

**SUPPORTING STATEMENT FOR REQUEST FOR APPROVAL UNDER
THE PAPERWORK REDUCTION ACT AND 5 CFR 1320**

SECTION A. JUSTIFICATION

1. Section 635(b) of the Foreign Assistance Act (FAA) authorizes USAID to contract with any corporation, international organization, or other body or persons in or outside of the United States in furtherance of the purposes and within the limitations of the FAA. Attachment 1 to this Justification contains the information collection requirements placed on the public by the USAID Acquisition Regulation (AIDAR), published as 48 CFR Chapter 7. These nine information collections are all USAID unique procurement requirements. The only information collection requirement for the pre-award stage (the Employee Biographical Data Sheet) is needed to ensure Agency contracting personnel can exercise prudent management in determining that an offeror either has or can obtain the ability to competently manage development assistance programs utilizing public funds. Information collection requirements during the post-award period are needed to administer public funds prudently. See Attachment 1 for brief statements of specific circumstances applicable to individual collections. Copies of the applicable sections of the AIDAR establishing the information collections are attached as Attachment 2.
2. The collections shown in Attachment 1 are required to award and administer USAID contracts. All but one of the information collections shown on Attachment 1 are for post contract award purposes and are needed to properly administer the contract. The various types of information required by the AIDAR are reviewed by either the contracting officer, the contracting officer's representative, or the financial management officer to monitor financial, technical, and cost data. Without the information, USAID cannot prudently manage public funds. The other remaining information collection is the Employee Biographical Data Sheet, AID Form 1420-17. Offerors (at the pre-award stage) and contractors (during contract administration) complete this form for employees and consultants who will work on the contract and whose salaries are reimbursable under the contract. The contracting officer uses the information provided to determine if the individual meets the contract requirements and if the salary is reasonable for the work to be performed.
3. USAID encourages the use of email, internet, or other electronic technology. All of the AIDAR information collections can be submitted and reviewed electronically through email. We are continually reviewing the AIDAR to simplify the submission requirements wherever possible.
4. We have reviewed these AIDAR requirements to ensure that they are not duplicated by other agency-specific or Government-wide policies. Of the information collection requirement/forms listed herein, no similar information is already available in USAID, or from any other source known to us, which can be used or modified for our purposes.
5. As we have reported in the past and further explained in item #12 below, while the hourly burden for the information collections under this submission falls on the public, the cost for most of these collections are reimbursable as either direct or indirect contract expenses. Thus, the

public burden, including that for small businesses, is limited to costs related to submission of Biodata forms in accordance with AIDAR section 752.7001 (Item #5 in Attachment 1). Given that these costs can be reimbursed when included in the offeror's indirect costs and only affect offerors that do not have existing federal contracts, as we have done in the past, we are estimating that 25 percent of the submissions under the Item #5 constitute a cost to the public.

Based on the active awards data for FY'2020, USAID has 134 cost-reimbursement contracts with small businesses. Given our estimate of approximately eight submissions per award and the hourly rate of \$92.26, we anticipate that the total burden on the small businesses will be \$49,451. And 25% of that is \$12,363, so we conclude that the collection of the information will not have a significant impact on a substantial number of small businesses or other small entities.

6. USAID cannot reduce the frequency of these information collection requirements without losing its ability to properly award and administer contracts using public funds.

7. One of the information collections included in this report allows for submission more frequently than the OMB guideline for reporting no more frequently than quarterly. AIDAR 752.7003 Documentation for Payment (Item #7 in Attachment 1) supplements the FAR payment clauses, FAR 52.216-7 Allowable Cost and Payment (for cost reimbursement contracts) and FAR 52.232-7 Payments Under Time-and-Materials and Labor Hour contracts. These clauses allow contractors to invoice for payment as frequently as once every two weeks, and more frequently for small businesses. The AIDAR clause requires this submission as part of the FAR invoice process. Collecting this information more frequently than quarterly allows contractors to be paid as work progresses and assists with cash flow.

8. USAID published a 60-day notice for this collection in the Federal Register on March 5, 2021 (86 FR 12901) and received one comment. The commenter noted that current formatting of the Employee Biographical Data Sheet, AID Form 1420-17, included multiple sections that were too small to accommodate the information requested. In response to this comment, USAID has revised AID Form 1420-17 to include additional space for various response categories. This revision should minimize the need for form respondents to attach additional documents to their form submission, reducing public burden for completion and federal burden for review. In addition, the commenter stated that completion time on the form (30 minutes) per response is inconsistent with notice and response time (1.3 hours per response). USAID was not able to identify where the suggested 1.3 hours per response is coming from and could not identify any inconsistencies. USAID also published a 30-day notice on July 15, 2021 (86 FR 31693). In addition to the notices, we routinely communicate with our contractors through semi-annual "Partners Days" sponsored by the USAID Acquisition Ombudsman. USAID contractors fully participate in these sessions but have not questioned the need for any of these information collections.

9. Not applicable since any payments are in the form of remuneration to contractors.

10. USAID shares or protects information as required by law.

11. Information of a sensitive nature is not requested in these collections.

12. We estimated the hour burden for the information collections as shown below. The estimates are supported by Attachment 1, Information Collection Summary and Justification as follows:

Block 13, Form 83-I

Attachment 1

- a. Number of respondents (and frequency of responses) varies by item, see narrative a. below
- b. Total annual responses varies by item, see narrative b. below; includes percentage of these responses collected electronically
- c. Total annual hours requested see c. below

a. The "**Number of respondents**" and the frequency of responses vary by item, as summarized in Attachment 1 and explained herein. We based our estimates on the number of active contracts/task orders of record during fiscal year (FY) 2020, the most recent year for which we have complete data. The data came from the Agency's world-wide web-based acquisition system, Global Acquisition and Assistance System (GLAAS). In FY 2020 USAID had 1028 active contracts and orders, excluding those under the simplified acquisition threshold and fixed price ocean transportation, comprised of the following:

CONTRACT TYPE	AWARD_IDV_TYPE	# OF CONTRACTS
☐ Cost Reimbursable	DEFINITIVE CONTRACT	274
	DELIVERY ORDER	293
	IDC	57
Cost Reimbursable Total		624
☐ Fixed Price	BOA	86
	BPA CALL	26
	DEFINITIVE CONTRACT	156
	DELIVERY ORDER	94
	IDC	42
Fixed Price Total		404
Grand Total		1028

Out of 624 cost reimbursable contracts, 554 of those were performed outside of the U.S.

Even though the same contractor may have multiple contracts and/or task orders, we estimate that contractors and prospective contractors will have a different respondent or respondents per contract or order for each type of submission.

For each collection, we used either the frequencies required by the submission prescription itself to estimate the number of submissions expected per year or, for those submissions triggered by

events, we used our experience with how often these events occur per contract to estimate the average.

The following submissions, identified by item number and AIDAR section in Attachment 1, are triggered by an event:

#1	752.219-8	#6	752.7002(j)
#3	752.245-71(c)(2)	#8	752.7004
#4	752.247-70(c)	#9	752.7032
#5	752.7001		

In Attachment 1, we indicate after each item the estimated number of respondents for that item, and for Items #4, #5, #7, #8, and #9, we also specify the frequency of responses by respondents. For Items #1, #2, #3, and #6, we estimate that each respondent submits one time per year.

For Item #1, AIDAR 752.219-8 we used the same number of submissions per year as in the previous request (100 submissions) based on our past experience.

For Item #2, AIDAR 752.245-70, and Item 3, 752.245-71(c), as in the previous request, we estimate that approximately 60% of all contracts, excluding those for ocean transportation services and commercial items below the simplified acquisition threshold, would require the annual report under Item #2 and 10% of those contracts would require an annual report under Item #3.

Frequency of reporting under Item #4, AIDAR 752.247-70(c), and Item 6, AIDAR 752.7002(j), is based on our past experience and remains unchanged.

For Item #5, AIDAR 752.7001, as with the previous request, we estimate eight submissions per year for each cost-reimbursement contract/order.

For Item #7, AIDAR 752.7003, we continue to estimate that contractors for each contract and task order will invoice biweekly, and this clause will apply each time. As with the previous submission, we use the total number of all awards, exclusive of all fixed price contracts and task orders, to estimate the number of respondents.

For both Item #8, AIDAR 752.7004, and Item #9, AIDAR 752.7032, we revised the number of submissions per year to reflect the contract statistics in Item 12 above. Both clauses apply in all task orders and in all contracts, excluding the ocean transportation contracts and purchase orders. For Item #8, we continue to estimate that there are eight respondents per contract or task order per year and for Item #9, we continue to estimate that there are three responses per contract or task order per year.

The total number of respondents is the sum of the number of respondents for each item, **4,877**.

b. The "**Total annual responses**" is **33,249**, the sum of line D amounts (Number of submissions per year from Attachment 1). The percentage of collections submitted electronically

was 100%, as email has become the principal method of communication between the Agency and contractors.

c. The "**Total annual hours requested**" (line 13.c of Form 83-I) is the total of the response times from the public for each collection. In Attachment 1, this equates to the **Total Hour Burden, line E** under the public burden column, **43,943 hours**. We used the same hours per submission that we reported in our last request, since the collections are the same and the effort and methods the public uses in preparing the submissions are basically unchanged.

The annualized cost for the Annual Public Burden is also provided in Attachment 1 for each information collection. This cost is **\$ 4,054,200** and is the sum of all **line G** amounts in the far right-hand column. However, as we have reported in the past, the hourly burden for these information collections falls on the public, but the cost for most of these collections falls under the federal cost burden, since they are either direct or indirect expenses reimbursable under federal contracts. The only exception is the burden of submissions for AIDAR section 752.7001 "Biographical Data" (Item #5 in Attachment 1) that are collected in a proposal submission at the pre-award stage. Costs related to this submission may be included in the offeror's indirect costs, but if the offeror does not have existing federal contracts or if the proposal submission does not result in a contract award, then the cost is the responsibility of the offeror (submitter). We would need to conduct a large survey in order to accurately determine how many Biographical Data forms are submitted per year in unsuccessful proposals (i.e., proposals that do not result in a contract award) or from offerors with no existing federal contracts. As we have done in the past, we are estimating that 25 percent of the submissions are actually a cost to the public. Therefore, **the annual public cost burden for this collection is 25 percent of total cost burden for the Biographical Data sheet (\$230,281) or \$57,570**. The remaining total cost burden, **\$3,996,629** is included in the annualized cost to the federal government (ref. Item 14, below).

To estimate the annualized cost to respondents, we calculated the **hourly rate** based on estimated income per hour from the Bureau of Labor Statistics for a Business and Financial Operations Occupation in the DC area as of May 2019 (\$46.13), and then applied the estimated amount for overhead and fringe benefits @100% of the salary. The calculation is therefore

$\$46.13/\text{hr} \times 2 \text{ (fringe and overhead)} = \$92.26/\text{hr}$.

13. There are no capital and start-up costs, or operation, maintenance, or purchase of services components associated with the information collection. The total annual cost burden to respondents is addressed in either Item 12 or Item 14.

14. The estimate of the annualized cost to the federal government is the sum of the cost of federal employee effort for each collection ("Annual Federal Burden" in the column so labeled in Attachment 1) and the part of the cost of the Annual Public Burden (in the far right-hand column in Attachment 1) that is reimbursed by the government through contracts. As already stated in Item 12 above, the only element of cost in the public burden that is a cost to the public is the amount reported at the end of Item 12 above. Therefore, the annualized cost to the federal government is the sum of all line G (Total cost burden) under the Annual Federal Burden (or \$2,843,482) plus the sum of all line G (Total cost burden) for the Annual Public Burden (or

\$4,054,200) less the amount reported in Item 12 above as a cost to the public (or \$57,570). **The total annualized cost to the federal government is therefore \$ 6,840,111.**

We estimated these costs as follows. For the federal cost burden, all federal salary costs in Attachment 1 are estimated using the base rate from the Office of Personnel Management Salary Table 2021 for the locality pay area of Washington-Baltimore, DC-MD-VA-WV. We used the salary of the federal employee who typically reviews the submission applied to the estimated amount of time the federal employee spends on each collection (line C under the Annual Federal Burden column in Attachment 1). For all Items except #1 and #4 that individual is typically a GS 13, Step 5, whose hourly rate for 2020, including the Washington, D.C. locality pay, is \$56.50. We applied a burden rate of 110% for fringe benefits and operational expenses as we have done in the past, to arrive at a burdened hourly rate for the federal burden of \$118.65. As explained earlier, we used the same number of hours for each submission as in the past, for both the federal and the public hour burden, since the submission requirements are basically the same. We applied the burdened hourly rate (line F) to the total burden hours (line E) to determine the total Annual Federal Burden (line G) for each item.

For Item #1, AIDAR 752.219-8, the federal burden is shared between the two federal employees who review this submission. One is a GS 13 Step 8 for one third of the effort, and the other is a GS 7 Step 5, for two thirds of the effort. We developed a composite hourly rate based on these proportions and applied the same burden rate of 110% for operational expenses, for an hourly burdened rate of \$80.29.

The total hourly burden for Item #4, AIDAR 752.247-70(c) is estimated based on the hourly rates of two federal employees normally processing this form (GS 11, step 5 at 90% of the time allotted and a GS-15, step 5 at 10% of the time allotted for each submission, a prorated hourly rate of \$43.53) plus 110% burden. The hourly rate is therefore estimated at \$91.41.

15. There are no program changes or adjustments reported under Item #13. The difference in hours is due to variation in the number of contracts the Agency has at any given time.

16. Not applicable.

17. Not applicable.

18. Since the information must be collected for a specific individual transaction, statistical survey methodology is not appropriate (certification statement (i) in Item 19 of the OMB 83-I).

SECTION B. Collections of Information Employing Statistical Methods.

The collection does not employ statistical methods.