

**SUPPORTING STATEMENT  
FOR PAPERWORK REDUCTION ACT SUBMISSION  
OMB Control No. 9000-0013**

**Certified Cost or Pricing Data and Data Other Than Certified Cost  
or Pricing Data**

**FAR sections affected: 52.214-28, 52.215-12, 52.215-13, 52.215-20, and 52.215-21**

**A. Justification.**

**1. Administrative requirements.** The Truth in Negotiations Act, 10 U.S.C. 2306a and 41 U.S.C. 3502, requires the Government to obtain certified cost or pricing data from contractors prior to the award of certain contract actions. Contractors may be exempt from this requirement under certain conditions. This clearance covers the information that contractors must submit to comply with the following Federal Acquisition Regulation (FAR) requirements:

a. **52.214-28, Subcontractor Certified Cost or Pricing Data—Modifications—Sealed Bidding.** When contracting by sealed bidding, this clause requires contractors to require subcontractors to submit certified cost or pricing data for a modification involving aggregate increases and/or decreases in costs, plus applicable profits, expected to exceed the threshold for submission of certified cost or pricing data at FAR 15.403-4(a) (1).

b. **52.215-12, Subcontractor Certified Cost or Pricing Data.** When contracting by negotiation, this clause requires contractors to require subcontractors to submit certified cost or pricing data.

c. **52.215-13, Subcontractor Certified Cost or Pricing Data—Modifications.** When contracting by negotiation, this clause requires contractors to require subcontractors to submit certified cost or pricing data for a modification involving a pricing adjustment expected to exceed the threshold for

submission of certified cost or pricing data at FAR 15.403-4(a) (1).

**d. 52.215-20, Requirements for Certified Cost or Pricing Data and Data Other Than Certified Cost or Pricing Data.** When contracting by negotiation, this provision requires offerors, if not granted an exception, to prepare and submit certified cost or pricing data, data other than certified cost or pricing data, and supporting attachments in accordance with the instructions contained in Table 15-2 of FAR 15.408, unless the contracting officer and the contractor agree to a different format.

**e. 52.215-21, Requirements for Certified Cost or Pricing Data and Data Other Than Certified Cost or Pricing Data—Modifications.** When contracting by negotiation, this clause requires contractors, if not granted an exception, to submit, for a modification or price adjustment expected to exceed the threshold set forth at FAR 15.403-4(a)(1), certified cost or pricing data, data other than certified cost or pricing data, and supporting attachments in accordance with the instructions contained in Table 15-2 of FAR 15.408, unless the contracting officer and the contractor agree to a different format.

**2. Uses of information.** Certified cost or pricing data is used by agencies to assure that contract prices and any subsequent contract modifications are fair and reasonable.

**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.** These requirements are issued under the 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.** Collection of information on a basis other than contract-by-contract 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. A 60-day notice was published in the *Federal Register* at 85 FR 71077, on November 6, 2020. No comments were received.

B. A 30-day notice was published in the *Federal Register* at 86 FR 1973, on January 11, 2021.

**9. Explanation of any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.** Not applicable.

**10. Describe assurance of confidentiality provided to respondents.** This information is disclosed only to the extent consistent with prudent business practices, current regulations, and statutory requirements.

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

**12 & 13. Estimated total annual public hour and cost burden.**

Fiscal year 2016 data was obtained from the Federal Procurement Data System to estimate burdens for the provisions and clauses addressed in paragraph A.1 above. This update does not include the requirements at FAR 42.7, Indirect Cost Rates, as this requirement is covered under OMB Control Number 9000-0069. The data for 52.215-20 is for new contract awards in FY 2016. The data for modifications and orders executed in FY 2016 applies to new contract awards as well as to prior multiple year contracts that continue to be active.

The following is a summary of the FY 2016 data using the increased threshold for requesting certified cost or pricing data

of \$2 million as implemented by FAR Case 2018-005, Modifications to Cost or Pricing Data Reporting Requirements, per section 811 of the National Defense Authorization Act for Fiscal Year 2018:

Requirement	Respondents	Responses	Total Hours
52.214-28	2	2	320
52.215-12	2,544	2,544	407,040
52.215-13	700*	700	112,000
52.215-20	25,853	117,225	6,259,120
52.215-21	8,440*	27,623	2,381,680
Totals	28,399	148,094	9,160,160

\* Not included in total as additional respondents.

Estimated respondents/year..... 28,399  
 Annual Responses(rounded average # responses/respondents)x 5.21  
 Total annual responses..... 148,094  
 Estimated hours/response (rounded avg. hours/responses) x 62  
 Estimated total burden/hours..... 9,160,160  
 Average wages + overhead (\$41.66/hr + 36.25 OH)... x\$57  
 Estimated cost to public.....\$522,129,120

Note: Based on the Office of Personnel Management (OPM) 2020 General Schedule (GS) 12/step 5 hourly rate for the rest of the United States (\$41.66 per hour) plus a 36.25 percent fringe factor, rounded to the nearest whole dollar. The fringe factor used is pursuant to the rate provided in OMB memorandum M-08-13 for use in public-private competition. Personnel compiling and certifying the data will range from GS 07 to GS 15 personnel equivalents. Midrange of GS 12 selected for estimation purposes.

**14. Estimated cost to the Government.** Time required for Government personnel review of the cost data is estimated at 4.88 hours per response.

Estimated responses/yr..... 148,094  
 Reviewing time (hr)/response ..... x4.88  
 Review time/yr..... 722,258  
 Hourly rate ..... x \$57

Estimated cost to the Government.....\$41,168,706

**15. Explain reasons for program changes or adjustments reported in Item 13 or 14.**

	Threshold for requesting certified cost or pricing data		Decrease in burden
	\$750K	\$2M	
Respondents	39,425	28,399	11,026
Responses	149,980	148,094	1,886
Total Hours	9,759,820	9,160,160	599,660
Estimated cost to Public @ \$53	\$517,270,673		
Estimated cost to public with updated rates @ \$57	\$556,309,740	\$522,129,120	\$34,180,620

The decrease of responses from 149,980 to 148,094 and the associated decrease in estimated burden hours from 9,759,820 to 9,160,160 is an adjustment due to an increase in the threshold for submitting certified cost or pricing data from \$750,000 to \$2 million resulting from the statutory changes to the Truth in Negotiations Act, 10 U.S.C. 2306a and 41 U.S.C. 3502. Raising this threshold results in fewer offerors/contractors being required to submit certified cost or pricing data. In most cases the offerors/contractors will still be required to submit information other than certified cost or pricing data, but that will require less hours per response.

**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. Collection of Information Employing Statistical Methods.** Statistical methods are not used in this information collection.