

**Federal Acquisition Regulation (FAR)**  
**Federal Acquisition Regulation Part 11 Requirements**  
**OMB Control No. 9000-0153**  
**Justification - Part A Supporting Statement**

**FAR sections affected:** 52.211-7, 52.211-8, 52.211-9

Overview of Information Collection:

- This justification supports clearance of an extension of the collection and consolidating it with OMB control number 9000-0043.

There are no program changes. The FAR requirements remain the same. The Department of Defense, General Services Administration, and National Aeronautics and Space Administration are combining OMB Control Nos. by FAR part. This consolidation is expected to improve industry's ability to easily and efficiently identify burdens associated with a given FAR part. This review of the information collections by FAR part allows improved oversight to ensure there is no redundant or unaccounted for burden placed on industry. Lastly, combining information collections in a given FAR part is also expected to reduce the administrative burden associated with processing multiple information collections.

This justification supports the extension of OMB Control No. 9000-0153 and combines it with the previously approved information collections under OMB Control No. 9000-0043, with the new title "Federal Acquisition Regulation Part 11 Requirements". Upon approval of this consolidated information collection, OMB Control No. 9000-0043 will be discontinued. The burden requirements previously approved under the discontinued number will be covered under OMB Control No. 9000-0153. This extension includes adjustments to the burden due to use of the latest data available in the Federal Procurement Data System (FPDS) and the calendar year 2023 OPM GS wage rates for the rest of the United States as explained in item 15.

1. Need & Method for the Information Collection. This clearance covers the information that offerors or contractors must submit to comply with the following FAR requirements:
  - a. **FAR 52.211-7, Alternatives to Government-Unique Standards.** This solicitation provision permits offerors to propose alternatives to Government-unique standards in response to Government solicitations. When an offeror proposes a voluntary consensus standard as an alternative to a

Government-unique standard included in a solicitation, the offeror must furnish data and/or information regarding the alternative in sufficient detail for the Government to determine if it meets the Government's requirements. This provision is prescribed in FAR 11.107 for use when a solicitation uses Government-unique standards and the agency uses the transaction-based reporting method to report its use of voluntary consensus standards to the National Institutes of Standards and Technology (NIST). This provision is optional for use if an agency uses the categorical method to report to the NIST.

- b. **FAR 52.211-8, Time of Delivery; and 52.211-9, Desired and Required Time of Delivery.** These time of delivery clauses may be used by contracting officers to set forth a required delivery schedule and to allow offerors to propose an alternative delivery schedule.

2. Use of the Information.

- a. **FAR 52.211-7, Alternatives to Government-Unique Standards.**

In accordance with Office of Management and Budget (OMB) Circular A-119, Federal Participation in the Development and Use of Voluntary Consensus Standards and in Conformity Assessment Activities, and section 12(d) of the National Technology Transfer and Advancement Act of 1995 (Pub. L. 104-113, 15 U.S.C. 272 note), agencies must use voluntary consensus standards, when they exist, in lieu of Government-unique standards, except where inconsistent with law or otherwise impractical. The information collected from offerors will be used by Federal agencies to determine if voluntary consensus standards will satisfy the Government's needs for a particular solicitation.

- b. **FAR 52.211-8, Time of Delivery; and 52.211-9, Desired and Required Time of Delivery.** Contracting officers use the collected information to ensure supplies or services are obtained in a timely manner.

3. Use of Information Technology. Federal agencies use information technology to the maximum extent practicable. Where both the Government agency and contractors are capable of electronic interchange, the offerors and contractors may submit this information collection requirement electronically.

4. Non-duplication. These requirements are issued under the FAR, which has been developed to standardize Federal procurement practices and eliminate unnecessary duplication.

5. Burden on Small Business. The burden applied to small

businesses is the minimum consistent with applicable laws, Executive orders, regulations, and prudent business practices.

6. Less Frequent Collection. Collection of information on a basis other than solicitation-by-solicitation or contract-by-contract is not practical.
7. Paperwork Reduction Act Guidelines. Collection is consistent with guidelines in 5 CFR 1320.5(d)(2).
8. Consultation and Public Comments.
  - A. A 60-day notice was published in the Federal Register at 88 FR 62085, on September 8, 2023. No comments were received.
  - B. A 30-day notice was published in the *Federal Register* at 88 FR 81084, on November 21, 2023.
9. Gifts or Payment. This collection does not provide any payment or gift to respondents, other than remuneration of contractors.
10. Privacy & Confidentiality. This information is disclosed only to the extent consistent with prudent business practices, current regulations, and statutory requirements.
11. Sensitive Questions. No sensitive questions are involved.
12. Burden Estimate.

**Estimated total annual public hour and cost burden.**

**a. FAR 52.211-7, Alternatives to Government-Unique Standards.**

While NIST provides access to agency annual OMB Circular A-119 reports regarding the use of Government-unique standards, the reports do not include the level of detail necessary to determine whether such standards are used in solicitations for Government contracts. At this time there is no repository of data on: (1) the number of Government solicitations that included a Government-unique standard; or (2) the number of offers submitted in response to those solicitations that proposed an alternative voluntary consensus standard. Such information is maintained in individual contract files at the local level.

Given that agencies are required to use voluntary consensus standards, when they exist, if not inconsistent with law or otherwise impractical, the number of solicitations that use Government-unique standards is expected to be low. As such, the

estimated number of unique respondents remains at 100 with one response per respondent. It is also estimated that it will continue to take a respondent one hour to prepare and furnish the required information.

Estimated number of respondents/yr.....	100
Responses per respondent.....	<u>x 1</u>
Total annual responses.....	100
Estimated hrs/response.....	<u>x 1</u>
Estimated annual burden hours.....	100
Hourly rate*.....	<u>x \$67</u>
Estimated annual cost to the public.....	\$6,700

\* Fully burdened rate includes a 36.25 percent fringe factor (pursuant to the rate provided in OMB memorandum M-08-13 for use in public-private competition), and a 12 percent overhead rate (from A-76 revised supplemental handbook). Based on the Office of Personnel Management (OPM) 2023 General Schedule (GS) 12/step 5 salary for the rest of the United States (\$44.98 per hour) plus the fringe factor and the overhead rate, rounded to the nearest whole dollar (\$67).

**b. FAR 52.211-8, Time of Delivery; and 52.211-9, Desired and Required Time of Delivery.**

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 the average of historical FPDS award data for the three most recent fiscal years 2020 through 2022.

Subject matter experts estimate only approximately 10 percent of the FPDS 12,771 noncommercial contracts awarded on average in fiscal years 2020-2022 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 number of respondents/yr.....	1,277
Responses per respondent.....	<u>x 1</u>
Total annual responses.....	1,277
Estimated hrs/response.....	<u>x 0.5</u>
Estimated annual burden hours.....	638.5
Hourly rate**.....	<u>x \$56</u>
Estimated annual cost to the public.....	\$35,756

### Summary of estimated annual cost to the public

Estimated number of respondents/yr..... 1,377  
Total annual responses..... 1,377  
Estimated annual burden hours..... 738.5  
Total estimated annual cost to the public.\$42,456

\*\* Fully burdened rate includes a 36.25 percent fringe factor (pursuant to the rate provided in OMB memorandum M-08-13 for use in public-private competition), and a 12 percent overhead rate (from A-76 revised supplemental handbook). Based on the Office of Personnel Management (OPM) 2023 General Schedule (GS) 11/step 5 salary for the rest of the United States (\$37.53 per hour) plus the fringe factor and the overhead rate, rounded to the nearest whole dollar (\$56).

13. Estimated nonrecurring costs. Not applicable.

14. Estimated cost to the Government.

a. **FAR 52.211-7, Alternatives to Government-Unique Standards.**

It is estimated that it'll take the Government eight hours per response to review the data and/or information provided by an offeror.

Estimated responses/yr..... 100  
Reviewing time (hr)/response..... x 8  
Review time /yr..... 800  
Hourly rate\*..... x \$67  
Estimated annual cost to the Government....\$53,600

b. **FAR 52.211-8, Time of Delivery; and 52.211-9, Desired and Required Time of Delivery.** Time required for Governmentwide review is estimated at 10 minutes per response.

Estimated responses/yr..... 1,277  
Reviewing time (hr)/response.....x 0.167  
Review time /yr..... 213.25  
Hourly rate\*\*..... x \$56  
Estimated annual cost to the Government....\$11,942

### Summary of estimated annual cost to the Government

Estimated responses/yr..... 1,377  
Review time /yr..... 1,013.25  
Total estimated annual cost to the Government....\$65,542

15. Reasons for changes. There are no program changes. The FAR

requirements remain the same. This extension of OMB Control No. 9000-0153 is combined with the previously approved information collection under OMB Control No. 9000-0043. Upon approval of this consolidated information collection, OMB Control No. 9000-0043 will be discontinued because the burden has been accounted for in this extension. This extension includes adjustments to the public and Government burden estimates based on the following:

- The estimated number of respondents and responses per year are based on averages of historical FPDS award data for the three most recent fiscal years (2020 through 2022).
- The estimated cost per hour is based on use of the calendar year 2023 OPM GS wage rate for the rest of the United States.

	2021 Estimate	2023 Estimate	Change in Burden
Number of respondents	1,627	1377	-250
Total annual responses	1,627	1377	-250
Total burden hours	864	738.5	-126
Total annual cost to public	\$42,348	\$42,456	\$108

16. Publicizing Results. Results will not be tabulated or published.

17. OMB Not to Display Approval. Approval to *not* display the expiration date for OMB approval of the information collection is not sought.

18. Exceptions to "Certification for Paperwork Reduction Submissions." There is no exception to the certification statement.

19. Surveys, Censuses, and Other Collections that Employ Statistical Methods. Statistical methods are not used in this information collection. A Part B supporting statement is not

needed, or required, and therefore was not completed.

FAR 52.211-8 & 52.211-9	
<b><u>FY</u></b>	<b><u>Awards</u></b>
2020	16630
2021	14354
2022	7328
<b>Average</b>	<b>12771</b>