

General Services Administration
Federal Supply Schedule Solicitation Information;
GSAR Sections Affected: 552.238-84, 552.238-87, 552.238-95, 552.238-96, 552.238-97,
552.238-99, and 552.238-111
OMB Control Number, 3090-0303
Justification – Part A Supporting Statement

Overview of Information Collection:

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

This information collection applies to offerors submitting an offer in response to General Services Administration's (GSA) Federal Supply Schedule (FSS) solicitation. The following are the General Services Administration Acquisition Regulation (GSAR) clauses covered by this information collection:

552.238-84, Discounts for Prompt Payment
552.238-87, Delivery Prices
552.238-95, Separate Charge for Performance Oriented Packaging (POP)
552.238-96, Separate Charge for Delivery within Consignee's Premises
552.238-97, Parts and Service
552.238-99, Delivery Prices Overseas
552.238-111, Environmental Protection Agency Registration Requirement

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

- The title of the information collection has been updated to clarify the applicability and timeframe of this information collection. The title is changed:
FROM: (GSAR) Administrative Changes
TO: Federal Supply Schedule Solicitation Information
- The GSAR clauses affected by this information collection have been updated to remove GSAR clause 552.238-85.
 - GSAR clause 552.238-85, Contractor's Billing Responsibilities, is being removed from this information collection. The clause is being removed because any burden related to this clause is captured in other information collections. This clause contains a recordkeeping requirement that is subject to the Paperwork Reduction Act (44 U.S.C. 3501, et seq.). The clause allows a Contractor to authorize their dealer(s) to bill ordering activities and accept payment on behalf of the Contractor's. In this case, the Contractor and dealer must enter into an agreement that includes, but not limited to, the dealer agreeing to maintain certain records on sales under the Contractor's GSA FSS contract. However, this record keeping requirement does not add any additional burden to what is already captured by GSAR clause 552.238-80, Industrial Funding Fee and Sales Reporting, which is covered by an existing information collection (see OMB Control

Number 3090-0235 Federal Supply Schedule Pricing Disclosures and Sales Reporting and OMB Control Number 3090-0306 Transactional Data Reporting). Upon renewal of these two information collections, GSA intends to update them to include mention of this clause.

- The estimated total annual public hour burden decreased due to the use of updated data, impact of the GSA MAS Consolidation effort, and an adjustment in the basis of the estimate. The estimated total annual public hour burden changed-
FROM: 38,674
TO: 12,207
- The estimated total annual public cost burden decreased due to the use of updated data, impact of the GSA MAS Consolidation effort, and an adjustment in the basis of the estimate. The estimated total annual public cost burden changed-
FROM: \$1,819,998.44
TO: \$716,795.04
- The estimated total annual cost to the Government decreased due to the use of updated data, impact of the GSA MAS Consolidation effort, and an adjustment in the basis of the estimate. The estimated total annual cost to the Government changed-
FROM: \$909,999.22
TO: \$89,577.36
- The estimated preparation hours per response for GSAR clause 552.238-84, Discounts for Prompt Payment, decreased due to an adjustment in the basis of the estimate. The estimated preparation hours per response changed-
FROM: 1 hour
TO: 30 minutes
- The estimated preparation hours per response for GSAR clause 552.238-111, Environmental Protection Agency Registration Requirement, increased due to an adjustment in the basis of the estimate. The estimated preparation hours per response changed-
FROM: 30 minutes
TO: 1 hour

1. Need & Method for the Information Collection.

The information being collected is tied to the aforementioned GSAR clauses (see Supplement 1 for a copy of each of these regulations). These GSAR clauses apply to offerors submitting an offer in response to GSA's FSS solicitation. These GSAR clauses request offerors to submit information, as applicable, as part of their offer. The following is the information requested per clause:

- GSAR clause 552.238-84, Discounts for Prompt Payment. This clause requests an offeror to identify in their offer any discounts for early payment. If no discount is being offered, an offeror may include a statement in their offer that no discounts are being offered.
- GSAR clause 552.238-87, Delivery Prices. This clause requests an offeror to identify in their offer whether or not prices submitted cover delivery f.o.b. destination in Alaska, Hawaii, and the Commonwealth of Puerto Rico. If the prices submitted do not cover these areas, an offeror may include a statement in their offer indicating this.
- GSAR clause 552.238-95, Separate Charge for Performance Oriented Packaging (POP)¹. This clause requests an applicable offeror to identify any hazardous material item (i.e., SIN or Descriptive Name of Article) being offered and the separate charge that applies. If no hazardous material items and/or such separate charges are being offered, an offeror may include a statement in their offer that this clause does not apply.
- GSAR clause 552.238-96, Separate Charge for Delivery within Consignee's Premises². This clause requests an applicable offeror to identify any separate charge(s) for shipping when the delivery is within the consignee's premises (inclusive of items that are comparable in size and weight). If no such separate charges are being offered, an offeror may include a statement in their offer that this clause does not apply.
- GSAR clause 552.238-97, Parts and Service. This clause requests an offeror to include in their offer the names and addresses of all supply and service points maintained in the geographic area in which the offeror would perform under the GSA FSS contract (if awarded one). Additionally, requests an offeror to indicate whether or not a complete stock of repair parts for the items being offered is carried at that point, and whether or not mechanical service is available. If this clause does not apply (e.g., the offeror is proposing services not products), an offeror may include a statement in their offer that this clause does not apply.
- GSAR clause 552.238-99, Delivery Prices Overseas. This clause requests an offeror to identify the intended geographic area(s)/countries/zones which are covered by their offer.
- GSAR clause 552.238-111, Environmental Protection Agency Registration Requirement³. This clause requests offerors to identify the manufacturer's and/or distributor's name and EPA Registration Number for each item offered that requires registration with the EPA. If no such items are being offered, an offeror may include a statement in their offer that this clause does not apply.

The information collected is submitted electronically (to the maximum extent possible) and is included within an offer.

¹This clause applies only to the following GSA FSS Solicitation Large Categories: Office Management, Furniture & Furnishings, Miscellaneous, Industrial Products, Transportation and Logistics Services, Security and Protection.

²This clause applies only to the following GSA FSS Solicitation Large Categories: Office Management, Furniture & Furnishings, Miscellaneous, Industrial Products, Transportation and Logistics Services.

³This clause applies only to the following GSA FSS Solicitation Large Categories: Office Management, Furniture & Furnishings, Miscellaneous.

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 Contracting Officers in the review and evaluation of offers received in response to GSA's FSS solicitation.

The information collected is not used by other Federal agencies.

3. Use of Information Technology.

The Government uses information technology to the maximum extent practicable. For the purposes of this information collection, offerors submit offers electronically.

4. Non-Duplication.

GSA did not identify any duplication of information being collected under this information collection. The information collected is specific and unique to an offeror's response and applies only to offerors submitting an offer under GSA's FSS solicitation. An offeror determines based on their offer and the GSAR clauses covered by this information collection what information, if any, to submit with their offer. For example, GSAR clause 552.238-95, Separate Charge for Performance Oriented Packaging (POP) requests an offeror to identify any hazardous material item (i.e., SIN or Descriptive Name of Article) being offered and the separate charge that applies. If there are no hazardous materials and/or separate charges then the clause does not apply.

This information is not collected elsewhere and could not otherwise be obtained. The information collected is provided by an offeror for purposes of supporting their offer. The information provided by an offeror is specific to their organization and offer.

Any similar information that may already be available to GSA cannot be used or modified to be used for the purposes described. As only an offeror knows the information that applies to their offer, specifically the information needed, if any, to respond to the GSAR clauses covered by this information collection.

5. Burden on Small Business.

The burden applies equally to both large businesses, and small businesses and other small entities that are seeking to obtain a GSA FSS contract. The submission of this information is provided with an offer and is based upon decisions made by the offeror not the Government. An offeror submits the information requested, if applicable, for the GSAR clauses covered by this information collection. The information requested is the minimum necessary to support the objectives of the requested action (i.e., review and evaluation of offers received in response to GSA's FSS solicitation).

6. Less Frequent Collection.

The frequency of collection is limited to the extent necessary to support the needs of the Government. The information is provided by an offeror as part of their offer (note the same or similar information may be collected post award to support contract administration; however such collections are covered under other information collections. For example, a contractor may have to provide the same or similar information as part of request for contract modification to add an item. Requests to modify the contract to add an item are covered by GSAR clause 552.238-111 and the information provided is covered by information collection 3090-0302.

Not collecting this information or collecting this information less frequently would impede the FSS program's ability to effectively award new GSA FSS contracts. FSS contracts support both Federal and Non-Federal customers. The lack of such information or less frequent collection would also result in downstream impacts at the order level as well. For example, if GSA did not obtain this information when it currently does, contractors would have to provide the same or similar information at the order level for each and every order where such clauses apply. Having to provide the same or similar information at the order level significantly increases duplication and burden to both the Government and public.

7. Paperwork Reduction Act Guidelines.

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

8. Consultation and Public Comments.

A 60-day notice was published in the Federal Register at 87 FR 28829 on May 11, 2022. No comments were received. A 30-day notice published in the *Federal Register* at 87 FR 44120 on July 25, 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 cost burden to the public resulting from this information collection is \$716,795.04. This is based on the following:

Total estimated response burden hours*	12,207
Estimated cost per hour**	x <u>\$58.72</u>
Estimated total cost burden to the public	\$716,795

*This number is calculated by adding up the total burden hours for each of the following GSAR clauses: 552.238-84, 552.238-87, 552.238-95, 552.238-96, 552.238-97, 552.238-99, and 552.238-111.

**The estimated cost per hour is based on the task being accomplished by midlevel contractor personnel equivalent to a GS-12, Step 5 rate of \$43.10 (Base Pay and Rest of US Locality Pay) (Salary Table 2018-GS, Effective January 2022), with fringe of 36.25% (\$15.62) (OMB Memo M-08-13) for a total cost per hour of \$58.72.

● Changes Due to Adjustment in Agency Estimate:

An updated estimated # of respondents per year was used for GSAR clauses 552.238-84, 552.238-87, 552.238-95, 552.238-96, 552.238-97, 552.238-99, and 552.238-111. The change in this number can be attributed to GSA using more recent data, the GSA MAS Consolidation effort, and the decision to adjust the basis of estimate. The basis of estimate was adjusted to use the number of offers received versus the number of GSA FSS contract holders. The decision to use the number of offers received was to accurately reflect the timeframe when the information is being collected for the purposes intended (i.e., evaluation of offers). In this case, the information is collected as part of an offer not after award of a contract.

It is likely the number used for GSAR clauses 552.238-95, 552.238-96, and 552.238-111 is higher than the actual number as these three clauses only apply to certain offers (see footnotes 1 through 3 of this document). At this point in time, GSA is not able to obtain data to accurately identify the number of actual offers submitted under each of these clauses.

	Requested	Program Change Due to New Statute	Program 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	21,357	N/A	N/A	(41,317)	N/A	62,674

this IC						
Annual IC Time Burden (Hour)	12,207	N/A	N/A	(26,467)	N/A	38,674
Annual IC Cost Burden (Dollars)	\$716,795	N/A	N/A	(\$1,103,203)	N/A	\$1,819,998

Burden per Response:

	Time Per Response (Hours)	Cost Per Response (Dollars)
Reporting	30 min*	\$33.56
Record Keeping	N/A	N/A
Third Party Disclosure	N/A	N/A
Total	30 min*	\$33.56

*GSAR clause 52.238-111 has an estimated 1 hour time per response.

Annual Burden:

	Annual Time Burden (Hours)	Annual Cost Burden (Dollars)
Reporting	12,207	\$716,795
Record Keeping	N/A	N/A
Third Party Disclosure	N/A	N/A
Total	12,207	\$716,795

The estimated total annual public hour burden resulting from this information collection is 12,207 hours. This is based on the following:

GSAR clause 552.238-84, Discounts for Prompt Payment. The following is the estimated burden associated with this clause.

Estimated # of respondents per year:	3,051
Estimated responses per respondent:	<u>x 1</u>
Total annual responses:	3,051

Estimated preparation hours per response:	<u>x .50 (30 minutes)</u>
Total response burden hours:	1,526

GSAR clause 552.238-87, Delivery Prices. The following is the estimated burden associated with this clause.

Estimated # of respondents per year:	3,051
Estimated responses per respondent:	<u>x 1</u>
Total annual responses:	3,051

Estimated preparation hours per response:	<u>x .50 (30 minutes)</u>
Total response burden hours:	1,526

GSAR clause 552.238-95, Separate Charge for Performance Oriented Packaging (POP). The following is the estimated burden associated with this clause.

Estimated # of respondents per year:	3,051
Estimated responses per respondent:	<u>x 1</u>
Total annual responses:	3,051

Estimated preparation hours per response:	<u>x .50 (30 minutes)</u>
Total response burden hours:	1,526

GSAR clause 552.238-96, Separate Charge for Delivery within Consignee's Premises. The following is the estimated burden associated with this clause.

Estimated # of respondents per year:	3,051
Estimated responses per respondent:	<u>x 1</u>
Total annual responses:	3,051

Estimated preparation hours per response:	<u>x .50 (30 minutes)</u>
Total response burden hours:	1,526

GSAR clause 552.238-97, Parts and Service. The following is the estimated burden associated with this clause.

Estimated respondents per year:	3,051
Estimated responses per respondent:	<u>x 1</u>
Total annual responses:	3,051

Estimated preparation hours per response:	<u>x .50 (30 minutes)</u>
Total response burden hours:	1,526

GSAR clause 552.238-99, Delivery Prices Overseas. The following is the estimated burden associated with this clause.

Estimated # of respondents per year:	3,051
Estimated responses per respondent:	<u>x 1</u>
Total annual responses:	3,051

Estimated preparation hours per response:	<u>x .50 (30 minutes)</u>
---	---------------------------

Total response burden hours: 1,526

GSAR clause 552.238-111, Environmental Protection Agency Registration Requirement. The following is the estimated burden associated with this clause.

Estimated # of respondents per year: 3,051
Estimated responses per respondent: x 1
Total annual responses: 3,051

Estimated preparation hours per response: x 1 (1 hour)
Total response burden hours: 3,051

13. Estimated nonrecurring costs.

Not applicable to this information collection.

14. Estimated cost to the Government.

The estimated total annual cost to the Government is \$89,577.36.

This estimate is based on the following:

Estimated # of responses per year 3,051
Estimated review time per response (hours) x .50 (30 minutes)
Total review time per year (hours) 1,526

Estimated cost per hour* x \$58.72
Total estimated annual cost to the Government \$89,577

*The estimated cost per hour is based on the task being accomplished by a midlevel Contract Specialist equivalent to a GS-12, Step 5 rate of \$43.10 (Base Pay and Rest of US Locality Pay) (Salary Table 2018-GS, Effective January 2022), with fringe of 36.25% (\$15.62) (OMB Memo M-08-13) for a total cost per hour of \$58.72.

15. Reasons for changes.

For Item 12, GSAR clauses 552.238-84, 552.238-87, 552.238-95, 552.238-96, 552.238-97, 552.238-99, and 552.238-111 an updated estimated # of respondents per year was used. The updated number was calculated by averaging the total number of MAS offers received for the following fiscal years: 2019, 2020, and 2021.

The change in this number can be attributed to GSA using more recent data, the GSA MAS Consolidation effort, and the decision to adjust the basis of estimate. The basis of estimate was adjusted to use the number of offers received versus the number of GSA FSS contract holders. The decision to use the number of offers received was to accurately reflect the timeframe when the information is being collected for the purposes intended (i.e., review and evaluation of offers). In this case, the information is collected as part of an offer not after award of a contract.

For Item 12, an updated estimated preparation hours per response was used for GSAR clauses 552.238-111 and 552.238-84. Previously, the estimated preparation hours per response were 30 minutes and 1 hour respectively. In review of the information collection requirements contained in both clauses it was determined that the burden estimates needed to be updated. Altogether, the estimated preparation hours per response for 552.238-111 was increased from 30 minutes to 1 hour due to the complexity of the request (i.e., identify the manufacturer's and/or distributor's name and EPA Registration Number for each item offered that requires registration with the EPA). The estimated preparation hours per response for 552.238-84 was decreased from 1 hour to 30 min due to the general simplicity of the request (i.e. Are prompt payment discounts being offered? Yes or no, If yes, what is/are the discount(s)).

For Items 12 and 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). The previous extension used OPM's Salary Table from 2018, whereas this extension is using OPM's Salary Table Effective January 2022.

For Item 14, an updated estimated # of responses per year was used. The updated number was calculated by averaging the total number of MAS offers received for the following fiscal years: 2019, 2020, and 2021.

The change in this number can be attributed to GSA using more recent data, the GSA MAS Consolidation effort, and the decision to adjust the basis of estimate. The basis of estimate was adjusted to use the number of offers received. The decision to use the number of offers received was to better reflect the timeframe when the information is being collected and take into consideration the fact the Government receives an offer that includes, as applicable, a response to each of the clauses covered by this information collection. The previous basis of estimate used 38,674, which was the same number used for the estimated total annual public hour burden.

16. Publicizing Results.

Not applicable, results of this information collection will not be published. Information collected is used for internal purposes only.

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.

Statistical methods are not used for this information collection.