

## SUPPORTING STATEMENT - PART A

### **Supporting Statement for Department of Veterans Affairs Acquisition Regulation (VAAR) Construction Provisions and Clauses OMB Control No. 2900-0422**

#### Summary of Changes from Previously Approved Collection

- There are no revisions to the previously approved information collection (IC) instruments.
- The supporting statement is updated to the current format.
- Content in Section 10 has been updated.
- As reflected in Section 15, there is no change in burden hours from the previous approval. The burden cost of these information collections increased by \$18,409 because wage rates have increased.
- The 60-day public comment period ended on 11/17/2025. VA received no comments.

#### 1. Need for the Information Collection

The Department of Veterans Affairs (VA), Office of Acquisition and Logistics (OAL) requests the Office of Management and Budget (OMB) grant an extension of a previously approved IC request, OMB control number 2900-0422, for the following five collections of information for the Department of Veterans Affairs Acquisition Regulation (VAAR) clauses:

- Clause 852.232-70, Payment Under Fixed-Price Construction Contracts (without NAS-CPM).
- Clause 852.232-71, Payment Under Fixed-Price Construction Contracts (including NAS-CPM).
- Clause 852.236-72, Performance of Work by the Contractor.
- Clause 852.236-80, Subcontracts and Work Coordination.
- Clause 852.243-70, Construction Contract Changes-Supplement.

The information is needed by VA to administer construction contracts and to carry out its responsibility to construct, maintain, and repair real property for the Department.

Authorities: 44 U.S.C. § 3507, Paperwork Reduction Act of 1995; 48 C.F.R. §§ 1.301–1.304; 48 C.F.R. § 832.111-70; 48 C.F.R. § 836.501; 48 C.F.R. § 836.574; and 48 C.F.R. § 843.205-70

#### 2. Use of the Information

- a. VAAR clause 852.232-70, Payment Under Fixed-Price Construction Contracts (without NAS-CPM), requires construction contractors not using Network Analysis System-Critical Path Method (NAS-CPM), to submit a schedule of costs for work to be performed under the contract. The information is used by the contracting officer to determine the correct amount to pay the contractor. In addition, if the contract includes guarantee period services, Alternate I requires the contractor to submit information on the total and itemized costs of the guarantee period services and to submit a performance plan/program. The information is needed to allow the contracting officer to determine the correct amount to pay the contractor as work progresses and to properly proportion the amount paid for guarantee period services.
- b. VAAR clause 852.232-71, Payment Under Fixed-Price Construction Contracts (including NAS-CPM), requires construction contractors to submit a schedule of costs for work to be performed under the contract. The information is used by the contracting officer to determine the correct amount to pay the contractor. In addition, if the contract includes guarantee period services, Alternate I requires the contractor to submit information on the total and itemized costs of the guarantee period services and to submit a performance plan/program. The information is needed to allow the contracting officer to determine the correct amount to pay the contractor as work progresses and to properly proportion the amount paid for guarantee period services. The difference between this clause and the one above, 852.232-70, is that this clause requires the contractor to use a computerized Network Analysis System – Critical Path Network (NAS-CPM) to prepare the cost estimate.
- c. VAAR clause 852.236-72, Performance of Work by the Contractor, requires contractors awarded a construction contract containing Federal Acquisition Regulation (FAR) clause 52.236-1, Performance of Work by the Contractor, to submit a statement designating the branch or branches of contract work to be performed by the contractor's own forces. The FAR clause requires the contractor to perform a minimum percentage of the work under the contract with its own forces. This VAAR clause implements this FAR clause by requiring the contractor to provide information to the contracting officer on just how the contractor intends to fulfill this contractual obligation. The information is used by the contracting officer to ensure that the contractor complies with the contract requirements.
- d. VAAR clause 852.236-80, Subcontracts and Work Coordination, requires construction contractors on contracts involving complex mechanical-electrical work, to furnish coordination drawings showing the manner in which utility lines will fit into available space and relate to each other and to the existing building elements. The intent of this information is to promote carefully planned work sequencing and proper trade coordination on construction contracts, to assure expeditious solutions to problems, and to avoid or minimize additional costs to the contractor and the Government. The information is used by the contracting officer and the VA engineer assigned to the project to resolve any problems relating to the installation of utilities on construction contracts.

e. VAAR clause 852.243-70, Construction Contract Changes—Supplement, supplements FAR clause 52.243-4, Changes. FAR clause 52.243-4 authorizes the contracting officer to order changes to a construction contract but does not specifically require the contractor to submit cost proposals for those changes. VAAR clause 852.243-70 requires contractors to submit cost proposals for changes ordered by the contracting officer or for changes proposed by the contractor. This information is needed to allow the contracting officer and the contractor to reach a mutually acceptable agreement on how much to pay the contractor for the proposed changes to the contract. It is also used by the contracting officer to determine whether to authorize the proposed changes, and whether additional changes are needed.

### 3. Use of Information Technology

VA almost always requests or allows offerors/contractors to submit these ICs electronically – typically via email or uploaded into VA-provided portal links. VA complies with the policy in Federal Acquisition Regulation (FAR) 4.002 (Deviation, Nov 2025) that mandates using electronic commerce whenever practicable and cost-effective.

### 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 Collection

For all clauses, the information is needed following the award of each contract or for each unique situation (e.g., for each proposed contract change) rather than quarterly. The information is only required once for each contract or situation (e.g., each proposed contract change).

### 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 C.F.R. § 1320.5(d)(2). More specifically to one requirement, regarding requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it, except for clause 852.236-80, either no time has been set for the submission of the data or at least 30 days have been allowed for the submission of data. Clause 852.236-80, Subcontracts and Work Coordination, and its Alternate I, require the contractor to submit data no later than 20 days prior to the scheduled start of work on the contract. This may be, and most likely will be, significantly longer than 30 days after award of the contract (award of the contract serves as notice to the contractor that the information is required). The sooner

the contractor can submit the data, the sooner the contractor can proceed with performance. It is in the best interest of both the contractor and the Government to expedite the submission of the data.

## 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, 2025. The 60-Day FRN citation is 90 FR 44907. No comments were received during the 60-Day Comment Period.

A 30-Day FRN for the collection was published on Thursday, November 20, 2025. The 30-Day FRN citation is 90 FR 52495.

### 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

- 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.
- No assurances of privacy/confidentiality will be provided to respondents. However, 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.
- These information collections do not require the submission of proprietary information.
- Contract laws and regulations specify record retention requirements for contracts. FAR subpart 4.7, Contractor Records Retention, states the required records retention period based on different contract actions and circumstances.

## 11. Sensitive Questions

No questions considered sensitive are being asked in these collections.

12. Respondent Burden and its Labor Costs

Part A: ESTIMATION OF RESPONDENT BURDEN

1) Collection Instruments:

a. VAAR Clause 852.232-70, Payment Under Fixed-Price Construction Contracts (without NAS-CPM)

- a) Number of Respondents: 1,219
- b) Number of Responses Per Respondent: 1 per each awarded contract
- c) Number of Total Annual Responses: 1,219
- d) Response Time: 60 minutes
- e) Respondent Burden Hours: 1,219 Burden Hours

b. VAAR Clause 852.232-71, Payment Under Fixed-Price Construction Contracts (including NAS-CPM)

- a) Number of Respondents: 92
- b) Number of Responses Per Respondent: 1 per each awarded contract
- c) Number of Total Annual Responses: 92
- d) Response Time: 30 minutes
- f) Respondent Burden Hours: 46 Burden Hours

c. VAAR Clause 852.236-72, Performance of Work by the Contractor

- a) Number of Respondents: 60
- b) Number of Responses Per Respondent: 1 per each awarded contract
- c) Number of Total Annual Responses: 60
- d) Response Time: 60 minutes
- g) Respondent Burden Hours: 60 Burden Hours

d. VAAR Clause 852.236-80 Subcontracts and Work Coordination, with its Alternate I

- a) Number of Respondents: 92
- b) Number of Responses Per Respondent: 1 per each awarded contract
- c) Number of Total Annual Responses: 92
- d) Response Time: 600 minutes
- h) Respondent Burden Hours: 920 Burden Hours

e. VAAR Clause 852.243-70, Construction Contract Changes-Supplement

- a) Number of Respondents: 243
- b) Number of Responses Per Respondent: 1 per each awarded contract modification
- c) Number of Total Annual Responses: 243
- d) Response Time: 180 minutes
- i) Respondent Burden Hours: 729 Burden Hours

2) Total Submission Burden (Summation or average based on collection)

- a) Total Number of Respondents: 1706 respondents
- b) Total Number of Annual Responses: 1706 responses

c) Total Respondent Burden Hours: 2,974 hours

Part B: LABOR COST OF RESPONDENT BURDEN

1) Collection Instrument(s)

a. VAAR Clause 852.232-70, Payment Under Fixed-Price Construction Contracts (without NAS-CPM)

- a) Number of Total Annual Responses: 1,219
- b) Response Time: 60 minutes
- c) Respondent Hourly Wage: \$38.23
- d) Labor Burden per Response: \$38.23
- e) Total Labor Burden: \$46,602 (1,219 hours at \$38.23 per hour)

b. VAAR Clause 852.232-71, Payment Under Fixed-Price Construction Contracts (including NAS-CPM)

- a) Number of Total Annual Responses: 92
- b) Response Time: 30 minutes
- c) Respondent Hourly Wage: \$38.23
- d) Labor Burden per Response: \$19.12
- e) Total Labor Burden: \$1,759 (46 hours at \$38.23 per hour)

c. VAAR Clause 852.236-72, Performance of Work by the Contractor

- a) Number of Total Annual Responses: 60
- b) Response Time: 1 hour
- c) Respondent Hourly Wage: \$38.23
- d) Labor Burden per Response: \$38.23
- e) Total Labor Burden: \$2,294 (60 hours at \$38.23 per hour)

d. VAAR Clause 852.236-80, Subcontracts and Work Coordination, with its Alternate I

- a) Number of Total Annual Responses: 92
- b) Response Time: 10 hours
- c) Respondent Hourly Wage: \$38.23
- d) Labor Burden per Response: \$38.23
- e) Total Labor Burden: \$35,172 (920 hours at \$38.23 per hour)

e. VAAR Clause 852.243-70, Construction Contract Changes-Supplement

- a) Number of Total Annual Responses: 243
- b) Response Time: 3 hours
- c) Respondent Hourly Wage: \$38.23
- d) Labor Burden per Response: \$114.69
- e) Total Labor Burden: \$27,870 (729 hours at \$38.23 per hour)

2) Overall Labor Burden

- a) Total Number of Annual Responses: 1706 responses
- b) Total Labor Burden: \$113,697

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 [https://www.bls.gov/oes/current/oes\\_nat.htm#47-0000](https://www.bls.gov/oes/current/oes_nat.htm#47-0000). According to the latest (May 2024) available BLS data, the median annual wage for “47-0000 Construction and Extraction Occupations” was \$58,360. Assuming a standard of 2,080 working hours per year (52 weeks \* 40 hours), the BLS median hourly wage would be approximately \$28.06 (58,360 / 2,080). \$28.06 plus 36.25% fringe benefits per OMB Memo M-08-13 dated March 11, 2008, would equal a respondent hourly rate of \$38.23.

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 Instruments

a. VAAR Clause 852.232-70, Payment Under Fixed-Price Construction Contracts (without NAS-CPM)

- a) Number of Total Annual Responses: 1219
- b) Processing Time per Response: 1 hour
- c) Hourly Wage of Workers Processing Responses: \$46.73
- d) Cost to Process Each Response: \$46.73
- e) Total Cost to Process Responses: \$56,964

b. VAAR Clause 852.232-71, Payment Under Fixed-Price Construction Contracts (including NAS-CPM)

- a) Number of Total Annual Responses: 92
- b) Processing Time per Response: .5 hours
- c) Hourly Wage of Workers Processing Responses: \$46.73
- d) Cost to Process Each Response : \$23.37
- e) Total Cost to Process Responses: \$2,150

c. VAAR Clause 852.236-72, Performance of Work by the Contractor

- a) Number of Total Annual Responses: 60
- b) Processing Time per Response: 1 hour
- c) Hourly Wage of Workers Processing Responses: \$46.73
- d) Cost to Process Each Response: \$46.73
- e) Total Cost to Process Responses: \$2803

d. VAAR Clause 852.236-80, Subcontracts and Work Coordination, with its Alternate I

- a) Number of Total Annual Responses: 92

- b) Processing Time per Response: 10 hours
  - c) Hourly Wage of Workers Processing Responses: \$46.73
  - d) Cost to Process Each Response: \$467.30
  - e) Total Cost to Process Responses: \$42,992
- e. VAAR Clause 852.243-70, Construction Contract Changes-Supplement
- a) Number of Total Annual Responses: 243
  - b) Processing Time per Response: 3 hours
  - c) Hourly Wage of Workers Processing Responses: \$46.73
  - d) Cost to Process Each Response: \$140.19
  - e) Total Cost to Process Responses: \$34,066
- 2) Overall Labor Burden to the Federal Government
- a) Total Number of Annual Responses: 1,706
  - b) Total Labor Burden: \$138,975

Estimated annualized cost to the Government: \$138,975 (2,974 hours at \$46.73 per hour). It is estimated that the review and statement will be prepared by a Journeyman Contract Specialist equivalent to a 11, Step 5 see Salary Table 2025-GS (\$34.30) ([https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2025/GS\\_h.pdf](https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2025/GS_h.pdf)) plus 36.25% per OMB Memo M-08-13 dated March 11, 2008, the hourly rate is (\$30.94 X 136.25%) \$46.73.

#### 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: \$138,975
- 2) Total Operational and Maintenance Costs: \$0
- 3) Total Cost to the Federal Government: \$138,975

#### 15. Reasons for Change in Burden

There is no burden hour change. The burden cost estimate has increased since the previous approval due to higher wage rates for the BLS labor rate and the GS pay rate. This results in a net increase of \$18,409 in burden cost, as shown below.

Summary of the cost differences between this SS and last SS

SS Block #	Cost This SS	Cost Last SS	Increase (Decrease)	Reason
12	\$113,697	\$108,879	\$ 4,818	Increase in BLS rate.
14	\$138,975	\$125,384	\$13,591	Increase in GS rate.

16. Publication of Results

The results of these information collections will not be published.

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 these collection instruments.

18. Exceptions to "Certification for Paperwork Reduction Submissions"

We are not requesting any exemptions to the provisions stated in 5 C.F.R. § 1320.9.