

**SUPPORTING STATEMENT
FOR INFORMATION COLLECTION SUBMISSION
9000-0083, QUALIFICATION REQUIREMENTS**

A. Justification.

1. **Administrative requirements.** FAR subpart 9.202, and the associated clause at FAR 52.209-1, Qualification Requirements, implement the statutory authority of 10 U.S.C. 2319 and 41 U.S.C. 3311, which permits agency heads to establish qualification requirements for testing or other quality assurance demonstrations that must be completed by an offeror before award of a contract. This information collection is necessary to provide the contracting officer with relevant information when an offeror, manufacturer, source, product or service covered by a qualification requirement has met the standards specified.

If a qualification requirement applies to an acquisition, the contracting officer need consider only those offers identified as meeting the requirement or included on the applicable Qualified Products List (QPL), Qualified Manufacturers List (QML), or Qualified Bidders List, unless an offeror can satisfactorily demonstrate that it, its product, or its subcontractor or its product, can meet the standards established for qualification before the specified date of award.

Included in solicitations and contracts subject to a qualification requirement, FAR clause 52.209-1 requires offerors to provide with their proposal: their name; the manufacturer's name; source's name; item's name; service identification; and, test number for a proposed product or service that has already been determined to meet the qualification standards.

2. **Uses of information.** This information is necessary to provide the contracting officer with information as to whether an offer meets the standards specified in the solicitation and is used to determine an offeror's eligibility for award. Alternatively, items not listed may still be considered for award upon submission of evidence of qualification prior to contract award.

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 contractor may submit this information collection requirement electronically.

4. **Efforts to identify duplication.** This requirement is being issued under the FAR, which has been developed to standardize Federal procurement practices and eliminate unnecessary duplication. In fact, the information collection associated with the clause at FAR 52.209-1 was designed to eliminate the need for the public to provide duplicative and more burdensome information when an offeror, manufacturer, source, product, or service covered by a qualification requirement has already met the standards specified by an agency in a solicitation.

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. Because qualification requirements apply only to certain acquisitions for supplies and services, collection of information on a basis other than solicitation-by-solicitation is not practical.

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 84 FR 14944, on April 12, 2019. No comments were received. A 30-day notice was published in the *Federal Register* at 84 FR 36926 on July 30, 2019.

9. Explanation of any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees. There will be no payment or gift to respondents, other than remuneration of contractors.

10. Describe assurance of confidentiality provided to respondents. This information is disclosed only to the extent consistent with prudent business practices, law and regulation.

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

12 & 13. Estimated total annual public hour and cost burden. Currently, the Government does not collect data on the number of solicitations or contracts that are subject to QPLs. Instead, FPDS data indicates that approximately 538,800 contracts were awarded in FY 2018 for noncommercial supplies (of which a percentage of these awards are for qualified products). Of those 538,800 contracts, FPDS data indicates that two contracts (based on the median number of new awards for noncommercial supplies in FY 2018) were awarded in response to each solicitation; therefore, the Government estimates that 269,400 solicitations ($538,800 / 2 = 269,400$) were issued for noncommercial supplies in FY 2018. The Government estimates that 1%, or 2,694, of those 269,400 solicitations were subject to QPLs.

The Government conservatively estimates that 5 offers are received in response to each of the 2,694 solicitations for QPL items; and, each of the offerors responds to the clause (based on the purpose and use of a QPL); which results in approximately 13,470 responses ($2,694 \times 5 = 13,470$) to the clause each year. As the Government does not collect data on the individual vendors that respond to Government solicitations, the Government assumes that each response to the clause is from a unique entity (or 13,470 respondents) and that it takes each respondent approximately one hour to prepare a response to the clause.

Estimated respondents/yr.....	13,470
Responses annually.....	<u>x 1</u>
Total annual responses.....	13,470
Estimated hrs/response.....	<u>x 1.0</u>
Estimated total burden/hrs.....	13,470
Average wage* (\$39.85 + 36.25% OH).....	<u>X \$54</u>
Estimated cost to public.....	\$727,380

*The estimated cost per response is approximately \$54.00

* Rate is based on the equivalent to a GS-12, Step 5 or \$39.85/hour (from the OPM 2019 GS Pay Locality Tables using rates for the “Rest of the U.S.,” which includes locality pay of 15.37%), plus overhead at 36.25 percent, or \$14.44 (OMB Memorandum M-08-13 for use in public and private competitions), and rounded it to the nearest whole dollar, or \$54/hour.

14. Estimated cost to the Government. Time required for Governmentwide review is estimated at 0.5 hours per response.

Total annual responses.....	13,470
Review time per response.....	x <u>.5</u>
Total burden hours.....	6,735
Average wages and overhead**(\$39.85/hr + 36.25% OH).....	x <u>\$54</u>
Total Government cost	\$363,690

** Rate is based on a GS-12, Step 5 or \$39.85/hour (from the OPM 2019 GS Pay Locality Tables using rates for the “Rest of the U.S.,” which includes locality pay of 15.37%), plus overhead at 36.25 percent, or \$14.44 (OMB Memorandum M-08-13 for use in public and private competitions), and rounded it to the nearest whole dollar, or \$54/hour.

15. Explain reasons for program changes or adjustments reported in Item 13 or 14. This submission requests an extension of the OMB approval of a current information collection requirement in the FAR. This submission makes adjustments to the current burden, as a result of: (1) enhanced data collection capabilities that provide more detailed information on Federal contract awards; (2) a change to the methodology used to calculate the burden – as a result of more readily available information; (3) a change to the Government’s average hourly wage from a GS 9 to a GS 12 – to reflect equal qualifications and experience of the contractor employee and the Government employee providing or reviewing the information collection data; and, (4) the increase in the GS schedule wages and locality pay from FY 2016 to FY 2019.

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.