

**DEPARTMENT OF DEFENSE****GENERAL SERVICES  
ADMINISTRATION****NATIONAL AERONAUTICS AND  
SPACE ADMINISTRATION**

[Docket 2012–0076; Sequence 45; OMB  
Control No. 9000–0082]

**Federal Acquisition Regulation;  
Submission for OMB Review;  
Economic Purchase Quantity—  
Supplies**

**AGENCY:** Department of Defense (DOD),  
General Services Administration (GSA),  
and National Aeronautics and Space  
Administration (NASA).

**ACTION:** Notice of request for public  
comments regarding an extension to an  
existing OMB clearance.

**SUMMARY:** Under the provisions of the  
Paperwork Reduction Act, the  
Regulatory Secretariat will be  
submitting to the Office of Management  
and Budget (OMB) a request to review  
and approve an extension of a  
previously approved information  
collection requirement concerning  
Economic Purchase Quantity—Supplies.  
A notice was published in the **Federal  
Register** at 77 FR 43077, on July 23,  
2012. One respondent submitted  
comments.

Public comments are particularly  
invited on: Whether this collection of  
information is necessary for the proper  
performance of functions of the Federal  
Acquisition Regulation (FAR), and  
whether it will have practical utility;  
whether our estimate of the public  
burden of this collection of information  
is accurate, and based on valid  
assumptions and methodology; ways to  
enhance the quality, utility, and clarity  
of the information to be collected; and  
ways in which we can minimize the  
burden of the collection of information  
on those who are to respond, through  
the use of appropriate technological  
collection techniques or other forms of  
information technology.

**DATES:** Submit comments on or before  
February 25, 2013.

**ADDRESSES:** Submit comments  
identified by Information Collection  
9000–0082, Economic Purchase  
Quantity—Supplies, by any of the  
following methods:

- *Regulations.gov:* <http://www.regulations.gov>.

Submit comments via the Federal  
eRulemaking portal by searching the  
OMB control number. Select the link  
“Submit a Comment” that corresponds  
with “Information Collection 9000–0082  
Economic Purchase Quantity—

Supplies”. Follow the instructions  
provided at the “Submit a Comment”  
screen. Please include your name,  
company name (if any), and  
“Information Collection 9000–0082  
Economic Purchase Quantity—  
Supplies” on your attached document.

- *Fax:* 202–501–4067.
- *Mail:* General Services

Administration, Regulatory Secretariat  
(MVCB), 1275 First Street NE.,  
Washington, DC 20417. ATTN: Hada  
Flowers/IC 9000–0082, Economic  
Purchase Quantity—Supplies.

*Instructions:* Please submit comments  
only and cite Information Collection  
9000–0082, Economic Purchase  
Quantity—Supplies, in all  
correspondence related to this  
collection. All comments received will  
be posted without change to <http://www.regulations.gov>, including any  
personal and/or business confidential  
information provided.

**FOR FURTHER INFORMATION CONTACT:** Mr.  
Michael O. Jackson, Procurement  
Analyst, Office of Governmentwide  
Acquisition Policy, (202) 208–4949 or  
email [michaelo.jackson@gsa.gov](mailto:michaelo.jackson@gsa.gov).

**SUPPLEMENTARY INFORMATION:****A. Purpose**

The provision at 52.207–4, Economic  
Purchase Quantity—Supplies, invites  
offerors to state an opinion on whether  
the quantity of supplies on which bids,  
proposals, or quotes are requested in  
solicitations is economically  
advantageous to the Government. Each  
offeror who believes that acquisitions in  
different quantities would be more  
advantageous is invited to (1)  
recommend an economic purchase  
quantity, showing a recommended unit  
and total price, and (2) identify the  
different quantity points where  
significant price breaks occur. This  
information is required by Public Law  
98–577 and Public Law 98–525.

**B. Discussion and Analysis**

One respondent submitted public  
comments on the extension of the  
previously approved information  
collection. The analysis of the public  
comments is summarized as follows:

*Comment:* The respondent  
commented that the extension of the  
information collection would violate the  
fundamental purposes of the Paperwork  
Reduction Act because of the burden it  
puts on the entity submitting the  
information and the agency collecting  
the information. The respondent  
opposes granting the extension of the  
information collection requirement.

*Response:* In accordance with the  
Paperwork Reduction Act (PRA),

agencies can request an OMB approval  
of an existing information collection.  
The PRA requires that agencies use the  
**Federal Register** notice and comment  
process, to extend the OMB’s approval,  
at least every three years. This  
extension, to a previously approved  
information collection, pertains to the  
provision at FAR 52.207–4, Economic  
Purchase Quantity—Supplies, which  
invites offerors to state an opinion on  
whether the quantity of supplies on  
which bids, proposals, or quotes are  
requested in solicitations is  
economically advantageous to the  
Government. Each offeror who believes  
that acquisitions in different quantities  
would be more advantageous is invited  
to (1) recommend an economic purchase  
quantity, showing a recommended unit  
and total price, and (2) identify the  
different quantity points where  
significant price breaks occur. This  
information is required by Public Law  
98–577 and Public Law 98–525. Not  
granting this extension would  
consequently eliminate FAR clauses  
that provide a benefit to the public and  
the agency collecting the information.

*Comment:* The respondent  
commented that the agency did not  
accurately estimate the public burden  
challenging that the agency’s  
methodology for calculating it is  
insufficient and inadequate and does  
not reflect the total burden. For this  
reason, the respondent provided that the  
agency should reassess the estimated  
total burden hours and revise the  
estimate upwards to be more accurate,  
as was done in FAR Case 2007–006. The  
same respondent also provided that the  
burden of compliance with the  
information collection requirement  
greatly exceeds the agency’s estimate  
and outweighs any potential utility of  
the extension.

*Response:* Serious consideration is  
given, during the open comment period,  
to all comments received and  
adjustments are made to the paperwork  
burden estimate based on reasonable  
considerations provided by the public.  
This is evidenced, as the respondent  
notes, in FAR Case 2007–006 where an  
adjustment was made from the total  
preparation hours from three to 60. This  
change was made considering  
particularly the hours that would be  
required for review within the company,  
prior to release to the Government.

The burden is prepared taking into  
consideration the necessary criteria in  
OMB guidance for estimating the  
paperwork burden put on the entity  
submitting the information. For  
example, consideration is given to an  
entity reviewing instructions; using  
technology to collect, process, and

disclose information; adjusting existing practices to comply with requirements; searching data sources; completing and reviewing the response; and transmitting or disclosing information. The estimated burden hours for a collection are based on an average between the hours that a simple disclosure by a very small business might require and the much higher numbers that might be required for a very complex disclosure by a major corporation. Also, the estimated burden hours should only include projected hours for those actions which a company would not undertake in the normal course of business.

Careful consideration went into assessing the burden for this collection. There is no centralized database for the collection of the information associated with this requirement. The solicitation provision of this information collection is not required to be inserted in contracts for the General Services Administration multiple award schedule contract program where numerous agencies place orders for supplies. In addition, a contracting officer can determine not to include the provision in a solicitation for supplies under certain circumstances. Further, the FAR requirements to conduct market research significantly reduced the applicability of the provision because Government quantities are more in line with industry practices. However, based on the information submitted by the respondent an adjustment is made to the estimated burden. At any point, members of the public may submit comments for further consideration, and are encouraged to provide data to support their request for an adjustment.

### C. Annual Reporting Burden

*Respondents:* 3,000.

*Responses Per Respondent:* 25.

*Annual Responses:* 75,000.

*Hours per Response:* 1.

*Total Burden Hours:* 75,000.

#### *Obtaining Copies of Proposals:*

Requesters may obtain a copy of the information collection documents from the General Services Administration, Regulatory Secretariat (MVCB), 1275 First Street NE., Washington, DC 20417, telephone (202) 501-4755. Please cite OMB Control No. 9000-0082, Economic Purchase Quantity—Supplies, in all correspondence.

Dated: January 18, 2013.

**William Clark,**

*Acting Director, Federal Acquisition Policy Division, Office of Governmentwide Acquisition Policy, Office of Acquisition Policy, Office of Governmentwide Policy.*

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**BILLING CODE 6820-EP-P**

## DEPARTMENT OF DEFENSE

### GENERAL SERVICES ADMINISTRATION

### NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Docket 2012-0076; Sequence 43; OMB Control No. 9000-0073]

#### **Federal Acquisition Regulation; Submission of OMB Review; Advance Payments**

**AGENCIES:** Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

**ACTION:** Notice of request for public comments regarding an extension to an existing OMB clearance.

**SUMMARY:** Under the provisions of the Paperwork Reduction Act, the Regulatory Secretariat will be submitting to the Office of Management and Budget (OMB) a request to review and approve an extension of a previously approved information collection requirement concerning advance payments. A notice was published in the **Federal Register** at 77 FR 43083, on July 23, 2012. One comment was received.

Public comments are particularly invited on: Whether this collection of information is necessary for the proper performance of functions of the Federal Acquisition Regulations (FAR), and whether it will have practical utility; whether our estimate of the public burden of this collection of information is accurate, and based on valid assumptions and methodology; ways to enhance the quality, utility, and clarity of the information to be collected; and ways in which we can minimize the burden of the collection of information on those who are to respond, through the use of appropriate technological collection techniques or other forms of information technology.

**DATES:** Submit comments on or before February 25, 2013.

**ADDRESSES:** Submit comments identified by Information Collection 9000-0073 Advance Payments by any of the following methods:

• *Regulations.gov:* <http://www.regulations.gov>.

Submit comments via the Federal eRulemaking portal by searching the OMB control number. Select the link "Submit a Comment" that corresponds with "Information Collection 9000-0073, Advance Payments". Follow the instructions provided at the "Submit a Comment" screen. Please include your name, company name (if any), and "Information Collection 9000-0073, Advance Payments" on your attached document.

• *Fax:* 202-501-4067.

• *Mail:* General Services

Administration, Regulatory Secretariat (MVCB), 1275 First Street NE., Washington, DC 20417. ATTN: Hada Flowers/IC 9000-0073, Advance Payments.

*Instructions:* Please submit comments only and cite Information Collection 9000-0073, Advance Payments, in all correspondence related to this collection. All comments received will be posted without change to <http://www.regulations.gov>, including any personal and/or business confidential information provided.

**FOR FURTHER INFORMATION CONTACT:** Mr. Edward Chambers, Procurement Analyst, Office of Governmentwide Acquisition Policy, GSA (202) 501-3221 or email [edward.chambers@gsa.gov](mailto:edward.chambers@gsa.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **A. Purpose**

Advance payments may be authorized under Federal contracts and subcontracts. Advance payments are the least preferred method of contract financing and require special determinations by the agency head or designee. Specific financial information about the contractor is required before determinations by the agency head or designee. Specific financial information about the contractor is required before such payments can be authorized (see FAR 32.4 and 52.232-12). The information is used to determine if advance payments should be provided to the contractor.

##### **B. Analysis of Public Comments**

One respondent submitted public comments on the extension of the previously approved information collection. The analysis of the public comments is summarized as follows:

*Comment:* The respondent commented that the extension of the information collection would violate the fundamental purposes of the Paperwork Reduction Act because of the burden it puts on the entity submitting the information and the agency collecting the information.