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**DEPARTMENT OF DEFENSE**

**GENERAL SERVICES ADMINISTRATION**

**NATIONAL AERONAUTICS AND SPACE ADMINISTRATION**

[OMB Control No. 9000-0135; Docket 2016-0053; Sequence 40]

**Information Collection; Prospective Subcontractor Requests for Bonds**

**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 Division 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 concerning subcontractor requests for bonds.

**DATES:** Submit comments on or before **[INSERT DATE 60 DAYS AFTER PUBLICATION IN THE FEDERAL REGISTER]**.

**ADDRESSES:** Submit comments identified by Information Collection 9000-0135 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 9000-0135. Select the link "Comment Now" that corresponds with "Information Collection 9000-0135, Prospective Subcontractor Requests

for Bond.” Follow the instructions provided on the screen. Please include your name, company name (if any), and “Information Collection 9000-0135, Prospective Subcontractor Requests for Bond” on your attached document.

- Mail: General Services Administration, Regulatory Secretariat Division (MVCB), 1800 F Street, NW, Washington, DC 20405-0001. ATTN: Ms. Flowers/IC 9000-0135.

Instructions: Please submit comments only and cite Information Collection 9000-0135, in all correspondence related to this collection. Comments received generally will be posted without change to <http://www.regulations.gov>, including any personal and/or business confidential information provided. To confirm receipt of your comment(s), please check [www.regulations.gov](http://www.regulations.gov), approximately two to three days after submission to verify posting (except allow 30 days for posting of comments submitted by mail).

**FOR FURTHER INFORMATION CONTACT:** Ms. Cecelia Davis, Procurement Analyst, Acquisition Policy Division, at 202-219-0202 or email [cecelia.davis@gsa.gov](mailto:cecelia.davis@gsa.gov).

**SUPPLEMENTARY INFORMATION:**

## **A. Purpose**

Part 28 of the Federal Acquisition Regulation (FAR) contains guidance related to insuring against damages under Federal contracts (e.g., bonds, bid guarantees, etc.). Part 52 contains the corresponding provisions and clauses. These collectively implement the statutory requirement for Federal contractors to report payment bonds under construction contracts subject to 40 U.S.C. chapter 31, subchapter III, Bonds.

This information collection is mandated by Section 806 of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (Pub. L. 102-190), as amended by Section 2091 of the Federal Acquisition Streamlining Act of 1994 (Pub. L. 103-335). The clause at 52.228-12, Prospective Subcontractor Requests for Bonds, implements Section 806(a)(3) of Public Law 102-190, as amended, which states that, upon the request of a prospective subcontractor or supplier offering to furnish labor or material under a construction contract for which a payment bond has been furnished pursuant to 40 U.S.C. 31, the contractor shall promptly provide a copy of such payment bond to the requestor.

Given that payment bonds, in conjunction with performance bonds, are used to secure the contractor's obligations, thereby assuring that payments are made to

subcontractors and vendors under the contract, the requester will use information on payment bonds to determine whether to engage in business with that prime contractor.

**B. Annual Reporting Burden**

Number of respondents: 4,444.

Responses per respondent: 2.5.

Total annual responses: 11,110.

Hours per response: .34.

Total burden hours: 3,777.

Frequency: On occasion.

Affected Public: Construction prime contractors.

**C. Public Comments**

Public comments are particularly invited on: Whether this collection of information is necessary for the proper performance of functions of the 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.

**OBTAINING COPIES OF PROPOSALS:** Requesters may obtain a copy of the information collection documents from the General

Services Administration, Regulatory Secretariat Division  
(MVCB), 1800 F Street, NW, Washington, DC 20405, telephone  
202-501-4755. Please cite OMB Control Number 9000-0135,  
Prospective Subcontractor Requests for Bonds, in all  
correspondence.

**Dated: December 16, 2016**

Lorin S. Curit,  
Director,  
Federal Acquisition Policy Division,  
Office of Government-wide Acquisition Policy,  
Office of Acquisition Policy,  
Office of Government-wide Policy.

**BILLING CODE 6820-EP**

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