

OMB Control No: 9000-0001
SUPPORTING STATEMENT
FOR PAPERWORK REDUCTION ACT SUBMISSION
STANDARD FORM 28, AFFIDAVIT OF INDIVIDUAL SURETY

A. Justification.

1. Administrative requirements. The Standard Form (SF) 28, Affidavit of Individual Surety, is used by all executive agencies, including the Department of Defense, to obtain information from individuals wishing to serve as sureties to Government bonds. Offerors and contractors may use an individual surety as security for bonds required under a solicitation/contract for supplies or services (including construction). It is an elective decision on the part of the offeror/contractor to use individual sureties instead of other available sources of surety or sureties for Government bonds.

2. Uses of information. The information on the SF 28 is used to assist the contracting officer in determining the acceptability of individuals proposed as sureties.

3. Consideration of information technology. We use improved information technology 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 being issued under the Federal Acquisition Regulation (FAR) which has been developed to standardize Federal procurement practices and eliminate unnecessary duplication.

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. Collection of information on a basis other than solicitation-by-solicitation is not practical.

7. Special circumstances for collection. Collection is generally 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 48231 on October 17, 2017. No comments were received. A 30-day notice was published in the *Federal Register* at 82 FR 61571 on December 28, 2017.

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 and current regulations.

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

12 & 13. Estimated total annual public hour and cost burden. Time required to read and prepare information is estimated at 0.3 hours per response.

The number of solicitations and contracts requiring the submission of bid guarantees, performance, or payment bonds, correlate roughly to the number of contract awards containing FAR clause 52.228-11, Pledge of Assets. Based on Fiscal Year (FY) 2016 data contained in the Electronic Document Access system (DoD official contract file system), 15,209 DoD contract awards, containing FAR clause 52.228-11, were made to 2,435 unique vendors. These contractors could be using corporate sureties under FAR 28.202, individual sureties under FAR 28.203, or pledging the contractor's own assets under FAR 28.204. Based on contracting officers' experience in the field we estimate that less than 10 percent of contractors are using individual sureties to meet the required bonding under contracts. Therefore we estimate the number of respondents per year as ten percent of the number of unique vendors for FY 2016 (2,435), or 244 when rounded up to the nearest whole number. We assume two responses per year to account for a revision to the SF 28, if needed.

Annual Cost to the Public

Estimated respondents/yr.....244
Responses annually.....x 2
Total annual responses.....488
Estimated hrs/response.....x 0.3
Estimated total burden hrs.....146
Estimated cost to public (\$39.19 + 36.25 %)...x \$54
Total cost to the public.....\$7,884

**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. The estimated cost per response is approximately \$16.15. Reference Salary Table 2017-RUS, Effective January 2017, found at www.opm.gov.

14. Estimated cost to the Government. Time required for Governmentwide review is estimated at 1 hour per response.

Annual Reviewing Burden and Cost

Total annual responses.....488
Review per response.....x 1
Total burden hours.....488
Average wages + overhead (\$39.19/hr + 36.25%).....x \$54
Total Government cost.....\$26,352

15. Explain reasons for program changes or adjustments reported in Item 13 and 14. The reduction of responses from 500 to 488 and the associated decrease in estimated burden hours from 150 to 146 hours is an adjustment due to the assumptions made for the estimate and using the Electronic Document Access system data for 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.