

Federal Acquisition Regulation (FAR)
Federal Acquisition Regulation Part 7 Requirements
OMB Control No. 9000-0082
Justification – Part A Supporting Statement

FAR sections affected: 52.207-3 and 52.207-4

Overview of Information Collection:

- This justification supports clearance of an extension of the collection.

There are no program changes. The FAR requirements remain the same. This extension includes adjustments to the burden due to use of the calendar year 2025 Office of Personnel Management (OPM) General Schedule (GS) Salary Table 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 and contractors must submit to comply with the following FAR requirements:

- a. FAR 52.207-3, Right of First Refusal of Employment. This clause requires contractors to provide the contracting officer, within 120 days of beginning contract performance, the names of personnel who were adversely affected or separated from Government employment as a result of the contract award; and subsequently hired by the contractor to perform under the contract within 90 days after contract performance began.
- b. FAR 52.207-4, Economic Purchase Quantity–Supplies. This provision permits offerors, who believe that acquisition of supplies in quantity different from what is being solicited would be more advantageous to the Government, to recommend with their offer a more economic purchase quantity for the required supplies.

2. Use of the Information.

- a. FAR 52.207-3. The information provided under this clause is used by the Government to ensure contractor compliance

with providing the right of first refusal to such affected personnel and that certain obligations to displaced employees are met by the Government.

b. FAR 52.207-4. The information provided under this provision is used by the Government to acquire supplies at the total and unit costs most advantageous to the Government and to develop a database for future acquisitions of such items of supply.

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 this 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 90 FR 14449, on April 2, 2025. No comments were received.
 - B. A 30-day notice was published in the *Federal Register* at 90 FR 25273, on June 16, 2025.
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.

Total Estimated Annual Public Hour and Cost Burden

The following is a summary of the total estimated annual public burden associated with this FAR part 7 provision and clause:

Estimated respondents/yr.....	14,510
Total annual responses.....	14,510
Estimated annual burden hours.....	14,530
Estimated cost to the public.....	\$1,031,630

a. FAR 52.207-3, Right of First Refusal of Employment.

Section 741 of the Consolidated Appropriations Act, 2020 (Pub. L. 116-93) prohibits a public-private competition to convert to contractor performance any function performed by Federal employees. Based on this Governmentwide moratorium and considering the possibility that some exceptions may exist, the Government estimates approximately 10 respondents will provide the information required by FAR clause 52.207-3. The Government estimates it will take respondents approximately three hours to prepare and submit a response.

Estimated number of respondents/yr.....	10
Responses per respondent.....	<u>x 1</u>
Total annual responses.....	10
Estimated hrs/response.....	<u>x 3</u>
Estimated annual burden hours.....	30
Hourly rate*.....	<u>x \$71</u>
Estimated annual cost to the public.....	\$2,130

b. FAR 52.207-4, Economic Purchase Quantity–Supplies. The Government does not collect data on the number of responses received under this provision. As a result, this estimate is

based on data from the Federal Procurement Data System (FPDS) on the number of fixed-price purchase orders and contracts for supplies awarded annually by the Government. The data excluded task and delivery orders, as the quantity and price points have typically been negotiated at the contract level; and cost type contracts, as this contract type is used when uncertainties involved in contract performance do not permit costs to be estimated with sufficient accuracy - a situation which would preclude the offeror from responding to the provision at FAR 52.207-4.

According to FPDS data for fiscal years 2019 through 2021, the Government awards approximately 145,000 fixed-price contracts and purchase orders for supplies annually. Assuming one solicitation was issued for each contract awarded, the Government estimates that 10 percent, or 14,500, of these awards received one response from a unique offeror regarding the provision. The Government estimates it takes respondents approximately one hour to prepare and submit a response.

Estimated number of respondents/yr.....	14,500
Responses per respondent.....	<u>x 1</u>
Total annual responses.....	14,500
Estimated hrs/response.....	<u>x 1</u>
Estimated annual burden hours.....	14,500
Hourly rate*.....	<u>x \$71</u>
Estimated annual cost to the public.....	\$1,029,500

* The hourly rate is calculated by applying a 36.25 percent fringe factor and a 12 percent overhead factor to a base hourly rate (\$48.13) and then rounding to the nearest whole dollar (\$71). The base hourly rate is derived from the OPM 2025 GS Locality Pay Table for a GS-12/step 5 salary for the rest of the United States ("Salary Table 2025-RUS"). The fringe factor is derived from OMB memorandum M-08-13. The overhead factor is derived from the OMB Circular No. A-76 Revised Supplemental Handbook.

13. Estimated nonrecurring costs. Not applicable.

14. Estimated cost to the Government.

Total Estimated Annual Government Cost

The following is a summary of the total estimated annual Government cost associated with this FAR part 7 provision and clause:

Total annual responses..... 14,510
Estimated annual review time (hours)..... 14,505
Estimated cost to the Government.....\$1,029,855

a. FAR 52.207-3, Right of First Refusal of Employment.

The time required to review and coordinate a response is estimated as follows:

Total annual responses..... 10
Review time per response (hours)..... x 0.5
Review time per year (hours)..... 5
Hourly rate*..... x \$71
Estimated annual cost to the Government..... \$355

b. FAR 52.207-4, Economic Purchase Quantity–Supplies.

The time required to review and coordinate a response is estimated as follows:

Total annual responses..... 14,500
Review time per response (hours)..... x 1
Review time per year (hours)..... 14,500
Hourly rate*..... x \$71
Estimated annual cost to the Government.....\$1,029,500

15. Reasons for changes. There are no program changes. The FAR requirements remain the same. This extension includes adjustments to the public and Government burden estimates based on the following:

- The estimated cost per hour is based on use of the calendar year 2025 OPM GS wage rates for the rest of the United States.

Reporting Public Burden	2022	2025	Change
Responses	14,510	14,510	0

Hours	14,530	14,530	0
Cost	\$857,270	\$1,031,630	+\$174,360

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.