

**SUPPORTING STATEMENT
FOR PAPERWORK REDUCTION ACT SUBMISSION
9000-0014, STATEMENT AND ACKNOWLEDGMENT (SF 1413)**

A. Justification.

1. Administrative requirements. In compliance with FAR 52.222.11, all executive agencies, including the Department of Defense, use Standard Form (SF) 1413, Statement and Acknowledgment (in construction contracts that exceed \$2,000) to obtain a statement from contractors and acknowledgement of subcontractors, that the proper labor clauses have been included in subcontracts. Department of Labor regulations at 29 CFR Subpart 5.6 require Federal agencies to ascertain compliance with statutes such as the Wage Rate Requirements (Construction) (formerly known as the Davis-Bacon Act) (40 U.S.C. chapter 31), the Copeland Act (Anti-Kickback) (18 U.S.C. 874 and 40 U.S.C. 3145), and the Contract Work Hours and Safety Standards Act (40 U.S.C. 3701 *et seq.*).

2. Uses of information. Contracting officers use this information to ascertain whether or not the contractors have included the proper clauses in subcontracts.

3. Consideration of information technology. Information technology is used to the maximum extent practicable. Where both the Government agency and contractors are capable of electronic interchange, the contractors may submit this information collection requirement electronically.

4. Efforts to identify duplication. This requirement is issued under the Federal Acquisition Regulation (FAR) which has been developed to standardize Federal procurement practices and eliminate unnecessary duplication. Similar information is not already available to the Government.

5. If the collection of information impacts small businesses or other entities, describe methods used to minimize burden. The burden applied to small businesses is the minimum consistent with applicable laws, executive orders, regulations, and prudent business practices.

6. Describe consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently. The proposed collections of information will be conducted on an occasional basis within 14 days after contract award and within 14 days after the award of any subsequently

awarded subcontract. Less frequent collection or no collection of information would impede contracting officers from performing their administrative functions in an effective and efficient manner and would not comply with Department of Labor regulations.

7. Special circumstances for collection. Collection is consistent with guidelines in 5 CFR 1320.6.

8. Efforts to consult with persons outside the agency. A 60-day notice was published in the *Federal Register* at 82 FR 35953 on August 2, 2017. No comments were received. A 30-day notice was published in the *Federal Register* at 82 FR on November 3, 2017. No comments were received.

9. Explanation of any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees. Not applicable.

10. Describe assurance of confidentiality provided to respondents. This information is disclosed only to the extent consistent with prudent business practices, current regulations, and in accordance with the requirements of the Freedom of Information Act.

11. Additional justification for questions of a sensitive nature. No sensitive questions are involved.

12 & 13. Estimated total annual public hour burden. Time required to read and prepare information is estimated at 0.05 hours per response. DoD, GSA and NASA analyzed the FY 2016 data from the Federal Procurement Data System (FPDS) to develop the estimated burden hours as shown below:

Annual Reporting Burden

Estimated respondents/yr.....	34,805
Responses per respondent.....	<u>x 2</u>
Total annual responses.....	69,610
Estimated hrs/response.....	<u>x 0.05</u>
Estimated total burden/hrs.....	3,481
Average wages and overhead (OH).....	<u>x \$54</u>
Total cost to the public	\$187,974

- The respondents per year are the number of construction contracts that exceed \$2,000 in FY 16, which are 34,805.
- The responses per respondent are the number of subcontracts per contract. Many contracts do not have any subcontracts but

after consulting experienced contracting officers, an assumption is made that it is reasonable to estimate 2 subcontracts per contract.

- Based on the OPM GS-12/step 5 salary (\$39.19/hour) plus 36.25 percent burden, rounded to the nearest dollar, or \$54 an hour. The burden rate used is that mandated by OMB memorandum M-08-13 for use in public-private competition, as updated by OMB for the current year. Reference Salary Table 2017-RUS, Effective January 2017, found at www.opm.gov). The estimated cost per response is \$2.70.

14. Estimated cost to the Government. Time required for Government review is estimated at 0.05 hours per response.

Annual Reviewing Burden and Cost

Responses/yr.....	69,610
Review time per response	x 0.05
Total burden hours.....	3,481
Average wages and OH (\$39.19/hr + 36.25% burden).....	x \$54
Total Government cost.....	\$187,974

15. Explain reasons for program changes or adjustments reported in Items 13 and 14. The increase of responses from 61,000 to 69,610 and the associated increase in estimated burden hours from 3,050 hours to 3,481 hours is an adjustment due to an increase in the number of construction contracts that exceed \$2,000 in FY 2016.

16. Outline plans for published results of information collections. Results will not be tabulated or published.

17. Approval not to display expiration date. Not applicable.

18. Explanation of exception to certification statement. Not applicable.

B. Collections of Information Employing Statistical Methods.

Statistical methods are not used in this information collection.