

General Services Administration
Modifications (Multiple Award Schedules)
OMB Control Number, 3090-0302
Justification – Part A Supporting Statement

Overview of Information Collection:

This is a request for approval of an extension of an existing information collection.

This information collection applies to Contractors who have a General Services Administration (GSA) Federal Supply Schedule (FSS) contract.

The information being collected is required by General Services Administration Acquisition Regulation (GSAR) clause 552.238-82, Modifications (Federal Supply Schedule). The GSAR clause requires GSA FSS Contractors to submit information that supports their request for a contract modification. The clause specifically covers only the following three types of contract modification: additional items/additional SINS, deletions, and price reduction.

The following are changes of importance that have occurred since the last extension approval:

- The GSAR clause tied to this information collection changed-
FROM: 552.238-81, Modifications
TO: 552.238-82, Modifications (Federal Supply Schedule)
This change is based on a renumbering and retitling of this GSAR clause under 84 FR 17030 dated April 23, 2019.
- The estimated # respondents (year) decreased as a result of using updated data (see Item 15 for details). The estimate changed-
FROM: 14,376
TO: 14,200
- The estimated total # of submissions (year) decreased as a result of using updated data (see Item 15 for details). The estimated total # of submissions (year) changed-
FROM: 28,752
TO: 14,200

1. Need & Method for the Information Collection.

The information being collected is required by GSAR clause 552.238-82, Modifications (Federal Supply Schedule) (see Supplement 1 for a copy of the regulation). The GSAR clause requires GSA FSS Contractors to submit information to support requests for contract modification. This GSAR clause prescribes requirements for the following three types of contract modification requests: additional items/additional SINS, deletions, and price reduction. The following is the information required based on the type of modification request:

- (1) *Additional items/additional SINS.* When requesting additions, the Contractor must

submit the following information:

- (i) Information about the new item(s) or the item(s) under the new SIN(s) must be submitted in accordance with the instructions in the solicitation.
- (ii) Delivery time(s) for the new item(s) or the item(s) under the new SIN(s) must be submitted in accordance with the request for proposal.
- (iii) Production point(s) for the new item(s) or the item(s) under the new SIN(s) must be submitted if required by FAR 52.215-6, Place of Performance.
- (iv) Hazardous Material information (if applicable) must be submitted as required by FAR 52.223-3 (Alternate I), Hazardous Material Identification and Material Safety Data.
- (v) Any information requested by FAR 52.212-3(f), Offeror Representations and Certifications-Commercial Products or Services, that may be necessary to assure compliance with FAR 52.225-1, Buy American Act-Balance of Payments Programs-Supplies.

- *Deletions.* The Contractors shall provide an explanation for the deletion.
- *Price reduction.* The Contractor shall indicate whether the price reduction falls under the item (i), (ii), or (iii) of paragraph (c)(1) of the Price Reductions clause at 52.238-81. If the Price reduction falls under item (i), the Contractor shall transmit a copy of the dated commercial price list. If the price reduction falls under item (ii) or (iii), the Contractor shall transmit a copy of the applicable price list(s), bulletins or letters or customer agreements which outline the effective date, duration, terms and conditions of the price reduction.

The information collected is submitted electronically (to the maximum extent possible) and is included with the GSA FSS Contractor's request for a contract modification under the aforementioned GSAR clause.

See Item 6 below for the consequences if the information collection is not conducted or conducted less frequently.

2. Use of the Information.

The information collected is used by a contracting officer to evaluate and process GSA FSS Contractor contract modification requests submitted in accordance with the aforementioned GSAR clause.

The information collected is not used by other Federal agencies.

3. Use of Information Technology.

GSA uses information technology to the maximum extent practicable for this information collection. GSA FSS Contractors are required to submit these requests electronically, unless for some reason they are incapable of doing so.

4. Non-Duplication.

GSA did not identify any duplication of information being collected under this information collection. The Contractor submitting the request for contract modification determines the

specific information necessary to support their request.

This information is not collected elsewhere and it could not otherwise be obtained. The information collected is provided by the Contractor for purposes of supporting their request for contract modification. The information provided by the Contractor is specific to each request.

Any similar information that may already be available to GSA cannot be used or modified to be used for the purposes described as only the Contractor submitting the request can determine the specific information needed to support their request. The contracting officer evaluates the request, which includes the information provided by the Contractor, and makes a determination on how to proceed (e.g., accept the request and proceed with modifying the contract, deny the request, etc.).

5. Burden on Small Business.

The burden applies equally to both large businesses, and small businesses and other small entities that are doing business with GSA under the GSA FSS program. The submission of a contract modification request under the aforementioned GSAR clause is a decision made by the Contractor not the Government. The degree and extent of documentation submitted by the Contractor is also up to their decision. The purpose of this document is to support their request for contract modification in accordance with the aforementioned GSAR clause.

6. Less Frequent Collection.

The frequency of and need for this collection is based on decisions made by the Contractor, not the Government. The information is provided by the Contractor and specific to their request for contract modification under the aforementioned GSAR clause.

If GSA could not obtain this information as part of such requests, GSA would not be able to efficiently process these types of requests. The Government would have no basis to support the request. For example, one type of request for modification under the GSAR clause is the deletion of an item or items from the Contractor's contract. In this case, without information provided by the Contractor, the Government would not know which items the Contractor wants to delete from their contract.

The inability to process the types of modification requests covered by this GSAR clause would hinder the GSA FSS program. For example, if Contractors were prevented from adding items/SIN to their contract then the GSA FSS program would not be able to maintain products, services, and solutions available to meet Federal agencies' missions and programmatic needs. Also, vendors would also likely not elect to hold a GSA FSS contract if they could not ensure the accuracy and currency of the products, services, and solutions they offer.

7. Paperwork Reduction Act Guidelines.

Not applicable, no special circumstances exist for this information collection.

8. Consultation and Public Comments.

A 60-day notice published in the *Federal Register* at 87 FR 19936 on April 6, 2022. No comments were received. A 30-day notice published in the *Federal Register* at 87 FR 36127 on June 15, 2022.

9. Gifts or Payment.

Not applicable, GSA makes no such payments or gifts to respondents under this information collection.

10. Privacy & Confidentiality.

Not applicable, GSA makes no additional assurances under this information collection beyond what is already applicable to contract information (i.e., information collected is disclosed only to the extent consistent with prudent business practices, agency regulations, and applicable statutes).

This information collection does not require collection of “personally identifiable information.”

GSA uses information technology to the maximum extent practicable.

11. Sensitive Questions.

Not applicable, no sensitive questions are involved under this information collection.

12. Burden Estimate.

The annual estimated total burden hours resulting from this information collection is 49,700 hours. This is based on the following:

Estimated # of respondents (year)	14,200
Estimated # of submissions per respondent	<u>x 1</u>
Estimated total # of submissions (year)	14,200
Estimated hours per request	<u>x 3.5</u>
Estimated total burden hours	49,700

● Changes Due to Adjustment in Agency Estimate:

An updated estimated # of respondents (year) was used. This updated number is calculated by adding the total number of GSA FSS contracts for fiscal years 2019, 2020, and 2021 and then dividing that number by 3. The decrease in this number may be a result of the GSA FSS consolidation effort. The GSA FSS consolidation effort enabled existing GSA FSS Contractors to have only a single GSA FSS contract versus having two or more contracts.

An updated estimated # of submissions per respondent (year) was used. This updated number is calculated by dividing the average # of modifications issued (per year) by the estimate # respondents. In this instance, the result was rounded down to the nearest whole number. The average # of modifications issued was calculated by adding the total number of modifications issued during fiscal years 2019, 2020, and 2021 that were identified as deletions, additions, and pricing and then dividing the number by 3. The decrease in this estimate can be attributed to GSA developing an improved methodology for estimating the number of submissions per year. In this case, the data collection for this information collection has improved to the extent that GSA is able to identify the type of modification issued. Being able to make this distinction is important as the GSAR clause tied to this information collection only covers three types of modifications: deletions, additions (i.e., items/additional SINs), and price reductions. As a result, GSA was able to include only modification requests that were within scope.

	Requested	Change Due to New Statute	Change Due to Agency Discretion	Change Due to Adjustment in Agency Estimate	Change Due to Potential Violation of the PRA	Previously Approved
Annual Number of Responses for this IC	14,200	N/A	N/A	(14,552)	N/A	28,752
Annual IC Time Burden (Hour)	49,700	N/A	N/A	(50,932)	N/A	100,632
Annual IC Cost Burden (Dollars)	\$2,918,384	N/A	N/A	(\$3,924,592)	N/A	\$6,842,976

Burden per Response:

	Time Per Response (Hours)	Cost Per Response (Dollars)
Reporting	3.5	\$205.52
Record Keeping	(included in the above)	(included in the above)
Third Party Disclosure	N/A	N/A
Total	3.5	\$205.52

Annual Burden:

	Annual Time Burden (Hours)	Annual Cost Burden (Dollars)
Reporting	49,700	\$2,918,384
Record Keeping	(included in the above)	(included in the above)
Third Party	N/A	N/A

Disclosure		
Total	49,700	\$2,918,384

The estimated total annual cost burden to the public is \$2,918,384. This estimate is based on the following:

Estimated # of respondents (year)	14,200
Estimated # of submissions per respondent	x <u>1</u>
Estimated total # of submissions (year)	14,200
Estimated hours per request	x <u>3.5</u>
Estimated total burden hours	49,700
Estimated cost per hour*	<u>\$58.72</u>
Estimated total annual cost burden to the public	\$2,918,384

The estimated cost per submission is approximately \$205.52. This number was calculated by multiplying the estimated cost per hour (\$58.72) by estimated hours per submission (i.e. 3.5).

*The estimated cost per hour is based on the Office of Personnel Management (OPM) GS-12, Step 5 salary of \$43.10 per hour (see OPM Salary Table 2022-GS, Effective January 2022), plus a fringe factor of 36.25% (\$15.62) (see OMB Memo M-08-13 for use in public-private competition), which results in an hourly rate of \$58.72.

13. Estimated nonrecurring costs.

Not applicable to this information collection.

14. Estimated cost to the Government.

The estimated total cost to the Government is \$1,719,673.92. This estimate is based on the following:

Estimated total # of submissions (year)	14,200
Estimated review time per submission (hours)	<u>x 2</u>
Estimated total review time per year (hours)	28,400
Estimated cost per hour*	<u>x \$58.72</u>
Total estimated annual cost to the Government	\$1,719,673.92

*The estimated cost per hour is based on the Office of Personnel Management (OPM) GS-12, Step 5 salary of \$43.10 per hour (see OPM Salary Table 2022-GS, Effective January 2022), plus a fringe factor of 36.25% (\$15.62) (see OMB Memo M-08-13 for use in public-private competition), which results in an hourly rate of \$58.72.

15. Reasons for changes.

For Items 12, an updated estimated # of respondents (year) was used. This number is calculated by adding the total number of GSA FSS contracts for fiscal years 2019, 2020, and 2021 and then dividing that number by 3 (note the actual number came to 14,199.6, however only a whole number can be used for this purpose. As a result, the number was rounded up to 14,200). The decrease in this number may be a result of the GSA FSS consolidation effort. The consolidation effort enabled existing GSA FSS Contractors to have only a single GSA FSS contract versus having two or more contracts.

For Item 12, an updated estimated # of submissions per respondent was used. This number is calculated by dividing the average # of modifications issued by the estimated # of respondents (year), then in this instance rounding down to the nearest whole number. The average # of modifications issued was calculated by adding the total number of modifications issued during fiscal years 2019, 2020, and 2021 that were identified as deletions, additions, and pricing and then dividing the number by 3.

The decrease in this number can be attributed to an improved methodology for estimating the number of requests per GSA FSS contract (year). In this case, the data collection for this information collection has improved to the extent that GSA is now able to identify the type of modification issued during a given fiscal year. Being able to make this distinction is important as the GSAR clause tied to this information collection only covers three types of modifications: deletions, additions (i.e., items/additional SINs), and price reductions. Note. At this point in time, GSA is unable to verify whether not a particular modification identified as falling into one of these three categories is actually attributed to the GSAR clause covered by this information collection. As a result, it is possible that the number provided is higher than the actual number. For example, not every pricing modification falls under this GSAR clause given there are price increases, price reductions, and other changes that impact pricing. This GSAR clause only addresses price reductions.

For Items 12 & 14, an updated estimated cost per hour (i.e., hourly rate) was used. This number is based on the OPM GS-12, Step 5 salary of \$43.10 per hour (see OPM Salary Table 2022-GS, Effective January 2022), plus a fringe factor of 36.25% (\$15.62) (see OMB Memo M-08-13 for use in public-private competition).

For Item 14, an updated estimate total # of submissions (year) was used. The updated number used here is the same number used in Item 12 for the estimated total # of submissions (year). The decrease in this number can be attributed to the aforementioned improved methodology for estimating the number of modification requests covered by this information collection as well as possibly the GSA FSS Consolidation effort.

16. Publicizing Results.

Not applicable, results of this information collection will not be published. Information collected is used for internal purposes only, specifically for the administration of GSA FSS contracts.

17. OMB Not to Display Approval.

Not applicable, GSA is not seeking such approval for this information collection.

18. Exceptions to "Certification for Paperwork Reduction Submissions."

Not applicable, GSA has no exceptions to the certification statement.

19. Surveys, Censuses, and Other Collections that Employ Statistical Methods.

Not applicable, statistical methods are not used for this information collection.