

**Supporting Statement for Department of Veterans Affairs
(VA) Acquisition Regulation (VAAR) 809.507-1,
and VAAR Provision 852.209-70
OMB No. 2900-0418**

A. JUSTIFICATION

1. Explain the circumstances that make the collection of information necessary. Identify legal or administrative requirements that necessitate the collection of information.

As a result of VAAR proposed rule RIN 2900-AQ38, posted to the Federal Register (85 FR 21811) on April 20, 2020, this Paperwork Reduction Act (PRA) submission requests a revision to Office of Management and Budget (OMB) approval No. 2900-0418 for collections of information required by the Department of Veterans Affairs Acquisition Regulation (VAAR) for the following:

- Revise the title of the supporting statement and the relevant VAAR section from VAAR section 809.504(d), Contracting officer responsibilities, to VAAR 809.507-1, Solicitation provisions, to reflect where the current prescription for the information collection will be moved in the VAAR as a result of proposed rule RIN 2900-AQ38.
- Revise the title of the supporting statement and the title of VAAR section 852.209-70, Organizational Conflicts of Interest, to correctly identify 852.209-70 as a provision in lieu of a clause.
- Remove reference to VAAR section 809.504(d) within the supporting statement to comport with the removal of that section as a result of proposed rule RIN 2900-AQ38 to the VA Acquisition Manual.

2. Indicate how, by whom, and for what purposes the information is to be used; indicate actual use the agency has made of the information received from current collection.

VAAR 809.507-1, Solicitation provisions, and VAAR provision 852.209-70, Organizational Conflicts of Interest, require offerors on solicitations for management support and consulting services to advise, as part of the firm's offer, whether or not award of the contract to the firm might involve a conflict of interest or potential conflict of interest, and, if so, to disclose all relevant facts regarding the conflict or potential conflict. The information is used by the contracting officer to determine whether or not to award a contract to the firm or, if a contract is to be awarded despite a potential conflict, whether or not additional contract terms and conditions are necessary to mitigate the conflict.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g. permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.

Collection efforts generally do not involve the use of automation. Offerors are required to provide specific information, unique to the particular solicitation.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

There are no duplicated efforts. Each reporting situation is unique and the testing data that must be submitted is unique to the product being offered for sale to the Government.

5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

There is no significant impact on small businesses.

6. Describe the consequences to Federal program or policy activities if the collection is not conducted or is conducted less frequently as well as any technical or legal obstacles to reducing burden.

Failure to collect the information would have a negative impact on VA's ability to ensure that the items being purchased meet minimum safety standards and to protect VA employees, VA beneficiaries, and the public.

7. Explain any special circumstances that would cause an information collection to be conducted more often than quarterly or require respondents to prepare written responses to a collection of information in fewer than 30 days after receipt of it; submit more than an original and two copies of any document; retain records, other than health; medical, government contract, grant-in-aid, or tax records for more than three years; in connection with a statistical survey that is not designed to produce valid and reliable results that can be generalized to the universe of study and require the use of a statistical data classification that has not been reviewed and approved by OMB.

The information is needed on each product offered for sale to the Government rather than quarterly. There might not be another occasion to require this same information for this same product. The information is submitted with each quotation, bid, or offer. The time for response is the same as the time for submission of the quotation, bid, or offer, which may be fewer than 30 days, especially for lower dollar value solicitations or for commercial items.

8. a. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the sponsor's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the sponsor in responses to these comments. Specifically address comments received on cost and hour burden.

The proposed rule was published in the Federal Register on April 20, 2020, Volume 85, No. 76 (85 FR 21811), pages 21811 – 21820. The public comment period closes June 19, 2020.

b. Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, clarity of instructions and recordkeeping, disclosure or reporting format, and on the data elements to be recorded, disclosed or reported. Explain any circumstances which preclude consultation every three years with representatives of those from whom information is to be obtained.

No efforts to consult with persons outside the agency beyond the publication of proposed rule and final

rule in the Federal Register.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

No payments or gifts will be provided.

10. Describe any assurance of privacy, to the extent provided by law, to respondents and the basis for the assurance in statute, regulation, or agency policy.

N/A. No assurances of privacy/confidentiality will be provided to respondents.

11. Provide additional justification for any questions of a sensitive nature (Information that, with a reasonable degree of medical certainty, is likely to have a serious adverse effect on an individual's mental or physical health if revealed to him or her), such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private; include specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

The request for information does not include any questions of a sensitive nature.

12. Estimate of the hour burden of the collection of information:

a. The number of respondents, frequency of responses, annual hour burden, and explanation for each form is reported as follows:

No. of respondents	x No. of responses	x No. of minutes	÷	Number of Burden Hours
102	1 per each solicitation	60	by 60	102

b. If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB 83-1.

Estimate shown covers VAAR 809.507-1 and VAAR provision 852.209-70.

c. Provide estimates of annual cost to respondents for the hour burdens for collections of information. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.

Estimated annual cost: \$7,200 (102 hours at \$70.59 per hour.) The Bureau of Labor Statistics (BLS) gathers information on full-time wage and salary workers. According to the latest (May 2018) available BLS data, the mean hourly wage is \$70.59 on BLS wage code – “11-3031 Financial Managers.” This information was taken from the following website: https://www.bls.gov/oes/current/oes_stru.htm#11-0000.

13. Provide an estimate of the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).

N/A

14. Provide estimates of annual cost to the Federal Government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operation expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 in a single table.

Estimated annualized cost to the Government: \$4,867 (102 hours at \$ 47.72 per hour). It is estimated that the review and statement will be prepared by a Journeyman Contract Specialist equivalent to a GS-12. Based on a GS-12, step 5 salary, for FY19 (<https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/19Tables/html/GS.aspx>) plus 36.25% per OMB Memo M-08-13 dated March 11, 2008, the hourly rate is ($\$35.02 \times 136.25\% = \47.72). The information is evaluated upon receipt. If acceptable, no further action is required.

15. Explain the reason for any burden hour changes since the last submission.

There is no burden hour change. The burden cost of this information collection is changed only to revise wage rates to more current and appropriate levels. But estimates related to burden cost calculation remain unchanged.

Summary of the cost differences between this SS and last SS

SS Block #	Cost This SS	Cost Last SS	Increase (Decrease)	Reason
12c	\$7,200	\$7,433	(\$233)	On 9/30/18, OMB required to use the latest BLS rate instead of GS rate for 12c calculation for going forward.
14	\$4,867	\$4,734	\$133	Increased in GS rate.

Net Changes \$100 decreased in burden cost.

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

The results will not be published.

17. If seeking approval to omit the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

VA is not seeking approval to omit the expiration date.

18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions," of OMB 83-I.

This submission does not contain any exceptions to the certification statements.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

Statistical methods will not be employed.