

workplace. The information is also used by the contracting officer to understand any impacts on contract performance.

- *FAR 52.223-7, Notice of Radioactive Material.* This clause requires the contractor to notify the contracting officer or a designee in writing prior to the delivery of, or prior to completion of any servicing required by the contract of, items containing certain radioactive material. The notice shall specify the part or parts of the items which contain radioactive materials, the name and activity of the isotope, the manufacturer of the materials, and any other information known to the contractor which will put users of the items on notice as to the hazards involved. If there has been no change affecting the quantity of activity, or the characteristics and composition of the radioactive material from deliveries under the contract or prior contracts, then the contractor may request in writing that the contracting officer or designee waive this notice requirement. The Government uses this information to ensure that required licenses are obtained and appropriate personnel are provided adequate notification to institute any necessary safety and health precautions in handling the items with radioactive materials.

- *FAR 52.223-9, Estimate of Percentage of Recovered Material Content for EPA-Designated Items.* This clause requires the contractor, upon completion of the contract, to submit to the Government an estimate of the percentage of the total recovered material content for EPA-designated item(s) delivered and/or used in contract performance, including, if applicable, the percentage of post-consumer material content. For contracts where the estimates can be verified, the contractor shall instead provide the certification required by the Resource Conservation and Recovery Act of 1976 (42 U.S.C. 6962(i)(2)(C)) that the percentage of recovered material content for EPA-designated items met the requirements of the contract. The contracting officer uses this information to verify contractor compliance with contract requirements regarding the use of recovered materials. Additionally, agencies will use the information in the annual review and monitoring of the effectiveness of their affirmative procurement programs.

- *FAR 52.223-11, Ozone-Depleting Substances and High Global Warming Potential Hydrofluorocarbons.* This clause requires the contractor to report annually and at the end of contract performance the amount in pounds of

any hydrofluorocarbons (or refrigerant blends containing hydrofluorocarbons) added or taken out of any equipment or appliances to be delivered under the contract. The reporting requirement applies to equipment that normally each contain 50 or more pounds of hydrofluorocarbons or refrigerant blends containing hydrofluorocarbons. The Government gathers this information to identify the amount of ozone-depleting substances and High Global Warming Potential Hydrofluorocarbons that are contained in certain equipment purchased by the Government.

- *FAR 52.223-12, Maintenance, Service, Repair, or Disposal of Refrigeration Equipment and Air Conditioners.* This clause requires the contractor to report annually and at the end of contract performance the amount in pounds of any hydrofluorocarbons (or refrigerant blends containing hydrofluorocarbons) added or taken out of refrigeration or air conditioning equipment to be maintained, serviced, repaired, or disposed of under the contract. The reporting requirement applies to equipment that normally each contain 50 or more pounds of hydrofluorocarbons or refrigerant blends containing hydrofluorocarbons. The Government gathers this information to identify the amount of ozone-depleting substances and High Global Warming Potential Hydrofluorocarbons are contained in certain equipment maintained by the Government.

- *FAR 52.223-22, Public Disclosure of Greenhouse Gas Emissions and Reduction Goals—Representation.* This provision requires offerors that received \$7.5 million or more in total contract awards during the previous Federal fiscal year to represent whether it publicly discloses (itself or through its immediate or highest-level owner) its greenhouse gas emissions and a quantitative greenhouse gas reduction goal. If the offeror publicly discloses such information, the offeror is required to provide the website(s) where the information is made publicly available. The representation is voluntary for offerors below the threshold. The Government uses this information to assess supplier greenhouse gas management practices and to assist agencies in developing strategies to engage with contractors to reduce supply chain emissions.

### C. Annual Burden

*Respondents:* 39,497.

*Total Annual Responses:* 165,570.

*Total Burden Hours:* 735,631.

*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](mailto:GSARegSec@gsa.gov). Please cite OMB Control No. 9000-0107, Federal Acquisition Regulation Part 23 Requirements.

**Janet Fry,**

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## DEPARTMENT OF DEFENSE

### GENERAL SERVICES ADMINISTRATION

### NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[OMB Control No. 9000-0067; Docket No. 2021-0053; Sequence No. 16]

### Submission for OMB Review; Certain Federal Acquisition Regulation Part 16 Contract Pricing 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 16 contract pricing requirements.

**DATES:** Submit comments on or before March 25, 2022.

**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](http://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.

Additionally, submit a copy to GSA through <https://www.regulations.gov> and follow the instructions on the site. This website provides the ability to type short comments directly into the comment field or attach a file for lengthier comments.

**Instructions:** All items submitted must cite OMB Control No. 9000–0067, Certain Federal Acquisition Regulation Part 16 Contract Pricing Requirements. Comments received generally will be posted without change to <https://www.regulations.gov>, including any personal and/or business confidential information provided. To confirm receipt of your comment(s), please check [www.regulations.gov](https://www.regulations.gov), approximately two-to-three days after submission to verify posting. If there are difficulties submitting comments, contact the GSA Regulatory Secretariat Division at 202–501–4755 or [GSARegSec@gsa.gov](mailto:GSARegSec@gsa.gov).

**FOR FURTHER INFORMATION CONTACT:**

Jennifer Hawes, Procurement Analyst, at telephone 202–969–7386, or [jennifer.hawes@gsa.gov](mailto:jennifer.hawes@gsa.gov).

**SUPPLEMENTARY INFORMATION:**

**A. OMB Control Number, Title, and Any Associated Form(s)**

9000–0067, Certain Federal Acquisition Regulation Part 16 Contract Pricing Requirements.

**B. Needs and Uses**

DoD, GSA, and NASA are combining OMB Control Nos. for the Federal Acquisition Regulation (FAR) 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 revision of OMB Control No. 9000–0067 and combines it with the previously approved information collections under OMB Control Nos. 9000–0068 and 9000–0071, with the new title “Certain Federal Acquisition Regulation Part 16 Contract Pricing Requirements”. Upon approval of this consolidated information collection, OMB Control Nos. 9000–0068 and 9000–0071 will be discontinued. The burden requirements previously approved under the discontinued numbers will be covered under OMB Control No. 9000–0067.

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

- FAR 52.216–2, *Economic Price Adjustment—Standard Supplies*; FAR 52.216–3, *Economic Price Adjustment—Semistandard Supplies*; and FAR

52.216–4, *Economic Price Adjustment—Labor and Material*. These clauses require contractors on contracts that provide for economic price adjustments to promptly notify the contracting officer of any increases or decreases to established prices or labor rates (including fringe) because of certain contingencies, such as increases or decreases to established catalog or market prices or changes to cost indexes for labor or materials. The contracting officer uses the information provided by the contractor to negotiate price adjustments under the contract due to the contingency specified in the contract.

- FAR 52.216–5, *Price Redetermination—Prospective*. Paragraph (c) of this clause requires a contractor on a fixed-price contract with prospective price redetermination to submit to the Government (within an agreed upon timeframe) a statement of costs incurred for the most recent period of performance, the proposed prices for the upcoming contract period, and any supporting or relevant documentation. Per paragraph (h) of this clause, during periods where firm prices have not been established, the contractor must also submit quarterly statements that includes a breakdown of total contract prices, costs, and profit incurred and all invoices accepted for delivered items or services for which final prices have not been established. The contracting officer uses the information to negotiate/redetermine fair and reasonable prices for supplies and services that may be delivered or performed under the contract in the period following the effective date of price redetermination.

- FAR 52.216–6, *Price Redetermination—Retroactive*. Paragraph (c) of this clause requires a contractor on a fixed-ceiling-price contract with retroactive price redetermination to submit to the Government (within an agreed upon timeframe after completion of the contract) the proposed prices, all costs incurred in performing the contract, and any supporting or relevant documentation. Per paragraph (g) of this clause, until final price redetermination has been completed, the contractor must also submit a quarterly statement that includes a breakdown of total contract prices, costs, and interim profit incurred and all invoices accepted for delivered items. The contracting officer uses the information provided by the contractor to negotiate/redetermine fair and reasonable prices for supplies and services that have already been delivered or performed under the contract.

- FAR 52.216–16, *Incentive Price Revision—Firm Target*; and FAR 52.216–17, *Incentive Price Revision—Successive Targets*. These clauses require contractors on fixed price incentive (firm or successive target) contracts to submit to the Government on a quarterly basis a statement regarding total contract prices, costs, portions of interim profit, and amounts of invoices or vouchers for completed work that is cumulative from the beginning of the contract (see 52.216–16(g) and 52.216–17(i)). Upon final delivery of supplies or completion of services for covered line items, the contractor is required to submit a detailed statement of all costs incurred up to the end of that month in performing all work under the items; an estimate of costs of further performance, if any, that may be necessary to complete performance of all work under the items; a list of all residual inventory and an estimate of its value; and any other relevant data that the Contracting Officer may reasonably require (see 52.216–16(c) and 52.216–17(e)). Paragraph (c) of 52.216–17 also requires submission of data for establishing the firm fixed price or a final profit adjustment formula. The contracting officer uses the information provided by the contractor to evaluate the contractor's performance in meeting the incentive target and to negotiate the final prices of incentive-related items and services.

**C. Annual Burden**

*Respondents:* 9,162.

*Total Annual Responses:* 61,580.

*Total Burden Hours:* 114,743.

**D. Public Comment**

A 60-day notice was published in the **Federal Register** at 86 FR 71641, on December 17, 2021. 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](mailto:GSARegSec@gsa.gov). Please cite OMB Control No. 9000–0067, Certain Federal Acquisition Regulation Part 16 Contract Pricing Requirements.

**Janet Fry,**

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