

Supporting Statement for Information Collection
OMB Control Number 3090-0080
Release of Claims for Construction and Building Service Contracts
GSAR Sections Affected: 532.111, 532.905-70, 532.908, 552.232-5, 552.232-72,
GSA Form 1142

Overview of Information Collection

This is a request for approval of an extension to an existing information collection. The title has been refined to reflect that the release of claims in GSA Form 1142 is limited to claims arising from construction and/or building service contracts. The previous title reflected general "release of claims", which overstates the information collected by, and the scope of, GSA Form 1142.

This information collection applies to General Services Administration (GSA) contracts for construction and building services requiring contractors to provide a release of claims prior to GSA making final payment to the contractor.

The General Services Administration Acquisition Regulation (GSAR) sections and GSA form covered by this information collection include:

- 532.111 Contract clauses for non-commercial purchases
- 532.905-70 Final payment—construction and building service contracts
- 532.908 Contract Clauses
- 552.232-5 Payments under Fixed Price Construction Contracts
- 552.232-72 Final Payment Under Building Services Contracts
- GSA Form 1142 Release of Claims

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

- The total estimated respondents per year increased due to the use of updated data, which included more contracts being awarded in the current period than the last information collection renewal period. The total estimated respondents changed-
 - From: 1,330
 - To: 1,427
- The total estimated annual public cost burden increased due to the use of updated data, which included more contracts being awarded in the current period than the last information collection renewal period. The total estimated annual public cost burden changed-
 - From: \$3,470
 - To: \$20,891
- The total estimated annual cost burden to the Government increased due to the use of updated data, which included more contracts being awarded in the current period than the last information collection renewal period. The total estimated annual cost to the Government changed-

- From: \$4,299
- To: \$25,879

1. Need and Method for the Information Collection.

Prior to GSA making final payment to a contractor for construction or building services, the GSAR requires that contractors must submit a release of claims to GSA for its review.

The information collected is submitted electronically (to the maximum extent possible).

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

2. Use of the Information.

GSA will use the information (via a contracting officer) to determine whether to make final payment to a contractor on a construction or building services contract.

3. Use of Information Technology.

GSA continues to improve and expand the use of information technology to the maximum extent practicable. Where both the Government and the contractor are capable of electronic interchange, these information collection requirements may be submitted electronically.

4. Non-duplication.

GSA did not identify any duplication of information being collected. GSA's review did not identify any similar data.

5. Burden on Small Business.

The collections associated with small businesses are the minimum consistent with applicable laws, executive orders, and prudent business practices. The nature of the reporting requirements precludes reducing the information collection burden for small businesses.

6. Less Frequent Collection.

Collection of the information on a basis other than per contract is not practicable. GSA Form 1142, Release of Claims, is used to achieve uniformity and consistency in the release of claims process. Completion of GSA Form 1142, Release of Claims, ensures that construction and building services contractors are paid in accordance with their contract requirements and for work performed.

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 89 FR 42470 on May 15, 2024. No comments were received. A 30-day notice published in *the Federal Register* at 89 FR 62746 on August 1, 2024.

9. Gifts or Payment.

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

10. Privacy and 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).

11. Sensitive Questions.

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

12. Burden Estimate.

GSA based the estimated burden of the collection of information on information obtained from the Federal Data Procurement System (FPDS) averaged for Fiscal Years 2021-2023. The data was limited to contracts for “building services” and “construction”, to capture those contracts which drive the use of GSA Form 1142 for the release of claims.

Because GSA Form 1142 is submitted in order to release final payment to a contractor, it is expected that each respondent will only provide 1 response, and such response will take minimum effort (6 minutes or 1/10th of an hour). This estimate is unchanged from the most recent information collection renewal because the online form has been in use since then and there are no other material changes.

The burden addressed in this information collection requirement is the burden of developing, preparing, and submitting the required information. The information requested on GSA Form 1142 is not of a special nature. It falls into the category of customary and usual business practice.

Estimated Respondents Per Year:	1,427
Estimated Responses Per Respondent:	<u>x 1.0</u>

Total Annual Responses:	1,427
Estimated Burden Hours Per Response:	x 0.50
Total Response Burden Hours:	713.50
Estimated Cost Per Hour:	x \$29.28*
Total Estimated Annual Cost Burden:	\$20,891.28

*The estimated cost of \$29.28 per hour is based on the task being accomplished by contractor personnel equivalent to a GS-5, Step 5 (Base Pay and Rest of US Locality Pay) (Salary Table 2024-RUS, General Schedule, Effective January 2024), with fringe of 36.25% (OMB Memo M-08-13).

	Request ed	Program Change Due to New Statute	Program Change Due to Agency Discretion	Change Due to Adjustm ent in Agency Estimate	Change Due to Potential Violation of the PRA	Previous ly Approve d
Annual Number of Responses for this IC	1,427	N/A	N/A	94	N/A	1,333
Annual IC Time Burden (Hour)	143	N/A	N/A	10	N/A	133
Annual IC Cost Burden (Dollars)	\$20,891	N/A	N/A	\$17,421	N/A	\$3,470

Burden per Response:

	Time Per Response	Hours	Cost Per Response
Reporting	0.5	0.5	\$3
Record Keeping	N/A	N/A	N/A
Third Party Disclosure	N/A	N/A	N/A
Total	0.5	0.5	\$3

Annual Burden:

	Annual Time Burden (Hours)	Annual Cost Burden (Dollars)
Reporting	1,427	\$20,891
Record Keeping	N/A	N/A
Third Party Disclosure	N/A	N/A
Total	1,427	\$20,891

13. Estimated Nonrecurring Costs.

Not applicable to this information collection.

14. Estimated Cost of the Government

The estimated annualized costs to the Federal Government below reflects the time necessary for the Federal Government to review submitted release of claims information.

Estimated Respondents Per Year:	1,427
Estimated Responses Per Respondent:	<u>x 1</u>
Total Annual Responses:	1,427
Estimated Burden Hours Per Response:	<u>x .50</u>
Total Estimated Burden Hours:	713.50
Estimated Cost Per Hour:	<u>x \$36.27**</u>
Total Estimated Annual Cost Burden:	\$25,878.65

** The estimated cost of \$36.27 per hour is based on the task being accomplished by personnel equivalent to a GS-7, Step 5 (Base Pay and Rest of US Locality Pay) (Salary Table 2024-RUS, General Schedule, Effective January 2024), with fringe of 36.25% (OMB Memo M-08-13).

15. Reasons for Changes.

Costs changed due to several factors:

- The number of respondents increased to reflect updated FPDS data.
- The hourly rate (plus fringe) was updated to reflect the rates effective January 2023, as opposed to January 2021.

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 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.

Surveys, censuses or statistical methods are not used for this information collection.