

Federal Acquisition Regulation (FAR)
Commercial Acquisitions
OMB Control No. 9000-0136
Justification - Part A Supporting Statement

FAR section affected: 52.212-3(b)(2)

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 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 may be required to submit to comply with the following FAR requirements:

FAR 52.212-3, Offeror Representations and Certifications - Commercial Products and Commercial Services. Paragraph (b)(2) requires offerors to identify the applicable paragraphs at (c) through (v) of this provision that the offeror has completed for the purposes of the relevant solicitation only, if any. The provision stipulates that any changes provided by the offeror under paragraph (b)(2) are applicable to that specific solicitation only, and do not result in an update to the representations and certifications posted electronically in the System for Award Management.

0. Use of the Information. The contracting officer will use the information to determine an offeror's eligibility for award, and to incorporate appropriate terms and conditions into a resulting contract as appropriate.
0. Use of Information Technology. Federal agencies use information technology to the maximum extent practicable. Where both the Government agency and offerors are capable of electronic interchange, the offerors may submit this information collection requirement electronically.
0. Non-duplication. These requirements are issued under the FAR, which has been developed to standardize Federal procurement practices and eliminate unnecessary duplication.

0. Burden on Small Business. The burden applied to small businesses is the minimum consistent with applicable laws, Executive orders, regulations, and prudent business practices.

0. Less Frequent Collection. Collection of information on a basis other than solicitation-by-solicitation is not practical.

Respondents prepare a written response to the collection of information in paragraph (b)(2) of the provision at FAR 52.212-3 per each solicitation if needed.

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 14450, on April 2, 2025. Three comments were received; however, they did not change the estimate of the burden.

Summary of Comments: A respondent indicated that the collection is a good way to make sure the project can achieve its objective. Another respondent indicated that the collection ensures offerors take responsibility to comply with the regulatory requirements. Another respondent expressed support for the collection to prevent waste, fraud, and abuse.

Response: The respondents' input is appreciated. The respondents did not oppose the extension of the collection of information.

B. A 30-day notice was published in the *Federal Register* at 90 FR 29545, on July 3, 2025.

0. Gifts or Payment. This collection does not provide any payment or gift to respondents, other than remuneration of contractors.

0. Privacy & Confidentiality. This information is disclosed only to the extent consistent with prudent business practices, current regulations, and statutory requirements.

0. Sensitive Questions. No sensitive questions are involved.

0. Burden Estimate.

There is no centralized database that maintains statistics on the number of offerors that provide the information collected under the provision at FAR 52.212-3(b)(2).

The following estimates are based on averages of historical award data available from the Federal Procurement Data System for fiscal years 2019 through 2021 for the number of all base awards valued greater than the micro-purchase threshold (\$10,000) that used FAR part 12 acquisition procedures.

On average per year, the Government awards 138,303 contracts for the acquisition of commercial products and commercial services to 46,685 unique awardees.

The number of respondents is the number of offerors which is the number of unique awardees x 3 offerors per each solicitation (140,055= 46,685 x 3). The number of responses per year is the number of offers received which is the number of awards per year x 3 offers per award (414,909= 138,303 x 3). The responses per respondent are a mathematical calculation from dividing the estimated total annual responses by the number of respondents. The estimated time required to gather necessary information, prepare necessary paperwork, and convey this information to the Government is 30 minutes per response.

Estimated number of respondents/yr.....	140,055
Responses per respondent.....	x 2.96
Total annual responses.....	414,909
Estimated hrs/response.....	x 0.5
Estimated annual burden hours.....	207,455
Hourly rate**.....	x \$71
Estimated annual cost to the public.....	\$14,729,305

Note: The hourly rate is calculated by applying a 36.25 percent fringe factor and a 12 percent overhead factor to a base hourly rate and then rounding to the nearest whole dollar. The base hourly rate is derived from the Office of Personnel Management (OPM) 2025 General Schedule (GS) Locality Pay Table 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.

* For a GS-9/step 5, the base hourly rate is \$33.19 and loaded rounding to the nearest whole dollar is \$49.

** For a GS-12/step 5, the base hourly rate is \$48.13 and loaded rounding to the nearest whole dollar is \$71.

0. Estimated nonrecurring costs. Not applicable.

14. Estimated cost to the Government.

Estimated responses/yr..... 414,909
 Reviewing time (hr)/response..... x 0.167
 Review time /yr..... 69,290
 Hourly rate*..... x \$49
 Estimated annual cost to the Government.....\$3,395,210

0. Reasons for changes. There are no program changes. The FAR requirements remain the same. Adjustments are made to the public and Government burden estimates based on the following:

- The estimated cost to the public and to the Government was updated based on use of calendar year 2025 OPM GS wage rates for the rest of the United States.

Reporting Public Burden	2022	2025	Change
Responses	414,909	414,909	0
Hours	207,455	207,455	0
Cost	\$12,239,816	\$14,729,305	+\$2,489,489

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

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

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

0. 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.