

SUPPORTING STATEMENT - PART A

**Supporting Statement for
Department of Veterans Affairs Acquisition Regulation (VAAR)
Clause 852.211-70, Equipment Operation and Maintenance Manuals
OMB Control No. 2900-0587**

Summary of Changes from Previously Approved Collection

- The supporting statement format was updated to a current form and format, however the information provided is similar and updated for clarity and use of standard terminology.
- As reflected in Section 15, the estimate burden hour has increased by 124 hours due to the increased responses for the last three FYs. In addition to the increased responses, the burden cost estimate has increased since due to revised wage rates to current and appropriate levels. This results in a net increase of \$68,006 in burden cost.
- As reflected in Section 8, VA did not receive any public comments on the 60-Day Federal Register notice.

1. Need for the Information Collection

The Department of Veterans Affairs (VA), Office of Acquisition and Logistics (OAL), Office of Procurement Policy, Systems and Oversight, Procurement Policy and Warrant Management Service is requesting the Office of Management and Budget (OMB) grant a revision on a previously approved information collection request, OMB control number 2900-0587, concerning Equipment Operation and Maintenance Manuals. The requirements that the contracting officer shall insert this clause in solicitations and contracts are prescribed in VAAR 811.107-70. The contracting officer shall insert the clause at 852.211-70, Equipment Operation and Maintenance Manuals, in solicitations and contracts for technical medical equipment, and other technical and mechanical equipment and devices where the requiring activity determines manuals are a necessary requirement for operation and maintenance of the equipment.

Failure to collect the information would have a negative impact on VA. Without the information, VA would be purchasing equipment for which it would not have proper operating instructions. This could be hazardous to VA employees and to VA patients. In addition, without maintenance manuals, VA would be unable to make repairs to the equipment.

The Agency is requesting a 3-year revision to collect this information from public or private businesses.

Authorities: 44 U.S.C. 3507, Paperwork Reduction Act of 1995; and 48 CFR 1.301–1.304.

2. Use of the Information

Contractors are required to furnish both operation manuals and maintenance/repair manuals with the equipment provided to the Government. This clause sets forth those requirements and sets forth the minimum standards those manuals must meet to be acceptable. Generally, this is the same operation manual furnished with each piece of equipment sold to the general public and the same repair manual used by company technicians in repairing the company's equipment. The cost of the manuals is included in the contract price or listed as separately priced line items on the purchase order. The operation manual will be used by the individual actually operating the equipment to ensure proper operation and cleaning. The repair manual will be used by VA equipment repair staff to repair the equipment.

3. Use of Information Technology

VA uses information technology to the maximum extent practicable. Data submitted by contractors is typically requested to be submitted electronically whenever possible. VA complies with the policy in FAR 4.502(a) that mandates the Federal Government shall use electronic commerce whenever practicable or cost-effective. Contracting officers may supplement electronic transactions by using other media to meet the requirements of any contract action governed by the FAR.

Since this particular information requirement is specific to each item of equipment and the information must accompany the delivery of the equipment, offerors and contractors are required to provide specific information, unique to the product that they are offering, to show how that product is operated and maintained. However, the information could be furnished on disk or other electronic media.

4. Non-duplication

The information obtained through this collection is unique and is not already available for use or adaptation from another cleared source.

5. Burden on Small Businesses

This information collection does not impose a significant economic impact on a substantial number of small businesses or entities.

6. Less Frequent

Generally, offerors and contractors will be required to provide the requisite information with proposal submission. In most cases contractors will have 30 days or more to prepare a proposal submission. With contracting officer approval, the offeror or contractor may submit a waiver within a specified time frame after proposal submission. The protection of offeror or contractor proprietary, trade secret, or other confidential information and the Government's right to use that data are covered by contract-specific clauses.

7. Paperwork Reduction Act Guidelines

This collection of information does not require collection to be conducted in a manner inconsistent with the guidelines delineated in 5 CFR 1320.5(d)(2). More specifically to two requirements – one, the nature and extent of confidentiality, the protection of contractor proprietary, trade secret, or other confidential information and the Government’s right to use that data are covered by contract-specific clauses available to all offerors. Second, regarding reducing burden on small entities to the extent practicable and appropriate, this information is required by the Government to protect transparency and fairness in government contract transactions by ensuring the operation manual will be used by the individual actually operating the equipment to ensure proper operation and cleaning. The capture and maintenance by an offeror/contractor of such information is a standard business practice they would routinely retain and gather and that is most suitable to their needs.

8. Consultation and Public Comments

Part A: PUBLIC NOTICE

A 60-Day Federal Register Notice (FRN) for the collection was published on Wednesday, September 17, 2024. The 60-Day FRN citation is 89 FR 76193. VA did not receive any public comments. A 30-Day FRN for the collection was published on Wednesday, November 27, 2024. The 30-Day FRN citation is 89 FR 93907.

Part B: CONSULTATION

No additional consultation apart from soliciting public comments through the Federal Register was conducted for this submission.

9. Gifts or Payment

No payments or gifts are being offered to respondents as an incentive to participate in the collection.

10. Confidentiality

Data will be kept private to the extent allowed by law. Information provided to VA by a contractor is subject to being requested by third parties under the Freedom of Information Act (FOIA), as amended (5 U.S.C. 552), but business proprietary information is generally exempt from public disclosure under the FOIA.

A Privacy Act Statement is not required for this collection because we are not requesting individuals to furnish personal information for a system of records.

A System of Record Notice (SORN) is not required for this collection because records are not retrievable by personally identifiable information (PII).

A Privacy Impact Assessment (PIA) is not required for this collection because PII is not being collected electronically.

Contract laws and regulations specify record retention requirements for contracts that such organizational conflicts of interest information collections would be submitted under. FAR 4.703, Policy, states the required records retention period based on different contract actions and circumstances, and is applicable for all awarded contracts that had VAAR provision 852.209-70 inserted. Certain records are required to be maintained for a longer period in accordance with the FAR.

11. Sensitive Questions

No questions considered sensitive are being asked in this collection, although they may pertain to matters considered business confidential and thus are appropriately protected by the Government.

12. Respondent Burden and its Labor Costs

Part A: ESTIMATION OF RESPONDENT BURDEN

- 1) Collection Instrument(s)
VAAR 811.107-70 and VAAR clause 852.211-70
 - a) Number of Respondents: 22,337
 - b) Number of Responses Per Respondent: 1 per each contract
 - c) Number of Total Annual Responses: 22,337
 - d) Response Time: 2 minutes
 - e) Respondent Burden Hours $(22,337 \times 2) \div 60$ equals: 745 hours
- 2) Total Submission Burden (Summation or average based on collection)
 - a) Total Number of Respondents: 22,337
 - b) Total Number of Annual Responses: 22,337
 - c) Total Respondent Burden Hours: 745 hours

Part B: LABOR COST OF RESPONDENT BURDEN

- 1) Collection Instrument(s)
VAAR 811.107-70 and VAAR clause 852.211-70
 - a) Number of Total Annual Responses: 22,337
 - b) Response Time: 0.033 hour
 - c) Respondent Hourly Wage: \$51
 - d) Labor Burden per Response: \$1.70
 - e) Total Labor Burden: \$37,973
- 2) Overall Labor Burden
 - a) Total Number of Annual Responses: 22,337
 - b) Total Labor Burden: \$37,973

The Respondent hourly wage was determined by using the Bureau of Labor Statistics (BLS) website at <https://www.bls.gov/home.htm> and the particular index at [Buyers and Purchasing Agents \(bls.gov\)](#) The Bureau of Labor Statistics (BLS) gathers information on full-time wage and salary workers. According to the latest (May 2023) available BLS data, the mean hourly wage is \$37.43 on BLS wage code – “13-1020 Buyers and Purchasing Agents” plus 36.25% per OMB Memo M-08-13 dated March 11, 2008.

13. Respondent Costs Other Than Burden Hour Costs

There are no annualized costs to respondents other than the labor burden costs addressed in Section 12 of this document to complete this collection.

14. Cost to the Federal Government

Part A: LABOR COST TO THE FEDERAL GOVERNMENT

- 1) Collection Instrument(s)
VAAR 811.107-70 and VAAR clause 852.211-70
 - a) Number of Total Annual Responses: 22,337
 - b) Processing Time per Response: 0.083 hour
 - c) Hourly Wage of Worker(s) Processing Responses: \$45.95
 - d) Cost to Process Each Response: \$3.81
 - e) Total Cost to Process Responses: \$85,103.
- 2) Overall Labor Burden to the Federal Government
 - a) Total Number of Annual Responses: 22,337
 - b) Total Labor Burden: \$85,103

It is estimated that the review equipment manual will be completed VA medical equipment operator equivalent to a GS-11. Based on a GS-11, step 5 salary, for FY24 – see Salary Table 2024-GS ([GS.pdf \(opm.gov\)](#)) plus 36.25% per OMB Memo M-08-13 dated March 11, 2008, the hourly rate is ($\$40.42 \times 136.25\% = \55.07).

Part B: OPERATIONAL AND MAINTENANCE COSTS

- 1) Cost Categories
 - a) Equipment: \$0
 - b) Printing: \$0
 - c) Postage: \$0
 - d) Software Purchases: \$0
 - e) Licensing Costs: \$0
 - f) Other: \$0
- 2) Total Operational and Maintenance Cost: \$0

Part C: TOTAL COST TO THE FEDERAL GOVERNMENT

- 1) Total Labor Cost to the Federal Government: \$85,103
- 2) Total Operational and Maintenance Costs: \$0
- 3) Total Cost to the Federal Government: \$85,103

15. Reasons for Change in Burden

The estimate burden hour has increased since the previous approval due to the increased responses for the last three FYs. The burden cost estimate has increased since the previous approval due to revised wage rates to more current and appropriate levels.

Summary of the burden hour differences between this SS and last SS

SS Block #	Burden Hour This SS	Burden Hour Last SS	Increase (Decrease)	Reason
12	745	621	124	Increase in responses

Summary of the cost differences between this SS and last SS

SS Block #	Cost This SS	Cost Last SS	Increase (Decrease)	Reason
12	\$37,973	\$29,448	\$8,525	Increase in BLS rate and responses
14	\$85,103	\$25,622	\$59,481	Increase in GS rate and responses

16. Publication of Results

The results will not be published. Approval is requested by January 31, 2025 to allow for continued use of the VA provision.

17. Non-Display of OMB Expiration Date

We are not seeking approval to omit the display of the expiration date of the OMB approval on the collection instrument.

18. Exceptions to "Certification for Paperwork Reduction Submissions"

We are not requesting any exemptions to the provisions stated in 5 CFR 1320.9.