

**Supporting Statement for Paperwork Reduction Act Submissions**  
**Federal Labor Standards Monitoring Review Guides**  
**OMB Number 2501-New**

**A. Justification**

- 1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.**

This request is for a new collection consisting of monitoring review guides for federal labor standards. All Federal agencies administering programs subject to Davis-Bacon wage provisions are required to enforce Federal wage and reporting provisions in accordance with the U.S. Department of Labor (DOL) regulations at [29 CFR Part 5, Section 5.6 paragraphs \(a\)\(1\), \(2\) and \(3\)](#).

HUD and state, local, and tribal agencies administering HUD-assisted programs must enforce Federal wage and reporting requirements on covered HUD-assisted construction and maintenance work. Enforcement activities include conducting monitoring reviews of local contracting agencies (LCAs), defined as Public Housing Agencies and State, Local, and Tribal Housing Agencies. These monitoring reviews are to ensure that LCAs are compliant with the Davis-Bacon Act and HUD Davis-Bacon Related Acts.

This new collection consists of the following forms:

- HUD-4741 Federal Labor Standards Agency On-Site Monitoring Review Guide
  - HUD-4742 Federal Labor Standards Agency Remote Monitoring Review Guide
  - HUD-4743 Federal Labor Standards State CDBG and HOME programs Monitoring Review Guide
- 2. Indicate how, by whom and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.**

HUD will use the information collected to ensure LCAs are compliant with Federal labor standards provisions. Based on the information provided, a HUD labor standards specialist determines if there are any findings or concerns (non-compliance with statutory, regulatory, and program requirements) that need to be addressed. If there are findings or concerns, the labor standards specialist will work with the LCA to resolve the violation until the LCA is compliant again.

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

The forms will be available in a fillable portable document format and LCAs may submit them electronically by e-mail.

- 4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes.**

Information collected relevant to federal labor standards by local contracting agencies through other means is required to be collected and reviewed to ensure compliance with federal labor standards.

- 5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I) describe any methods used to minimize burden.**

The information collection does not adversely impact small businesses or other small entities.

- 6. Described the consequence 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.**

HUD would be in direct violation of DOL regulations if it did not conduct monitoring reviews. HUD would be less able to detect violations and enforce compliance with Federal labor standards. Laborers and mechanics may be underpaid for their labor as a result.

- 7. Explain any special circumstances that would cause an information collection to be conducted in a manner:**

- **requiring respondents to report information to the agency more than quarterly; N/A**
- **requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it; N/A**
- **requiring respondents to submit more than an original and two copies of any document; N/A**
- **requiring respondents to retain records other than health, medical, government contract, grant-in-aid, or tax records for more than three years; N/A**
- **in connection with a statistical survey, that is not designed to produce valid and reliable results than can be generalized to the universe of study; N/A**
- **requiring the use of a statistical data classification that has not been reviewed and approved by OMB; N/A**

- that include a pledge of confidentiality that is not supported by authority established in statute or regulation; not supported by disclosure and data security policies that are consistent with the confidential us or; N/A
- requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law. N/A

This information is being collected in a manner consistent with the guidelines in 5 CFR 1320.6. There are not special circumstances.

**8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency'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 agency in response to these comments. Specifically address comments received on cost and hour burden.**

- Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping disclosure, or reporting format (if any) and the data elements to be recorded, disclosed, or reported. N/A
- Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years -- even if the collection of information activity is the same as in prior periods. There may be circumstances that preclude consultation in a specific situation. These circumstances should be explained. N/A

The agency's notice announcing this collection of information revision appeared in the Federal Register on December 21, 2021, (Volume 86, No. 242, Page 72269). No public comments were received.

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

There are no payments or gifts to respondents.

**10. Describe any assurance of confidentiality provided to respondents and the basis for assurance in statute, regulation, or agency policy.**

There is no assurance of confidentiality provided to respondents. No PII is collected in these forms.

**11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the 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.**

There are no questions of a sensitive nature related to this information collection.

**12. Provide estimates of the hour burden of the collection of information. The statement should:**

- **indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices;**
- **if this request covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I; and**
- **provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. 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 13.**

The time and cost burdens are based upon two separate and necessary processes for each monitoring review. The first process is the actual collection of information by the local contracting agency required for the review. Such documents include the contracts for any Davis-Bacon projects, along with their HUD-11s, and corresponding certified payrolls. The second process is the review of all these documents by HUD. HUD performance plans target 197 monitoring reviews per year. HUD also estimates it would take approximately half an hour for local contracting agencies to compile all the necessary document for a monitoring review conducted on-site and approximately 8 hours for the local contracting agency to compile all the necessary documentation for a monitoring review conducted remotely. However, the amount of time required

varies depending on the number of Davis-Bacon projects the local contracting agency has done during the period being reviewed.

Information Collection	Number of Respondents	Frequency of Response	Responses per Annum	Burden Hours per Response	Annual Burden Hours	Hourly Cost Per Response	Total Cost
HUD - 4741 On-Site Monitoring Review Guide	66.00	1.00	66.00	0.50	33.00	\$42.01	\$1,386.33
HUD - 4742 Remote Monitoring Review Guide	66.00	1.00	66.00	8.00	528.00	\$42.01	\$22,181.28
HUD - 4743 State CDBG/HOME Monitoring Review Guide	65.00	1.00	65.00	0.50	32.50	\$42.01	\$1,365.33
Total	197.00		197.00		593.50		\$24,932.94

- HUD collects this information from local contracting agencies (LCAs), defined as Public Housing Agencies, and State, Local and Tribal contracting agencies, to assess their capacity and effectiveness in the administration and enforcement of Federal labor standards as per the U.S. Housing Act of 1937.
- Estimated hours are based upon field staff experiences in working with LCAs.
- Hourly response is set at the median hourly rate of a General Operation Manager, per OES, <https://www.bls.gov/oes/>.

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

- **The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life); and (b) a total operation and maintenance purchase of services component. The estimates should consider costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s) and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities;**
- **If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10) utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate. generally, estimates should not include purchases of equipment or services, or portions thereof made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.**

There are no additional capital or start-up costs. There are no total operation and maintenance purchases of service components required for collecting this information.

**14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational 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.**

Information Collection	Number of Respondents	Frequency of Response	Responses per Annum	Burden Hours per Response	Annual Burden Hours	Hourly Cost Per Response	Total Cost
HUD - 4741 On-Site Monitoring Review Guide	66.00	1.00	66.00	8.00	528.00	\$44.15	\$23,311.20
HUD - 4742 Remote Monitoring Review Guide	66.00	1.00	66.00	8.00	528.00	\$44.15	\$23,311.20
HUD - 4743 State CDBG/HOME Monitoring Review Guide	65.00	1.00	65.00	8.00	520.00	\$44.15	\$22,958.00
Total	197.00		197.00		1,576.00		\$69,580.40

- Average amount of time determined by survey among DBLS staff.
- The cost per hour is based at GS-13 Step 1 from information provided by U.S. Office of Personnel Management at [https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2021/RUS\\_h.pdf](https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2021/RUS_h.pdf)

**15. Explain the reasons for any program changes or adjustments reported in Items 13 and 14 of the OMB Form 83-I.**

This is a new collection.

**16. For collection 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 information gathered from this collection will not be published by HUD.

**17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.**

HUD is not seeking approval to avoid displaying the expiration data for this information collection.

**18. Explain each exception to the certification statement identified in item 19.**

There are no exceptions to the Certification Statement identified in item 19 of the OMB 83-I. The certification provisions identified in items a through j have been satisfied within this supporting statement, therefore there are no exception to the certification statement.

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**B. Collections of Information Employing Statistical Methods**

There are no statistical methods used in this collection.