

**SUPPORTING STATEMENT FOR PAPERWORK REDUCTION
ACT SUBMISSION
OMB # 1405-0050
DEPARTMENT OF STATE ACQUISITION REGULATION
(DOSAR)**

A. JUSTIFICATION

1. The information collection covers requirements of the Department of State Acquisition Regulation (DOSAR), codified in the Code of Federal Regulations (CFR), Title 48, Chapter 6. It covers both pre-award and post-award acquisition requirements.

Pre-award actions are those actions leading up to the award of the contract. They include evaluating the bids/proposals submitted in response to the solicitation, negotiating with prospective contractors, and awarding the contract.

Post-award actions are those actions taken after contract award through close-out of the contract. They include monitoring the contractor's performance, issuing modifications to the contract, dealing with unsatisfactory performance, issuing payments to the contractor, and closing out the contract upon its completion.

The majority of contractual requirements are covered in the Federal Acquisition Regulation (FAR), CFR, Title 48, Chapter 1. This information collection, therefore, deals only with requirements that are included in the FAR but are required by the DOSAR. Where necessary, we have separated the discussion of pre-award and post-award requirements.

Pre-Award

The FAR requires the issuance of written solicitation documents for all acquisitions exceeding the simplified acquisition threshold. The U.S. Government evaluates the responses to these solicitations in accordance with established criteria. This evaluation constitutes the basis for determining which bidders or offerors receive contract awards.

DOSAR solicitation provisions that require collection of data from offerors are described below:

- a. DOSAR 652.236-71, *Foreign Service Buildings Act, As Amended* – this provision requires a bidder or offeror to provide information to determine if it is an American-owned firm. Under the Foreign Service Buildings Act, American-owned firms receive a 10 percent price evaluation preference for the construction, alteration, or repair of buildings or grounds abroad exceeding \$5 million.

- b. DOSAR 652.236-72, *Statement of Qualifications for the Omnibus Diplomatic Security and Antiterrorism Act* - this provision requires bidders and offerors to provide information to determine if the bidder or offeror is a United States person or a United States joint venture person. Under the Omnibus Diplomatic Security and Antiterrorism Act of 1986, diplomatic construction or design projects abroad exceeding \$10 million are limited to United States persons or United States joint venture persons.
- c. DOSAR 652.237-73, *Statement of Qualifications for Preference as a U.S. Person* - this provision requires bidders and offerors to provide information to determine if the bidder or offeror is a United States person or a United States joint venture person. Under the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (22. U.S.C. 4864), United States persons or United States joint venture persons receive a 10 percent price evaluation preference for local guard contracts abroad under diplomatic security programs.
- d. DOSAR 652.245-70, *Status of Property Management System* – this provision requests information from offerors regarding their property management systems in order to comply with FAR 45.201(c), which states that the solicitation shall require all offerors to submit a description of the offeror’s property management system, plan, and any customary commercial practices, voluntary consensus standards, or industry-leading practices and standards to be used by the offeror in managing Government property.

Post-Award

The following clauses require some data collection from contractors:

- a. DOSAR 652.232-72, *Limitation of Funds* - this clause requires contractors to notify the U.S. Government when they believe that the funds obligated on the contract are insufficient to cover the work to be performed by a certain date.
- b. DOSAR 652.245-71, *Special Reports of Government Property* – this clause requires contractors to submit information quarterly in accordance with DOS capitalized property reporting requirements.

2. Pre-Award

The information that bidders and offerors are required to submit is used by agency personnel (i.e. contracting officers, cost and price analysts, program office technical experts, legal advisors, and management officials) to determine the eligibility of bidders/offerors for award.

Post-Award

Post-award information collection requirements are required to receive information related to financial status of funding for incrementally funded contracts and for compliance with DOS capitalized property reporting requirements.

3. The Department allows for all information collected to be submitted via electronic submission of responses. This reduces the burden on respondents and makes it easier for the government to handle and analyze the information. The DOSAR does not have a separate system for information collection therefore there is no PIA for the DOSAR. There are PIA's handled by other agencies that collect procurement information such as; FPDS, FBO, and SAMS.
4. The collection does not duplicate any existing collection of information. Only information that is contract-specific and required by the DOSAR is collected.
5. The impact on small businesses was considered, but due to the nature of the requirements, there is no opportunity to reduce the information burden for small businesses.
6. For pre-award activities, eligibility for award must be determined for all offerors for each solicitation, so there is no opportunity to reduce or eliminate the information collection. This collection cannot be conducted on a less frequent basis. For post-award activities, the information collection requirements are only on an as-needed basis. They do not apply across the board and relate only to the occurrence of specific circumstances.
7. The Department does not require any information collection to be conducted in any of the manners listed.
8. On September 19, 2018, the Department published a 60 Day Notice in the *Federal Register* requesting public comments. 83 FR 47389. No comments were received.
9. There are no payments or gifts to respondents.
10. The information pertaining to commercial business and other entities will be kept private to the extent permitted by FAR 3.104 and 15.207.
11. There are no questions of a sensitive nature in this information collection.
12. The estimated total aggregated burden hours to respondents are 253,764 hours. The number of estimated respondents is 1,647. The number of estimated responses is 2,600 (2,400 pre + 200 post). The average time per response is approximately 100 hours (253,764/2,600). The annual hour cost burden is

\$13,350,524 (\$13,342,633 pre + \$7,891 post). The estimated weighted wage rate is \$52.61 (\$37.58 average wage¹ x 1.4 weighted wage multiplier²).

13. The estimated annual non-labor cost burden to respondents is \$400,516³. The total monetary burden is \$13,751,040 (\$13,350,524 + \$400,516).
14. The estimated annual cost to the Federal Government is \$869,323⁴. Please see the Annualized Cost Analysis (Federal Government) on page 9 for complete information on computations.
15. Based on the reasons indicated in table below, the number of burden hours has been reduced by 150 hours from 253,914 hours to 253,764 hours.

Pre-Award Provisions	Reason for Deletion/Revision	Original	Current	Reduction
DOSAR 652.236-71, Foreign Service Buildings Act, this provision requires a bidder or offeror to provide information to determine if it is an American-owned firm.		550	550	0
DOSAR 652.236-72, <i>Statement of Qualifications for the Omnibus Diplomatic Security and Antiterrorism Act</i> - this provision requires bidders and offerors to provide information to determine if the bidder or offeror is a United States person or a United States joint venture person. Under the Omnibus Diplomatic Security and Antiterrorism Act of 1986, diplomatic construction or design projects abroad exceeding \$10 million are limited to United States persons or a United States joint venture person.		2,624	2,624	0
DOSAR 652.237-73, <i>Statement of Qualifications for Preference as a U.S. Person</i> - this provision requires bidders and offerors to provide information to determine if the bidder or offeror is a United States person or a United States joint venture person. Under the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (22 U.S.C. 4864), United States persons or United States joint venture persons receive a 10 percent price evaluation preference for local guard contracts abroad under diplomatic security programs.		32	32	0
DOSAR 652.245-70, <i>Status of Property Management System</i> – this provision requests information from offerors regarding their property management systems in order to comply with FAR 45.201(c) which states that the solicitation shall require all offerors		14	14	0

¹ 2017 BLS category 11-0000 Mgmt. Ops. and 13-0000 Bus. & Fin. Ops (49.32*30% + 32.55*70% = \$37.58).

² 40% is a multiplier that has been utilized by State for years which consolidates multiple contract types, small and large businesses, and numerous fringe, overhead and profit rates. BLS issued report *Employer Costs for Employee Compensation – December 2018*, Table A provides benefits with multipliers ranging from 30 – 37.5% (30% for private industry).

³ Multiplication of aggregated burden hours x estimated hourly cost x non-labor percentage (253,764*\$52.61*3% = \$400,516).

⁴ This is an increase due to increased labor rates with applicable burdens.

to submit a description of the offeror's property management system, plan, and any customary commercial practices, voluntary consensus standards, or industry-leading practices and standards to be used by the offeror in managing Government property.				
Other solicitation response efforts - reading and discussing the solicitation, researching the requirement, developing the project team and preparing/submitting the proposal/bid		250,394 ⁵	250,394	0
Post Award Clauses		Original	Current	Reduction
DOSAR 652.232-72, <i>Limitation of Funds</i> – this clause requires contractors to notify the U.S. Government when they believe that the funds obligated on the contract are insufficient to cover the work to be performed by a certain date.		50	50	0
DOSAR 652.236-70, <i>Accident Prevention</i> – this clause requires that construction contractors submit a written accident prevention plan.	This clause was removed and the Department reverted to use of the FAR clause 52.236-13, <i>Accident Prevention</i> .	150	0	150
DOSAR 652.245-71, <i>Special Reports of Government Property</i> – this clause requires contractors to submit information quarterly in accordance with DOS capitalized property reporting requirements.		100	100	0
TOTAL		253,914	253,764	150

16. The collection of data will not be published for statistical use.

17. Not applicable. We are not seeking approval to not display the expiration date.

18. There are no exceptions to the certification statement.

⁵ Per OIRA this burden is required by each agency for collection purposes.

Action	Hours
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B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.

ANNUALIZED ANALYSIS (RESPONDENTS, Items 12 and 13)

Estimated Total Burden Costs and Hours to Respondents, Pre and Post-Award

Cost Burden	=	\$	400,753 (\$400,516 pre + \$237 post)
Burden Hours	=		253,764

These burdens are broken down as follows:

A. Pre-Award

The annualized cost for the total number of respondents responding to the pre-award information collection requirements is estimated to be \$400,516. This estimated figure represents the non-labor costs associated with producing the materials (paper, binders, CDs), mailing or delivery costs, storage costs, travel (if required), fee-based services for access to amendments and updates, meals (after hours, weekends, etc.)

The amount of non-labor costs is estimated as a percentage of labor costs. The percentages vary slightly depending on the dollar amount of the acquisition, but the average is 3 percent⁶. (Total labor costs = \$13,751,040 X .03 = \$400,516). The pre-award estimated annual burden hour cost to respondent is \$13,350,524 (250,394 hours x \$52.61).

The number of labor hours required to respond was calculated as follows:

Provision	Estimated Respondents	Estimated Responses
652.236-71 Foreign Service Buildings Act, As Amended	111	275
652.236-72 Statement of Qualifications for the Omnibus Diplomatic Security and Antiterrorism Act	69	328
652.237-73 Statement of Qualifications for Preference as a U.S. Person	6	64
652.245-70 Status of Property Management System	6	14
Total	192	681

⁶ 3% for non-labor costs has been the standard non-labor rate utilized by DOS for years. Based on historical data (3%) and a November 2018 report *Estimating Labor and Non-Labor Costs Associated with Common Human Resources Functions/Tasks*. Page 6, Table 1 (average labor costs divided by average non-labor costs (\$12.74/\$0.42=3.3%)).

<p>Provision 652.236-71 Foreign Service Buildings Act, As Amended</p> <p>Data Provided: 111 respondents, 275 responses / 2 hours each preparation (average)</p>
<p>Provision 652.236-72 Statement of Qualifications for the Omnibus Diplomatic Security and Antiterrorism Act</p> <p>Data Provided: 69 respondents, 328 responses / 8 hours each preparation (average)</p>
<p>Calculation for Provision 652.237-73 Statement of Qualifications for Preference as a U.S. Person</p> <p>Data Provided: 16 – Solicitations/year 4 – Responses per solicitation 6 – Respondents</p> <p>16 solicitations x 4 responses = 64 total responses</p>
<p>Provision 652.245-70 Status of Property Management System</p> <p>Data Provided: 6 respondents, 14 responses</p>

652.236-71 = 2 hours x 275 responses	=	550 hours
652.236-72 = 8 hours x 328 responses	=	2,624 hours
652.237-73 = 0.5 hour x 64 responses	=	32 hours
652.245-70 = 1 hour x 14 responses	=	14 hours
Other solicitation response efforts	=	250,394 hours

Total Estimated Annual Burden Hours for Pre-Award: 253,614

B. Post-Award

The post-award non-labor cost for the total number of respondents for the DOSAR clauses is \$237. This estimated figure represents the non-labor costs, estimated at 3 percent of labor hour costs. (Total labor costs = (\$7,891 X .03 = \$237). The total estimated annual labor hour cost is \$7,891 (150 hours x \$52.61). This is a reduction of 150 hours from the last submission because of the removal of one clause due to a DOSAR change.

Annual Reporting Burden (computation):

652.232-72 = 1 hour x 50 contracts	=	50
652.245-71 = 1 hour x 25 contracts x 4 times/yr.	=	100

Total Estimated Annual Burden Hours for Post-Award: 150

Clause	Estimated Respondents	Estimated Responses
652.232-72 Limitation of Funds	50	50
652.245-71 Special Reports of		

Government Property	25	100
Total	75	150

Calculation for Burden Estimates

2017 BLS category 11-0000 Mgmt. Ops. and 13-0000 Bus. & Fin. Ops
(49.32*30% + 32.55*70% = \$37.58). (\$24.34 average wage x 1.4 multiplier)

3 percent = Estimated average non-labor cost

253,764 annual burden hours = (253,614 hours for pre + 150 hours for post)

2,600 total estimated responses = (2,400 estimated pre-award responses + 200
estimated post-award responses)

100 hours average time per response = (253,614 annual burden hours / 2,600
responses)

\$ 13,751,040 total estimated annual burden hours cost to respondents = (253,614
burden hours x \$52.61)

\$ 400,516 total estimated non-labor cost burden to respondents = (\$13,751,040
total estimated annual burden hours cost x .03)

ANNUALIZED COST ANALYSIS (FEDERAL GOVERNMENT, Item 14)

Total Costs to Federal Govt., Pre and Post-Award \$869,323

(Pre-Award Costs of \$860,773 + Post-Award \$8,550 = \$869,323)

These costs are broken down as follows:

A. Pre-Award

The annualized cost to the Department for reviewing and analyzing the information collected is estimated to be **\$860,773**. This estimated amount is based on the following:

Action ⁷	Responses	Hours Per Response	Total Hours	Estimated Hourly Wage	Estimated Cost
652.236-71 / Proj. Ofcr. (GS-12)	275	1	275	\$60.33	\$16,591
652.236-72 / Proj. Ofcr. (GS-12)	328	1	328	\$60.33	\$19,788
652.237-73 / Cont. Spec. (GS-11)	64	0.5	32	\$50.33	\$ 1,611
Cont. Ofcr. (GS-13)		0.0625	4	\$71.75	\$ 287
652.245-70 / Cont. Spec. (GS-11)	14	2	28	\$50.34	\$1,410
Cont. Ofcr. (GS-13)		0.286	4	\$71.75	\$ 287
Review Proposal / Cont. Spec. (GS-11)	4,800	1	4,800	\$50.34	\$241,632
Proj. Ofcr. (GS-12)	9,600	1	9,600	\$60.33	\$579,168
Total			15,071		\$860,773

B. Post-Award

The annualized cost to the Department based on the individual clauses, as listed above, is **\$8,550**. The costs are broken down as follows:

Clause	Responses	Hours Per Response	Total Hours	Estimated Hourly Wage	Estimated Cost
652.232-72 / Cont. Spec (GS-11)	50	1	50	\$50.34	\$2,517
652.245-71 / Property Ofcr. (GS-12)	100	1	100	\$60.33	\$6,033
Total			150		\$8,550

⁷ The rates estimated for the Project Officer are equivalent to the mid-point (step 5) of the General Schedule (GS) GS-12 with an hourly rate of \$44.28 (from the 2019 OPM GS Salary Table). The Contract Specialist rates are equivalent to the mid-point GS-11 with an hourly rate of \$36.95 and the Contracting Officer rates are equivalent to the mid-point (step 5) of the GS-13 with an hourly rate of \$52.66. For all labor categories, the overhead/burden rate of 36.25%, based on the OMB-mandated burden rate for A-76 public-private competitions, is added (e.g. GS11, Step 5 \$44.28/hour X 1.3625 = \$60.33 burdened hourly rate). For Contract Specialist at a rate of \$36.95, the burdened hourly rate is \$50.34 and the Contracting Officer rate of \$52.66 the burdened hourly rate is \$71.75.