

**SUPPORTING STATEMENT
FOR INFORMATION COLLECTION SUBMISSION
9000-0035, CLAIMS AND APPEALS**

A. Justification.

1. **Administrative requirements.** This is a request for an extension of an existing information collection requirement (FAR Subpart 33.2 and 52.233-1, Disputes). It is the Government's policy to try to resolve all contractual issues by mutual agreement at the contracting officer's level without litigation. Contractor's claims must be submitted in writing to the contracting officer for a decision. The Contract Disputes Act of 1978 (41 U.S.C. 605) requires that claims exceeding \$100,000 must be accompanied by a certification that (1) the claim is made in good faith; (2) supporting data are accurate and complete; and (3) the amount requested accurately reflects the contract adjustment for which the contractor believes the Government is liable. Contractors may appeal the contracting officer's decision by submitting written appeals to the appropriate officials.

2. **Uses of information.** The information is used to decide the disposition of the claim.

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.** This collection of information applies only to contractors submitting a contract claim against the Government.

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

8. **Efforts to consult with persons outside the agency.** A 60-day notice published in the *Federal Register* at 83 FR 44052, on August 29, 2018. No comments were received. A 30-day notice was published in the *Federal Register* at 83 FR 62324 on December 3, 2018.

9. Explanation of any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees. No payment or gift will be provided to the respondents, other than remuneration of any contracting officer approved amount from the claim.

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 1 hour per completion. The cost per response is estimated \$54.30 per hour based on a journeyman (based on a 2018, GS-12, Step 5 with fringe based on OMB Memo M-08-13, dated 11 March 2008). After an analysis of current database information and querying several agency subject matter experts, it is determined that there is no indication of a substantial change to the number of respondents or hours required; therefore, the previous estimate is being used. The estimated cost per response is \$54.30.

Estimated respondents/yr.	4,500
Responses annually	x <u>3</u>
Total annual responses	13,500
Estimated hrs/response	x <u>1</u>
Estimated total burden/hrs.	13,500
Cost per hour (with fringe included)	x <u>\$54.30</u>
Estimated cost to public	\$ 733,050

14. Estimated cost to the Government. Time required for Government-wide review is estimated at 3 hours per response. The cost per response is estimated \$52.54 per hour based on a journeyman (based on a 2018, GS-12, Step 5 with fringe based on OMB Memo M-08-13, dated 11 March 2008).

Annual Reporting Burden and Cost

Responses/yr	x 13,500
Reviewing time/hr.	<u>3</u>
Review time/yr	40,500
Average wages/hr (includes Fringe).....	x <u>\$54.30</u>
Estimated cost to Government\$2,199,150

15. Explain reason for program changes or adjustments reported in Item 13 or 14. This submission requests an extension of OMB approval of an information collection requirement in the FAR. The information collection requirement in the FAR remains

unchanged. The sole change in the estimate is the average wage used in the calculation to update to current dollars.

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

17. Approval not to display expiration date. There is no request for approval to omit display of the expiration date of OMB approval on the instrument of collection.

18. Explanation of exception to certification statement.
There are no exceptions to the certification accompanying the Paperwork Reduction Act submission.

B. Collections of Information Employing Statistical Methods. Statistical methods are not used in this information collection.