

**SUPPORTING STATEMENT
FOR PAPERWORK REDUCTION ACT SUBMISSION
OMB CONTROL NO. 9000-0043
Delivery Schedules**

FAR sections affected: 52.211-8 and 52.211-9

A. Justification.

1. Administrative requirements.

This clearance covers the information that offerors may submit to comply with the following Federal Acquisition Regulation (FAR) requirements:

- 52.211-8, Time of Delivery
- 52.211-9, Desired and Required Time of Delivery

Contracting officers may use one of these time of delivery clauses to set forth a required delivery schedule and to allow offerors to propose an alternative delivery schedule.

2. Uses of information. Contracting officers use the information to ensure supplies or services are obtained in a timely manner.

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 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. A 60-day notice was published in the *Federal Register* at 86 FR 19891, on April 15, 2021. No comments were received.

B. A 30-day notice was published in the *Federal Register* at 86 FR 33292, on June 24, 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.

There is no centralized database in the Federal Government that maintains information regarding the number of offerors proposing alternative delivery schedules. Subject matter experts were consulted in preparing the estimated burden hours along with data from the Federal Procurement Data System (FPDS) for fiscal year (FY) 2020.

Subject matter experts estimate only approximately 10% of the FPDS 15,269 noncommercial contracts awarded in FY 2020 would have resulted in offerors proposing an alternative delivery schedule under clauses 52.211-8 and 52.211-9. These clauses are not used in solicitations and contracts for construction and architect-engineering (A&E).

Time required to read, and prepare information is estimated at 30 minutes per response.

Estimated respondents/yr..... 1,527

Responses annually.....	<u>x</u>	<u>1</u>
Total annual responses.....		1,527
Estimated hrs/response.....	<u>x</u>	<u>.5</u>
Estimated total burden/hrs.....		763.5
Hourly rate*.....	<u>x</u>	<u>\$48</u>
Estimated cost to public.....		\$ 36,648

* Based on the Office of Personnel Management (OPM) 2021 General Schedule (GS) 11/step 5 salary for the rest of the United States (\$35.11 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.

14. Estimated cost to the Government. Time required for Governmentwide review is estimated at 10 minutes per response.

Total annual responses.....		1,527
Review Time per response (hours).....	<u>x</u>	<u>.167</u>
Review time per year (hours).....		255
Hourly rate*.....	<u>x</u>	<u>\$48</u>
Estimated cost to the Government.....		\$ 12,240

15. Explain reasons for program changes or adjustments reported in Item 13 or 14. The decrease of responses from 21,410 to 1,527 and the associated decrease in estimated burden hours from 3,575 to 763.5 is an adjustment based on the following:

- Changing the burden estimate methodology to be more consistent with the prescription language in the FAR (e.g., no threshold is prescribed, clauses not used in construction and A&E contracts).
- Recognizing that the clauses 52.211-8 and 52.211-9 are not used in commercial acquisitions.
- Considering subject matter experts' opinion that only 10% of contracts likely to include the clauses 52.211-8 and 52.211-9 would in fact result in offerors proposing an alternative delivery schedule. The burden under these clauses occurs only if offerors propose an alternative delivery schedule.
- Recognizing that proposing an alternative delivery schedule takes longer than reviewing such submittal. Accordingly, the

public estimated time per response was increased from 10 to 30 minutes.

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.