

**1601-0005 SUPPORTING STATEMENT
HOMELAND SECURITY ACQUISITION REGULATION (HSAR)
SOLICITATION OF PROPOSAL INFORMATION FOR AWARD OF PUBLIC
CONTRACTS
(OMB No. 1600-0005)**

A. JUSTIFICATION

1. Circumstances Making the Collection of Information Necessary

The Department of Homeland Security (DHS) and the Office of the Chief Procurement Officer (OCPO) collect information when inviting firms to submit bids, proposals, and offers for public contracts for supplies and services. The information collection is necessary for compliance with the Homeland Security Acquisition Regulation (HSAR), 48 CFR Chapter 30, and the Small Business Innovative Research (SBIR) and Small Business Technology Transfer (STTR) programs 15 U.S.C 638.

For solicitations to contract made through a variety of means, whether conducted orally or in writing, contracting officers normally request information from prospective offerors such as pricing information, delivery schedule compliance, and whether the offeror has the resources (both human and financial) to accomplish requirements. Examples of the kinds of information collected can be found in the HSAR in Part 9, Part 19 and Part 47, along with associated solicitation provisions and contract clauses.

Examples where collections of information occur in soliciting for supplies/services include the issuance of draft Requests for Proposal (RFP), Requests for Information (RFI), and Broad Agency Announcements (BAA). The Government generally issues an RFP using the uniform contract format with the intent of awarding a contract to one or more prospective offerors. The RFP can require those interested in making an offer to provide information in the following areas: schedule (FAR 15.204-2); contract clauses (FAR 15.204-3); list of documents, exhibits and other attachments (FAR 15.204-4) or representations and instructions (15.204-5). Examples of collections under the HSAR include:

- 3052.209-70 Prohibition on Contracts with Corporate Expatriates
- 3052.209-72 Organizational Conflict of Interest
- 3052.209-74 Limitations on Contractors Acting as Lead System Integrators
- 3052.209-76 Prohibition on Federal Protective Service Guard Services Contracts with Business Concerns Owned, Controlled, or Operated by an Individual Convicted of a Felony
- 3052.219-72 Evaluation of Prime Contractor Participation in the DHS Mentor-Protégé Program
- 3052.247-70 F.o.b. Origin Information

The DHS Science and Technology (S&T) Directorate issues BAAs soliciting white papers and proposals from the public. DHS S&T evaluates white papers and proposals received from the public in response to a DHS S&T BAA using the evaluation criteria specified in the BAA through a peer or scientific review process in accordance with FAR 35.016(d). White paper evaluation determines those research ideas that merit submission of a full proposal and proposal evaluation determines those proposals that merit selection for contract award. Unclassified white papers and proposals are typically collected via the DHS S&T BAA secure website, while classified white papers and proposals must be submitted via proper classified courier or proper classified mailing procedures as described in the National Industrial Security Program Operating Manual (NSPOM).

Federal agencies with an annual extramural research and development (R&D) budget exceeding \$100 million are required to participate in the SBIR Program. Similarly, Federal agencies with an extramural R&D budget exceeding \$1 billion are required to participate in the STTR Program.

Federal agencies who participate in the SBIR and STTR programs must collect information from the public to:

- (1) Meet their reporting requirements under 15 U.S.C. 638 (b)(7), (g)(8), (i), (j)(1)(E), (j)(3)(C), (l), (o)(10), and (v);
- (2) Meet the requirement to maintain both a publicly accessible database of SBIR/STTR award information and a government database of SBIR/STTR award information for SBIR and STTR program evaluation under 15 U.S.C. 638 g(10, (k), (o) (9), and (o)(15); and
- (3) Meet requirements for public outreach under 15 U.S.C. 638 (j)(2)(F), (o) (14), and (s).

The prior information collect request for OMB No. 1600-0005 was approved through February 28, 2015 by OMB in a Notice of OMB Action.

2. Purpose of Use of the Information Collection

The information being collected is used by the Government's contracting officers and other acquisition personnel, including technical and legal staffs to determine adequacy of technical and management approach, experience, responsibility, responsiveness, expertise of the firms submitting offers, identification of members of the public (i.e., small businesses) who qualify for, and are interested in participating in, the DHS SBIR Program, facilitate SBIR outreach to the public, and provide the DHS SBIR Program Office necessary and sufficient information to determine that proposals submitted by the public to the DHS SBIR Program meet criteria for consideration under the program.

Failure to collect this information would adversely affect the quality of products and services DHS receives from contractors. Potentially, contracts would be awarded to firms without sufficient experience and expertise, thereby placing the Department's operations in jeopardy. Defective and inadequate contractor deliverables would

adversely affect DHS's fulfillment of the mission requirements in all areas. Additionally, the Department would be unsuccessful in identifying small businesses with research and development (R&D) capabilities, which would adversely affect the mission requirements in this area.

3. Use of Improved Information Technology and Burden Reduction

Many sources of the requested information use automated word processing systems, databases, and web portal to facilitate preparation of material to be submitted and to post and collect information. It is common place within many of DHS's Components for submissions to be electronic as a result of implementation of e-Government initiatives.

Information technology (i.e., electronic web portal) is used in the collection of information to reduce the data gathering and records management burden. DHS uses a secure website which the public can propose SBIR research topics and submit proposals in response to SBIR solicitations. In addition, DHS uses a web portal to review RFIs and register to submit a white paper or proposal in response to a specific BAA. The data collection forms standardize the collection of information that is necessary and sufficient for the DHS SBIR Program Office to meet its requirements under 15 U.S.C. 638.

4. Efforts to Identify Duplication and Use of Similar Information

The information collected from the public under these requests complements but does not duplicate vendor information available to the Government wide acquisition community. In addition, through Strategic Sourcing initiatives, DHS Components are encouraged to consolidate their own respective similar transactions for internal administrative economies. The subject information collection is intended to cover information specific to individual DHS contracting requirements (e.g., offerors'/bidders' technical and pricing information, delivery information, not available under existing systems).

5. Impact on Small Business or Other Small Entities

This information collection required by the HSAR and the SBIR and STTR programs may or may not involve small business contractors, depending on the particular transaction. The burden applied to small businesses is has been reduced to the least burdensome commensurate with the DHS need for the information. In certain cases, information collection is done via a secure website which is intended to minimize burden for businesses (including small businesses) and other for-profit entities, and not-for-profit institutions. Small businesses and other small entities will be able to enter identifying information and subsequently update rather than resubmit that information via the Internet.

6. Consequences of Collection the Information Less Frequently

Less frequent incidence of collecting such information as offerors' technical approach, management approach, experience statements, and resumes indicating level of expertise would negatively affect the quality of products and services DHS received from contractors. Potentially, contracts would be awarded to firms without

sufficient experience and expertise, thereby placing the Department's operations in jeopardy.

Additionally, DHS collects information that is both necessary and sufficient to comply with 15 U.S.C. 638 and receive white papers and proposals from the public in response to BAAs. Failure to allow the public to submit information would diminish the ability of the DHS SBIR Program Office to meet its obligation for outreach as required by 15 U.S.C. 638, evaluate white papers and proposals in accordance with the criteria in the BAA and provide the respondents with the results of the evaluation.

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

There are no special circumstances that would cause this information collection to be conducted in a manner outside the procedures in the FAR and Public Laws codified in 15 U.S.C. 638.

8. Efforts to Consult Outside the Agency

On December 10th, 2014, at 79 FR 73329, DHS/OCPO published a 60-Day Notice in the Federal Register allowing for public comment. Comments were due on February 9th, 2015, and none were received from the public in response to the notice. On February 27th, 2015, at 80 FR 10703, DHS/OCPO published a 30-Day Notice in the Federal Register allowing for public comment.

9. Explanation of Payments and Gifts to Respondents

Not Applicable. There will be no payments or gifts made to respondents for this information collection.

10. Assurance of Confidentiality Provided to Respondents

The disclosure or non-disclosure of respondents' information is handled in accordance with the Freedom of Information Act, other disclosure statutes, and Federal and agency acquisition regulations. Information submitted under these collections is provided voluntarily with the purpose of obtaining a contract from DHS. Government requirements for protecting information are well established in law and regulation and respondents should be submitting information with an understanding of those laws and regulations.

11. Justification for Sensitive Questions

Not Applicable. Questions posed as a means of obtaining information on offerors' pricing, delivery, technical approach, management approach, experience statements and other information in proposals, quotes, white papers, etc., 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 285,852 hours. Table A.12 on the following page provides amplifying information.

Table A.12: Estimated Annualized Burden Hours and Costs

Type of Respondent	Form Number	No. of Respondents	No. of Responses per Respondent	Total Number of Responses	Avg. Burden per Response (in hours)	Total Annual Burden (in hours)	Avg. Hourly Wage Rate	Total Annual Respondent Cost
Contractor	N/A	13,612	3	40,836	7	285,852	\$27.36	\$7,820,910.72
Total		13,612	3	40,836	7	285,852	\$27.36	\$7,820,910.72

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

Costs could not be estimated, as the size and complexity of each request for additional information is dependent upon the circumstances of the particular acquisition, e.g., information requests can range from the simple confirmation of delivery information to more complex information related to a proposal's technical approach.

14. Annualized Cost to the Federal Government

Costs could not be estimated, as the size and complexity of each request for additional information is dependent upon circumstances of the particular acquisition.

15. Explanation of Program Changes or Adjustments

There has been no change in the information being collected. The reduction in the total annual burden is based on agency estimates. First, the estimate is based on the number of expected contract awards requiring the submission of information has been declining in the last three years. Second, the average burden per response is reduced because this collection is for HSAR requirements only. The previous estimated was for all Federal Acquisition Regulation (FAR) requirements. However, FAR collection requirements have been separately approved.

16. Plans for Tabulation and Publication

DHS does not intend to employ the use of statistics, or publication thereof for this information collection.

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

The OMB control number and expiration date will be displayed on the information collection.

18. Exceptions to the Certification of the Paperwork Reduction Act Submissions

There are no exceptions to the certification statement.

B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS

The collection does not employ statistical methods.