

**Supporting Statement for Information Collection Submission
3090-0080 – Contract Financing Final Payment
GSA Form 1142, Release of Claims**

A. Justification

1. Explain the circumstances that make the collection of information necessary.

Monthly payments of building service contractors may be adjusted if the services do not conform to contract requirements. The contractor is notified of the proposed deductions and may provide facts, which justify reconsideration and/or adjustment of the proposed amount to be deducted. However, payments are not delayed or withheld pending resolution of disputes regarding proposed deductions. The contracting officer shall insert the clause at GSAR 552.232-72, Final Payment in all solicitations and contracts for recurring building services. This clause requires building services contractors to submit GSA Form 1142, Release of Claims before final payment is made. A similar release is required for construction contractors under FAR clause 52.532-5, Payments Under Fixed Price Construction Contracts, but such clause does not account for the specific GSA Form 1142 information collection burden.

2. Indicate how, by whom, and for what purpose the information is to be used.

The contracting officer will not approve final payment on a construction or building service contract prior to receipt of GSA Form 1142, Release of Claims.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques.

Improved information technology to obtain this information has not been developed. GSA Form 1142, Release of Claims may be completed online and submitted electronically to the contracting officer. Savings potential is minimal due to the limited scope of this information collection.

4. Describe efforts to identify duplication.

The nature of this requirement is such that it relates to a single contract and cannot be duplicated.

5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

The burden applied to small business is the minimum burden consistent with applicable laws, executive orders, regulations, and prudent business practices.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

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. Explain any special circumstances for this information collection.

Collection of the information is not inconsistent with guidelines contained in 5 CFR 1320.6.

8. Describe efforts to consult with persons outside the agency.

A 60-day notice published in the *Federal Register* at 86 FR 20159 on April 16, 2021. No comments were received. A 30-day notice published in the *Federal Register* at 86 FR 34242 on June 29, 2021.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

Not applicable.

10. Describe any assurance of confidentiality provided to respondents and the basis for assurance in statute, regulation, or agency policy.

This information is disclosed only to the extent consistent with agency regulations and applicable statutes.

11. Provide additional justification for any questions of a sensitive nature.

No sensitive questions are involved.

12 & 13. Provide estimates of the hour burden and cost burden to respondents or recordkeepers resulting from the collection of information.

GSA based the estimated burden of the collection of information on information obtained from Federal Data Procurement System Next Generation (FPDS-NG) via beta.sam.gov.

The methodology was to limit the data to only those actions that were GSA contracting activity (ID = 4700) and GSA funded (ID=4700). Further, the Product/Service Codes: M1, S2, and Z1 were utilized (which are the appropriate codings for contracts for “building services”). This methodology was intended to capture those contracts which would contain the clause at GSAR 552.232-72, which drives the use of GSA Form 1142, which is the form that drives the burden of the information collection.

With the above parameters in place, data was pulled to capture the unique contract awards for fiscal years 2018, 2019, and 2020 (the available years since the last renewal of this information collection). Each year’s respective amount of actions were collectively summed and then divided by 3, to give an annual average response of 1,330/year. Because GSA Form 1142 is submitted in order to release final payment to a contractor, it is only expected that each respondent will only provide 1 response, and such response will take minimum effort (6 minutes or 1/10th of an hour).

The burden addressed in this information collection requirement is the burden of developing, preparing, and submitting the required information. The number of respondents estimated to be affected has decreased significantly since the last information collection renewal (approximately a 82% reduction from the most recent renewal). However, this reduction is almost exclusively due to methodology restriction to GSA funded and GSA contracting office actions, prior information collection renewals included non-GSA funded actions which would not have utilized GSA Form 1142. Based on this methodology change, it is impossible to extrapolate any other estimates for a linear reduction in responses. Each response is estimated to take 0.1 hours, on average. 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 information requested on the GSA Form 1142 is not of a special nature. It falls into the category of customary and usual business practice. No special capital or start-up costs are required for this form to be completed.

Estimated Respondents Per Year	1,330
Responses Per Respondent	<u>x 1.0</u>
Total Annual Responses	1,333
Estimated Hours Per Response	<u>x 0.10</u>
Estimated Total Burden Hours	133
Cost Per Hour*	<u>x \$26.09</u>
Estimated Cost to the Public	\$3,470

*The estimated cost per hour is based on the equivalent of a GS-5, Step 5 rate of \$19.15 (Base Pay and Rest of US Locality Pay) (Salary Table 2021-RUS, General Schedule,

Effective January 2021), with fringe of 36.25% (OMB Memo M-08-13) for a fully burdened rate of \$26.09/hour.

14. Provide estimates of annualized costs to the Federal Government.

The estimated annualized costs to the Federal Government below reflects the time necessary for the Federal Government to review submitted GSA Forms 1142.

Estimated Respondents Per Year	1,333
Responses Per Respondent	<u>x 1</u>
Total Annual Responses	1,333
Estimated Hours Per Response	<u>x .10</u>
Estimated Total Burden Hours	133
Cost Per Hour*	<u>x \$32.32</u>
Estimated Cost to the Federal Government	\$4,299

*The estimated cost per hour is based on the equivalent of a GS-7, Step 5 rate of \$23.72 (Base Pay and Rest of US Locality Pay) (Salary Table 2021-RUS, General Schedule, Effective January 2021), with fringe of 36.25% (OMB Memo M-08-13) ($\$23.72 * 1.3625 = \32.32).

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14.

There has been a reduction in the number of respondents due the exclusion of construction and building service contracts that were erroneously accounted for previously and overstated the number of respondents (i.e., accounted for contracts that would not have used GSA Form 1142). The data utilized for this information collection is pulled from the Federal Procurement Data System Next Generation (FPDS-NG) via beta.sam.gov.

16. For collections of information whose results will be published, outline plans for tabulation and publication.

The results will not be tabulated or published.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

GSA is not seeking approval to not display the expiration date for OMB approval of the information collection.

18. Explain each exception to the certification statement identified in the “Certification for Paperwork Reduction Act Submissions”.

Not applicable.

B. Collections of Information Employing Statistical Methods.

Not applicable. This collection does not employ statistical methods.