



GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[OMB Control No. 9000-0001; Docket No. 2023-0053; Sequence No. 10]

Submission for OMB Review; Certain Federal Acquisition Regulation Part 28 Requirements

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

ACTION: Notice.

SUMMARY: Under the provisions of the Paperwork Reduction Act, the Regulatory Secretariat Division has submitted to the Office of Management and Budget (OMB) a request to review and approve a revision of a previously approved information collection requirement regarding certain Federal Acquisition Regulation (FAR) part 28 requirements.

DATES: Submit comments on or before **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*.]**

ADDRESSES: Written comments and recommendations for this information collection should be sent within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting "Currently under Review - Open for Public Comments" or by using the search function.

FOR FURTHER INFORMATION CONTACT: Zenaida Delgado,
Procurement Analyst, at telephone 202-969-7207, or
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SUPPLEMENTARY INFORMATION:

A. OMB control number, Title, and any Associated Form(s) :

OMB Control No. 9000-0001, Certain Federal Acquisition
Regulation Part 28 Requirements, Standard Forms (SF) 24,
25, 25-A, 25-B, 28, 34, 35, 273, 274, 275, 1414, 1415,
1416, and 1418.

B. Need and Uses

DoD, GSA, and NASA are combining OMB Control Nos. by FAR
part. This consolidation is expected to improve industry's
ability to easily and efficiently identify burdens
associated with a given FAR part. The review of the
information collections by FAR part allows improved
oversight to ensure there is no redundant or unaccounted
for burden placed on industry. Lastly, combining
information collections in a given FAR part is also
expected to reduce the administrative burden associated
with processing multiple information collections.

This justification supports the extension of OMB Control
No. 9000-0001 and combines it with the previously approved
information collections under OMB Control No. 9000-0045,
with the new title "Certain Federal Acquisition Regulation
Part 28 Requirements". Upon approval of this consolidated
information collection, OMB Control No. 9000-0045 will be

discontinued. The burden requirements previously approved under the discontinued number will be covered under OMB Control No. 9000-0001.

This clearance covers the information that offerors or contractors must submit to comply with the following FAR requirements:

- FAR 52.228-1, Bid Guarantee. This provision (or clause) requires offerors or contractors to furnish a bid guarantee in the proper form and amount when a performance bond or a performance and payment bond is also required. (SF 24, Bid Bond; SF 34, Annual Bid Bond).
- FAR 52.228-2, Additional Bond Security. This clause requires contractors to furnish additional bond security under certain circumstances. This clause is used both for construction and other than construction contracts. (SF 1414 Consent of Surety and SF 1415, Consent of Surety and Increase of Penalty).
- FAR 52.228-13, Alternative Payment Protections. This clause requires contractors to submit one of the payment protections listed in the clause by the contracting officer, in construction contracts greater than \$35,000 but not exceeding \$150,000.
- FAR 52.228-14, Irrevocable Letter of Credit. This clause requires offerors or contractors to provide certain information when they intend to use an irrevocable letter of credit (ILC) in lieu of a required bid bond, or to

secure other types of required bonds such as performance and payment bonds. This clause is required in solicitations and contracts when a bid guarantee, or performance bond, or performance and payment bonds are required.

- FAR 52.228-15, Performance and Payment Bonds-Construction. This clause requires contractors to provide performance and payment bonds in construction contracts exceeding \$150,000 (SF 25, Performance Bond; SF 25-A, Payment Bond; SF 25-B, Continuation Sheet (for SF's 24, 25, and 25-A); SF 273, Reinsurance Agreement for a Bonds Statute Performance Bond; SF 274, Reinsurance Agreement for a Bonds Statute Payment Bond).

- FAR 52.228-16, Performance and Payment Bonds-Other Than Construction. This clause requires contractors to furnish performance and payment bonds for other than construction contracts exceeding the simplified acquisition threshold only in certain circumstances. (SF 35, Annual Performance Bond; SF 275, Reinsurance Agreement in Favor of the United States; SF 1416, Payment Bond for Other Than Construction Contracts; SF 1418, Performance Bond for Other Than Construction Contracts).

- Standard Form (SF) 28, Affidavit of Individual Surety. This form is used by all executive agencies, including DoD, to obtain information from individuals wishing to serve as sureties to Government bonds. Offerors and contractors may use an individual surety as security for bonds required

under a solicitation or contract for supplies or services (including construction). It is an elective decision on the part of the offeror or contractor to use individual sureties instead of other available sources of surety or sureties for Government bonds.

The Government retains the bid guarantees, bonds, or alternative payment protections until the contractor's obligation is fulfilled. The contracting officer uses the information on the SF 28 to determine the acceptability of individuals proposed as sureties.

C. Annual Burden

Respondents: 14,259.

Total Annual Responses: 14,269.

Total Burden Hours: 14,255.

D. Public Comment

A 60-day notice was published in the *Federal Register* at 88 FR 64433, on September 19, 2023. No comments were received.

Obtaining Copies: Requesters may obtain a copy of the information collection documents from the GSA Regulatory Secretariat Division, by calling 202-501-4755 or emailing GSARegSec@gsa.gov. Please cite OMB Control No. 9000-0001, Certain Federal Acquisition Regulation Part 28 Requirements.

William Clark,

Director,

Office of Governmentwide Acquisition Policy,

Office of Acquisition Policy,
Office of Governmentwide Policy.

BILLING CODE: 6820-EP

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