 30-day Federal Register Notice was published on June, 12, 2014, Volume 79, No. 113, page 33785. No comments were received from the public.

9. Explain any decision to provide any payment or gift to respondents, other than enumeration of contractors or grantees.

NASA does not provide gifts or payments to respondents, other than reimbursement for preparation and submission of reports in accordance with contract terms, thereby minimizing the cost burden to all.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

Reports governed by this information collection do not generally contain confidential information, and generally become the property of NASA. Therefore, there is no assurance of confidentiality. However, to the extent that reports contain personally-identifiable or proprietary information that is subject to the Privacy Act, the information will be protected as required by the Privacy Act.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

Questions of a sensitive nature, as indicated above, will not be asked.

12. Provide estimates of the hour burden of the collection of information.

Category of Respondents	Number of Respondents Submitting Reports	Number of Reports Submitted per Respondent	Participation Time Per Response	Total Annual Burden Hours
Private Sector	501	2	420 minutes (7 hours)	7014

13. Provide an estimate of the total annual cost burden to respondents or record keepers resulting from the collection of information.

The estimated annual contractor cost is calculated by multiplying the estimated number of hours in submitting reports (7014) by an estimated rate of \$39.00 per hour (skill level comparable to GS-12 on Federal pay scale), totaling \$273,546.00 It should be noted that

contractors are reimbursed by the Government for the preparation of reports produced under cost-type contracts and that the contractor has included the cost of reports required under fixed-price contracts in the total price of the contract.

14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses, and any other expense that would not have been incurred without this collection of information.

The estimated annual cost to NASA for the review of reports under this ICR is \$230,460.00. This estimate is calculated by multiplying the number of reports, 1002, by an average 5 hours of Government review time, at an average rate of \$46.00 (GS-14 pay scale).

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I.

There are no program changes or adjustments. All changes are due to an increased number of respondents, and increased use of information technology to prepare and submit reports.

16. For collections of information intended for publication, outline plans for tabulation and publication.

Various levels of vendor information will be available to the public via the NAIS on-line system. However, sensitive information is not intended for publication.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display may be inappropriate.

NASA seeks OMB approval not to display the PRA Statement with the associated expiration date. There is no form associated with this collection. The PRA statement is not included in the solicitation or contract. It is very common in most FAR and NASA FAR Supplement collections that the PRA statement is not shown.

18. Explain each exception to the certification statement identified in item 19, “Certification for Paperwork Reduction Act Submissions” of OMB Form 83-1.

NASA seeks exemption for 18(i). There is no form associated with this collection. The PRA statement is not included in the solicitation or contract. It is very common in most FAR and NASA FAR Supplement collections that the PRA statement is not shown.

The proposed collection of information –

- (a) is necessary for the proper performance of the functions of NASA, including that the information to be collected will have practical utility;*
- (b) is not unnecessarily duplicative of information that is reasonably accessible to the agency;*
- (c) reduces to the extent practicable and appropriate the burden on persons who shall provide information to or for the agency, including with respect to small entities, as defined in the Regulatory Flexibility Act (5 U.S.C. 601(6)), the use of such techniques as:*
- (1) establishing differing compliance or reporting requirements or timelines that take into account the resources available to those who are to respond;*
 - (2) the clarification, consolidation, or simplification of compliance and reporting requirements; or*
 - (3) an exemption from coverage of the collection of information, or any part thereof;*
- (d) is written using plain, coherent, and unambiguous terminology and is understandable to those who are targeted to respond;*
- (e) indicates for each recordkeeping requirement the length of time persons are required to maintain the records specified;*
- (f) has been developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected, including the processing of the information in a manner which shall enhance, where appropriate, the utility of the information to agencies and the public;*
- (g) when applicable, uses effective and efficient statistical survey methodology appropriate to the purpose for which the information is to be collected; and*
- (h) to the maximum extent practicable, uses appropriate information technology to reduce burden and improve data quality, agency efficiency and responsiveness to the public; and*
- (i) will display the required PRA statement with the active OMB control number, as validated on www.reginfo.gov*

NASA Point of Contract/IC Sponsor: Leigh Pomponio/NASA Office of Procurement

1B. Collections of Information Employing Statistical Methods.

This information collection does not employ statistical methods.