

General Services Administration  
Construction-Manager-as-Constructor Contracting  
OMB Control No. 3090-0308  
Justification - Part A Supporting Statement

Overview of Information Collection:

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

The information collected is used by PBS to evaluate a contractor's proposals, negotiate contract modifications, evaluate a contractor's progress, and review payment requests during contract administration.

The information being collected is required by General Services Administration Acquisition Regulation (GSAR) clause 552.236-72, Submittals. The GSAR clause provides guidance to contractors regarding preparation, submission, and resubmission of required contract submittal documents. The clause specifically removes the requirement for a specific number of prints and copies of various submittals such as shop drawings, coordination drawings, and schedules.

1. Need & Method for the Information Collection.

The collected information is required by GSAR clause 552.236-72, Submittals. (See Supplement 1 for a copy of the regulation). The GSAR clause requires the Contractor to prepare and submit all submittals as specified in the contract or requested by the Contracting Officer. This GSAR clause prescribes that the clause be inserted in solicitations and contracts if construction, dismantling, demolition, or removal of improvements is contemplated. Alternate I of the clause will be used when a design-build project delivery method will be followed.

- *Submittals.* Submittals may include safety plans, schedules, shop drawings, coordination drawings, samples, calculations, product information, or mockups.
- *Shop Drawings.* Shop drawings may include fabrication, erection and setting drawings, manufacturers' scale drawings, wiring and control diagrams, cuts or entire catalogs, pamphlets, descriptive literature, and performance and test data.
- *Additional information.* Unless otherwise provided in this contract, or otherwise directed by the Contracting Officer, submittals shall be submitted to the Contracting Officer:
  - (i) The Contractor shall be entitled to receive notice of action on submittals within a reasonable time, given the volume or complexity of the submittals and the criticality of the affected activities to substantial completion as may be indicated in the project schedule
  - (ii) The Contractor shall not proceed with construction work or procure products or materials described or shown in submittals until the submittal is reviewed. Any work or

activity undertaken prior to review shall be at the Contractor's risk. Should the Contracting Officer subsequently determine that the work or activity does not comply with the contract, the Contractor shall be responsible for all cost and time required to comply with the Contracting Officer's determination. The Contracting Officer shall have the right to order the Contractor to cease execution of work for which submittals have not been reviewed. The Government shall not be liable for any cost or delay incurred by the Contractor attributable to the proper exercise of this right.

The information collected is submitted electronically (to the maximum extent possible). Where both GSA and contractors are capable of electronic interchange, contractors may submit information requirements electronically.

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 for internal administration of contracts.

3. Use of the Information Technology.

GSA uses information technology to the maximum extent practicable for this information collection. 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. Each submittal is unique, and there is no similar data, and no duplication exists. The Contractor providing the submittals determines the specific information necessary to support their request.

5. Burden on Small Business.

The burden applies equally to small businesses that opt to do business with GSA. This information collected is necessary to meet the specific objectives of the contract.

6. Less Frequent Collection.

The information is provided by the Contractor and specific to their required contract submittal documents under the aforementioned GSAR clause. Not collecting this information or collecting this information less frequently would impede contracting officers from performing their administrative functions efficiently and effectively.

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 24303 on April 25, 2022. No comments were received. A 30-day notice published in the *Federal Register* at 87 FR 39836 on July 5, 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 1,113 hours. This is based on the following:

Estimated # of respondents (year)	890
Estimated # of submissions per respondent	<u>x 5</u>
Estimated total # of submissions (year)	4,452
Estimated hours per request	<u>x 0.25</u>
Estimated total burden hours	1,113

● Changes Due to Adjustment in Agency Estimate:

GSA Form 2437 requires the contractor to submit proposals to request a construction contract change. Based on FPDS-NG data for FY 2021, it is estimated that 8,904 construction contracts are awarded each year. Of these construction contracts, it is estimated that 10% will be supported through contract management services. It is further estimated that an average of 5 change orders

per contract per year will be required. Given the detail required in these proposals identified on the form, an estimate of 15 minutes (0.25 hours) per change was assumed for the response burden.

	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	4,452	N/A	N/A	(4,848)	N/A	9,300
Annual IC Time Burden (Hour)	1,113	N/A	N/A	(50)	N/A	1,163
Annual IC Cost Burden (Dollars)	\$65,355.36	N/A	N/A	(\$656.64)	N/A	\$66,012.00

**Burden per Response:**

	Time Per Response (Hours)	Cost Per Response (Dollars)
Reporting	.25	\$3.67
Record Keeping	(included in the above)	(included in the above)
Third Party Disclosure	N/A	N/A
Total	.25	\$3.67

**Annual Burden:**

	Annual Time Burden (Hours)	Annual Cost Burden (Dollars)
Reporting	1,113	\$65,355.36
Record Keeping	(included in the above)	(included in the above)
Third Party Disclosure	N/A	N/A
Total	1,113	\$65,355.36

The estimated total annual cost burden to the public is \$65,355.36. This estimate is based on the following:

Estimated # of respondents (year)	890
Estimated # of submissions per respondent	x <u>5</u>
Estimated total # of submissions (year)	4,452

Estimated hours per request	x .25
Estimated total burden hours	1,113
Estimated cost per hour*	<u>\$58.72</u>
Estimated total annual cost burden to the public	\$65,355.36

The estimated cost per submission is approximately \$3.67. This number was calculated by multiplying the estimated cost per hour (\$58.72) by estimated hours per submission (i.e. .25).

\*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. Cost per hour\* x \$56.76  
Estimated Cost Burden to the Public \$66,012

\*The estimated cost of \$56.76 per hour is based on the task being accomplished by mid-level contractor personnel equivalent to a GS-12, Step 5 salary (Base Pay and Rest of US Locality Pay) (Salary Table 2020-GS, Effective January 2020), with fringe of 36.25% (OMB Memo M-08-13).

13. Estimated nonrecurring costs.

Not applicable to this information collection.

14. Estimated cost to the Government.

The estimated total cost to the Government is \$130,710.72. This estimate is based on the following:

Estimated total # of submissions (year)	8,904
Estimated review time per submission (hours)	<u>x.25</u>
Estimated total review time per year (hours)	2,226
Estimated cost per hour*	<u>x \$58.72</u>
Total estimated annual cost to the Government	\$130,710.72

\*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.

GSA revised the requirements for construction change orders to provide a standard process to

document and track the time frame for finalizing construction contract changes and definitizing requests for equitable adjustment in response to GAO Report 19-500 and Section 855 of the FY19 NDAA.

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 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.