



**GENERAL SERVICES ADMINISTRATION**

[OMB Control No. 3090-XXXX; Docket No. 2019-0001; Sequence No. 14]

**Submission for OMB Review; General Services Administration Acquisition Regulation; Construction Manager as Constructor (CMc)**

**AGENCY:** Office of Acquisition Policy, General Services Administration (GSA).

**ACTION:** Notice of request for public comments regarding a new OMB information 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 a new information collection requirement regarding OMB Control No. 3090-XXXX, Adoption of Construction Project Delivery Method Involving Early Industry Engagement - Construction Manager as Constructor (CMc).

**DATES:** Submit comments on or before: **[Insert date 30 days after date of publication in the Federal Register].**

**ADDRESSES:** Submit comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Office of Information and Regulatory Affairs of OMB, Attention: Desk Officer for GSA, Room 10236, NEOB, Washington, DC 20503. Additionally submit a copy to GSA by any of the following methods:

- *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 3090-XXXX, Construction Manager as Constructor." Follow the instructions provided at the "Submit a Comment" screen. Please include your name, company name (if any), and "Information Collection 3090-XXXX, Construction Manager as Constructor" on your attached document.
- *Mail*: General Services Administration, Regulatory Secretariat Division (MVCB), 1800 F Street, NW, Washington, DC 20405. ATTN: Ms. Mandell/IC 3090-0303, Administrative Changes.

*Instructions*: Please submit comments only and cite Information Collection 3090-XXXX, Construction Manager as Constructor, 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. Christina Mullins,  
Procurement Analyst, General Services Acquisition Policy  
Division, GSA, at *christina.mullins@gsa.gov*.

**SUPPLEMENTARY INFORMATION:**

**A. Purpose**

The Paperwork Reduction Act (44 U.S.C. Chapter 35) applies because the final rule contains two (2) clauses with information collection requirements. Accordingly, the Regulatory Secretariat has submitted a request for approval of a new information collection requirement concerning this rule to the Office of Management and Budget under 44 U.S.C. 3501, *et seq.*

The information collected is used by PBS to evaluate contractor's proposals and negotiate contract modifications during contract administration.

**B. Annual Reporting Burden**

Total public reporting burden for this collection of information is estimated to average 400 total hours (\$31,020) annually, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The estimated burden hours to the public for the below clauses are as follows:

The new clause at GSAR 552.236-79, Construction-Contractor-as-Constructor, requires the contractor to submit proposals to establish the final estimated cost of the work, to convert the contract to a firm-fixed-price, and to determine the final settlement.

*Respondents:* 5.

*Responses per Respondent:* 1.

*Total Annual Responses:* 10.

*Hours per Response:* 40.

*Total Response Burden Hours:* 400.

*Cost per Hour:* \$77.55.

*Estimated Cost Burden to the Public:* \$31,020.

The new clause at GSAR 552.236-80, Accounting Records, contains a recordkeeping requirement that is subject to the Paperwork Reduction Act (44 U.S.C. 3501, *et seq.*). The clause requires the contractor to keep all relevant documents for a period of three years after the final payment. However, the clause does not add burden to what is already estimated for the existing FAR clause at 52.215-2, Audit and Records by a previous information collection (see OMB Control Number 9000-0034).

### **C. Public Comments**

A request for public comments published in the *Federal Register* at 83 FR 55838 on November 8, 2018 as part of a proposed rule under GSAR case 2015-G506. There were no comments received on the information collection, therefore there were no changes to the calculated burden estimates.

Public comments are particularly invited on: Whether this collection of information is necessary 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; and ways to enhance the quality, utility, and clarity of the information to be collected.

**OBTAINING COPIES OF PROPOSALS:** Requesters may obtain a copy of the information collection supporting statement from the General Services Administration, Regulatory Secretariat Division, 1800 F Street NW, Washington, DC 20405.

Please cite OMB Control No. 3090-XXXX, Construction Manager

as Constructor, in all correspondence

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**Billing Code: 6820-61**

[FR Doc. 2019-17699 Filed: 8/16/2019 8:45 am; Publication Date: 8/19/2019]