

U. S. NUCLEAR REGULATORY COMMISSION

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: U. S. Nuclear Regulatory Commission (NRC)

ACTION: Notice of pending NRC action to submit an information collection request to OMB and solicitation of public comment.

SUMMARY: The NRC is preparing a submittal to OMB for review of continued approval of information collections under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35).

Information pertaining to the requirement to be submitted:

1. The title of the information collection: Billing Instructions for NRC Cost Type Contracts
2. Current OMB approval number: 3150-0109
3. How often the collection is required: Monthly
4. Who is required or asked to report: NRC Contractors

DF03

PDR 029

5. The number of annual respondents: 80

6. The number of hours needed annually to complete the requirement or request: 1,851 hours (1,123 for Billing + 728 for License Fee Recovery Cost Summary)

7. Abstract: The Division of Contracts and Property Management in administering its contracts provides Billing Instructions for its contractors to follow in preparation of invoices. These instructions stipulate the level of detail in which supporting cost data must be submitted for NRC review. The review of this information ensures that all payments made by NRC for valid and reasonable costs in accordance with the contract terms and conditions.

Submit, by (insert date 60 days after publication in the Federal Register), comments that address the following questions:

1. Is the proposed collection of information necessary for the NRC to properly perform its functions? Does the information have practical utility?

2. Is the burden estimate accurate?

3. Is there a way to enhance the quality, utility, and clarity of the information to be collected?

PDR Advanced Copy

- 4. How can the burden of the information collection be minimized, including the use of automated collection techniques or other forms of information technology?

A copy of the draft supporting statement may be viewed free of charge at the NRC Public Document Room, 2120 L Street, NW (lower level), Washington, DC. OMB clearance requests are available at the NRC worldwide web site (<http://www.nrc.gov/NRC/PUBLIC/OMB/index.html>). The document will be available on the NRC home page site for 60 days after the signature date of this notice.

Comments and questions about the information collection requirements may be directed to the NRC Clearance Officer, Brenda Jo. Shelton, U.S. Nuclear Regulatory Commission, T-6 E6, Washington, DC 20555-0001, by telephone at 301-415-7233, or by Internet electronic mail at BJS1@NRC.GOV.

Dated at Rockville, Maryland, this _____ day of _____ 1999.

For the Nuclear Regulatory Commission.

Brenda Jo. Shelton, NRC Clearance Officer
Office of the Chief Information Officer

DF03

* See previous concurrences

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Dated at Rockville, Maryland, this 16th day of November 1999.

For the Nuclear Regulatory Commission.


Brenda Jo. Shelton, NRC Clearance Officer
Office of the Chief Information Officer

comments received after this date.

Edward Michlovich
Office of Information and Regulatory Affairs (3150-0109)
NEOB-10202
Office of Management and Budget
Washington, DC 20503

Comments can also be submitted by telephone at (202) 395-3084.

The NRC Clearance Officer is Brenda Jo. Shelton, 301-415-7233.

Dated at Rockville, Maryland, this _____ day of _____ 1999.

For the Nuclear Regulatory Commission.

Brenda Jo. Shelton, NRC Clearance Officer
Office of the Chief Information Officer

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DRAFT SUPPORTING STATEMENT FOR BILLING
INSTRUCTIONS FOR NRC COST-TYPE CONTRACTS

(3150-0109)

CLEARANCE EXTENSION

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Description of Information Collection

The NRC Division of Contracts and Property Management (DCPM), in administering its contracts to ensure that contractor costs billed for payment are proper, provides Billing Instructions for its contractors to follow in their preparation of invoices. These instructions stipulate the level of detail in which supporting cost data must be submitted for NRC review of costs billed. Included with the instructions is a voucher/invoice format sample for the contractor's reference. The contractor may submit a voucher/invoice in alternate formats provided all requirements of the billing instructions are addressed.

A. JUSTIFICATION

1. Need for the Collection of Information. The cost information is needed for license fee recovery and to assure that costs incurred are allowable and allocable and that the amount requested is proper for payment.
2. Agency Use of Information Vouchers and supporting documentation are reviewed by the Division of Accounting and Finance, the DCPM, and the Project Officer. Taken together, the review ensures that costs are billed per the contract rates and the costs incurred are commensurate with work performed. The instructions provide contractors with a clear idea of the level of detail required to support their voucher submissions. Receipt of properly prepared vouchers expedites the review process and permits prompt payment.
3. Reduction of Burden Through Information Technology There are no legal obstacles to reducing the burden associated with this information collection through the use of information technology assuming that sensitive information can be protected from improper disclosure. NRC encourages the use of information technology whenever possible.
4. Effort to Identify Duplication and to Use Similar Information The Billing Instructions for NRC Cost Type Contracts, use of a sample voucher/invoice format, and use of a monthly contracting cost summary report for fee billings for collection of information are unique to NRC. The Information Requirements Control Automated System (IRCAS) was searched and no duplication was found. Costs incurred are unique to the contract and the billing period for which payment is requested. Cost information to be provided by the contractor is not otherwise available.
5. Effort to Reduce Small Business Burden. The collection represents the minimum information required for submission of a proper voucher and supporting detail required for review to assure that costs billed are proper for payment.
6. Consequences to Federal Program or Policy Activities if the Collection is Not Conducted or is Conducted Less Frequently. Contractors are required to complete and submit invoices and attachments in an original and three copies once each month unless otherwise authorized by the Contracting Officer. The consequence of not collecting the data or of less frequent collection would be withholding of reimbursement to the contractor of costs incurred as the work

consequence of not collecting the data or of less frequent collection would be withholding of reimbursement to the contractor of costs incurred as the work progresses counter to the provisions of FAR Clause 52.216-7, which required that payment be made upon request but (except for small business concerns) not more often than once every two weeks.

7. Circumstances Which Justify Variation From OMB Guidelines. An original and three copies of the invoice are required to ensure that payment is made to the contractor promptly upon receipt of a properly approved invoice or within 30 calendar days of the official agency receipt date, whichever is earlier. This procedure ensures compliance with the requirements of the Prompt Payment Act, as amended.

Due to turnaround time required by the Prompt Payment Act, there is not sufficient time required to xerox the voluminous number of vouchers/invoices. The agency-designated billing office is DCPM for receipt of the original and three copies of the contract request for payment (voucher/invoice) to reduce unnecessary delay in the payment process. The payment process begins once DCPM receives a proper invoice. DCPM forwards two copies to the Project Officer for review and approval. The Project Officer retains one copy and signs and returns one copy to DCPM. DCPM holds the original voucher/invoice and one copy. Upon receipt of the Project Officer's signed copy, the original voucher/invoice and one signed copy is forwarded to the Division of Accounting and Finance (DAF) for final processing. DCPM retains one copy as a suspense copy until DAF pays the voucher/invoice.

8. Consultation Outside the NRC. Notice of opportunity to comment will be published in the Federal Register.
9. Payment or Gifts to Respondents. None.
10. Confidentiality of the Information. NRC provides no pledge of confidentiality for this collection of information. To the extent information is business confidential, procedures are in place to protect the information from improper disclosure.
11. Justification for Sensitive Questions. Normally sensitive information considered private or personal is not required or requested. This information is only required when contracts are processed which involve sensitive material. Proprietary data is protected under the Freedom of Information Act and 10 CFR Part 9.
12. Estimated Burden and Burden Hour Cost. The total annual contractor burden for the Billing Instructions and License Fee Recovery Cost Summary for NRC cost type contracts is estimated to be 1,851 hours. Billing burden is ((45 contracts X 12 invoices X .45/hr. = 243) plus (489 task orders X 4 invoices X .45/hr. = 880) = 1,123 x \$140/hr. = \$157,220). License Fee recovery burden is \$101,920 ((364 task orders X 4 invoices X .5/hr. = 728 X \$140/hr. = \$101,920). Total estimated cost to the public is \$259,140 (\$157,220 + \$101,920 = \$259,140). While the license fee recovery section of the billing instructions will be included in all cost reimbursement type contracts, the section on licensing fee costs generally only

applies to task order contracts for plant inspections, licensing actions or other site specific activities.

(*Estimates are based on 80 active contracts. 45 contracts have no task orders or licensee fee recovery directly assigned to them. Direct license fee recovery is applicable to 12 contracts, all of which are task ordering contracts. 364 active task orders are associated with these 12 contracts. Licensee fee recovery is not applicable to 23 additional task ordering contracts. 125 active task orders are associated with these 23 contracts.)

13. Estimate of Other Additional Costs. None

14. Estimated Annualized Cost to the Federal Government

The cost to the Agency for these Billing Instructions and the Licensee Fee Recovery Cost Summary was derived from experience as to the approximate number of hours contract specialists, program and paying officer personnel expend in ensuring that contractors comply with the instructions. Contract, program and paying office personnel expend an average of 1 hour per response for a cost of \$349,440 ((45 contracts X 12 invoices X \$140/hr. = \$75,600) plus (489 task orders X 4 invoices X \$140/hr. = \$273,840) = \$349,440). Program and paying officer personnel expend an average of .5 hour per response to the review the License Fee Recovery Cost Summary for a cost of \$90,272 (364 task orders X 4 invoices X .5/hr. X \$140/hr. = \$101,920). These costs are fully recoverable by fee assessments to NRC licensees pursuant to 10 CFR Part 171.

Total cost to the agency is \$399,776 (\$309,504 + \$90,272). (See * in paragraph 12 above).

15. Reason for Change in Burden or Cost. The number of active contracts has decreased from 106 to 80, a reduction of 26 contracts. The result is that burden decreased by 149 hours and responses decreased by 356.

16. Publication for Statistical use. Not applicable.

17. Reason for Not Displaying the Expiration Date. The OMB clearance expiration date is displayed.

18. Exceptions to the Certification Statement. Not applicable.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

Statistical methods are not used in this collection of information.

These billing instructions contain information collections that are subject to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.). These information collections were approved by the Office of Management and Budget, approval number 3150-0109 which expires _____. The public reporting burden for this collection of information is estimated to average up to .95 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments on any aspect of this collection of information, including suggestions for reducing the burden, to the Paperwork Reduction Project (3150-0109) The NRC may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

BILLING INSTRUCTIONS FOR COST REIMBURSEMENT TYPE CONTRACTS

General: The contractor shall prepare vouchers/invoices for reimbursement of costs in the manner and format described herein. **FAILURE TO SUBMIT VOUCHERS/INVOICES IN ACCORDANCE WITH THESE INSTRUCTIONS WILL RESULT IN REJECTION OF THE VOUCHER/INVOICE AS IMPROPER.**

Number of Copies: An original and three copies, including supporting documentation shall be submitted. A copy of all supporting documents must be attached to each copy of your voucher/invoice. Failure to submit all the required copies will result in rejection of the voucher/invoice as improper.

Designated Agency Billing Office: Vouchers/invoices shall be submitted to the following address:

U.S. Nuclear Regulatory Commission
Division of Contracts and Property Management
Mail Stop-T-7-I-2
Washington, DC 20555

HAND DELIVERY OF VOUCHERS/INVOICES IS DISCOURAGED AND WILL NOT EXPEDITE PROCESSING BY NRC. However, should you choose to deliver vouchers/invoices by hand, including delivery by any express mail services or special delivery services which use a courier or other person to deliver the voucher/invoice in person to the NRC, such vouchers/invoices must be addressed to the above Designated Agency Billing Office and will only be accepted at the following location:

U.S. Nuclear Regulatory Commission
One White Flint North
11555 Rockville Pike - Mail Room
Rockville, MD 20852

BILLING INSTRUCTIONS FOR COST REIMBURSEMENT TYPE CONTRACTS

HAND-CARRIED SUBMISSIONS WILL NOT BE ACCEPTED AT OTHER THAN THE ABOVE ADDRESS.

Note that the official receipt date for hand-delivered vouchers/invoices will be the date it is received by the official agency billing office in the Division of Contracts and Property Management.

Agency Payment Office: Payment will continue to be made by the office designated in the contract in Block 12 of SF 26 or Block 25 of SF 33, BILLING INSTRUCTIONS FOR COST REIMBURSEMENT TYPE CONTRACTS - whichever is applicable.

Frequency: The contractor shall submit claims for reimbursement once each month, unless otherwise authorized by the Contracting Officer.

Format: Claims should be submitted in the format depicted on the attached sample form entitled "Voucher/Invoice for Purchases and Services Other than Personal" (see **Attachment 1**). The sample format is provided for guidance only. The format is not required for submission of a voucher/invoice. Alternate formats are permissible provided all requirements of the billing instructions are addressed. The instructions for preparation and itemization of the voucher/invoice are included with the sample form.

Task Ordering Contracts: If the contractor bills for more than one task order under a voucher/invoice, detailed cost information for each individual task order shall be submitted, together with a cumulative summary of all charges billed on the voucher/invoice. This includes all applicable cost elements discussed in paragraphs (a) through (n) of the attached instructions.

Fee Recovery Billings: Pursuant to the provisions of 10 CFR Part 170 and 171 on license fees, the NRC must recover the cost of work performed. Accordingly, the contractor must provide the total amount of funds billed during the period, fiscal year to date and the cumulative total for each task or task assignment by facility or report. The fee recovery billing reports shall be on a separate page, and shall be in the format provided in **Attachment 2**. The billing period for fee recovery costs should be from the first day of each calendar month to the last day of the same month. Each separate fee billing report must be attached to the monthly invoice and cover the same period as the invoice.

Each report will contain a docket number or other unique identifier. The NRC will provide a unique identifier for all work performed. Costs should be reported as whole number to the nearest cent. For work that involves more than one facility at the same site, each facility should be listed separately and the costs should be split appropriately between the facilities. Common costs, as defined below, shall be identified as a separate line item in the fee recovery billing report each month.

BILLING INSTRUCTIONS FOR COST REIMBURSEMENT TYPE CONTRACTS

Common costs are those costs that are not licensee unique and associated with the performance of an overall program that benefit all similar licensees covered under that program or that are required to satisfactorily carry out the program. Common costs include costs associated with the following: preparatory or start-up efforts to interpret and reach agreement on methodology, approach, acceptance criteria, regulatory position, or technical reporting requirements; efforts associated with the "lead plant" concept that might be involved during the first one or two plant reviews; meetings and discussions involving the above efforts to provide orientation, background knowledge or guidance during the course of a program; any technical effort applied to a docket or other unique identifier; and project management. Common costs must be reporting monthly for each docket or unique identifier. Common costs must be computed based on the proportion of direct costs incurred against each docket or unique identifier for the billing period.

Billing of Cost After Expiration of Contract: If costs are incurred during the contract period and claimed after the contract has expired, the period during which these costs were incurred must be cited. To be considered a proper expiration voucher/invoice, the contractor shall clearly mark it "EXPIRATION VOUCHER" or "EXPIRATION INVOICE".

Final vouchers/invoices shall be marked "FINAL VOUCHER" or "FINAL INVOICE".

Currency: Billings may be expressed in the currency normally used by the contractor in maintaining his accounting records; payments will be made in that currency. However, the U.S. dollar equivalent for all vouchers/invoices paid under the contract may not exceed the total U.S. dollars authorized in the contract.

Supersession: These instructions supersede any previous billing instructions.

INVOICE/VOUCHER FOR PURCHASES AND SERVICES OTHER THAN PERSONAL

(SAMPLE FORMAT)

Official Agency Billing Office

(a) Contract Number _____
Task Order No. (If Applicable) _____

U.S. Nuclear Regulatory Commission
Division of Contracts and Property Management
MS: T-7-I-2
Washington, DC 20555-0001
Payee's Name and Address

(b) Voucher/Invoice # _____

(c) Date of Voucher/Invoice _____

(d) Fixed Fee _____

Individual to Contact
Regarding this Voucher
Name: _____

Tel. No.: _____

(e) This voucher represents reimbursable costs for the billing period for the billing period from _____ through _____.

Amount Billed

	<u>Current Period</u>	<u>Cumulative</u>
(f) <u>Direct Costs</u>		
(1) Direct labor*		
(2) Fringe benefits		
(% , if computed as percentage)		
(3) Capitalized nonexpendable equipment \$50,000 or more - see instructions)*		
(4) Non-capitalized equipment, materials, and supplies		
(5) Premium pay (NRC approved overtime)		
(6) Consultants*		
(7) Travel*		
(8) Subcontracts*		
(9) Other costs*		
Total Direct Costs		
(g) <u>Indirect Costs</u>		

BILLING INSTRUCTIONS FOR COST REIMBURSEMENT TYPE CONTRACTS

(A) Overhead ___ % of _____(Indicate Base)		
(B) General & Administrative Expense ___ % of Cost Elements Nos.		
Total Direct & Indirect Costs		
(h) Fixed-Fee (Cite Formula): _____		
(i) Total Amount Billed		
(j) Adjustments		
(k) Grand Totals		

* (Requires Supporting Information -- See Attached)

SAMPLE SUPPORTING INFORMATION

1) <u>Direct Labor - \$2400</u>				
Labor Category	Hours Billed	Rate	Total	Cumulative Hrs. Billed
Senior Engineer I	100	\$14.00	\$1400	975
Engineer	50	\$10.00	\$500	465
Computer Analyst	100	\$5.00	\$500	320
			\$2400	

3) Capitalized Non-Expendable Equipment

Prototype Spectrometer - item number 1000-01 \$60,000

4) Non-capitalized Equipment, Materials, and Supplies

10 Radon tubes @ \$110.00 = \$1100.00

BILLING INSTRUCTIONS FOR COST REIMBURSEMENT TYPE CONTRACTS

6 Pairs Electrostatic gloves @ \$150.00 = \$900.00
\$2000.00

5) Premium Pay

Walter Murphy - 10 hours @ \$10.00 Per Hour = \$100
(This was approved by NRC in letter dated 3/6/95).

6) Consultants' Fee

Dr. Carney - 1 hour @ \$100 = \$100

7) Travel

<u>Start Date</u>	<u>Destination</u>	<u>Costs</u>
3/1/89	Wash., DC	\$200

BILLING INSTRUCTIONS FOR COST REIMBURSEMENT TYPE CONTRACTS

INSTRUCTIONS FOR PREPARING COST INFORMATION FOR NRC CONTRACT VOUCHERS/INVOICES

Preparation and Itemization of the Voucher/Invoice: In order to constitute a proper invoice, the contractor shall furnish all the information set forth below. These notes are keyed to the entries on the sample voucher/invoice.

Payee's Name and Address. Show the name of the contractor as it appears in the contract and its correct address. When an approved assignment has been made by the contractor, or a different payee or addressee has been designated, insert the name and address of the payee. Indicate the name and telephone number of the individual responsible for answering any questions that the NRC may have regarding the invoice. The following guidance corresponds to the entries required on the sample form.

(a) **Contract Number.** Insert the NRC contract number.

Task Order Number, if applicable. Insert the task order number.

(b) **Voucher/invoice number.** The appropriate sequential number of the voucher/invoice, beginning with 001 should be designated. Contractors may also include an individual internal accounting number, if desired, in addition to the 3-digit sequential number.

(c) **Date of Voucher/Invoice.** Insert the date the voucher/invoice is prepared.

(d) **Fixed-Fee.** Insert total fixed-fee. Include this information as it applies to individual task orders as well.

(e) **Billing Period.** Insert the beginning and ending dates (day, month, year) of the period during which costs were incurred and for which reimbursement is claimed.

(f) **Direct Costs -** Insert the amount billed for the following cost elements, adjustments, suspensions, and total amounts, for both the current billing period and for the cumulative period (from contract inception to end date of this billing period).

(1) **Direct Labor.** This consists of salaries and wages paid (or accrued) for direct performance of the contract itemized as follows:

<u>Labor</u>	<u>Hrs.</u>			<u>Cumulative</u>
<u>Category</u>	<u>Billed</u>	<u>Rate</u>	<u>Total</u>	<u>Hrs.Billed</u>

BILLING INSTRUCTIONS FOR COST REIMBURSEMENT TYPE CONTRACTS

- (2) **Fringe Benefits.** This represents fringe benefits applicable to direct labor and billed as a direct cost. Where a rate is used indicate the rate. Fringe benefits included in direct labor or in other indirect cost pools should not be identified here.
- (3) **Capitalized Non Expendable Equipment.** List each item costing \$50,000 or more and having a life expectancy of more than one year. List only those items of equipment for which reimbursement is requested. For each such item, list the following (as applicable): (a) the item number for the specific piece of equipment listed in the property schedule of the contract; or (b) the Contracting Officer's approval letter if the equipment is not covered by the property schedule.
- (4) **Non-capitalized Equipment, Materials, and Supplies.** These are equipment other than that described in (3) above, plus consumable materials, supplies. List by category. List items valued at \$500 or more separately. Provide the item number for each piece of equipment valued at \$500 or more.
- (5) **Premium Pay.** This enumeration in excess of the basic hourly rate. (Requires written approval of the Contracting Officer.)
- (6) **Consultants.** The supporting information must include the name, hourly or daily rate of the consultant, and reference the NRC approval (if not specifically approved in the original contract).
- (7) **Travel.** Total costs associated with each trip must be shown in the following format:

	<u>Start Date</u>	<u>Destination</u>	<u>Costs</u>
From To		From To	\$
- (8) **Subcontracts.** Include separate detailed breakdown of all costs paid to approved subcontractors during the billing period.
- (9) **Other Costs.** List all other direct costs by cost element and dollar amount separately.
- (g) **Indirect Costs (Overhead and General and Administrative Expense).** Cite the formula (rate and base) in effect in accordance with the terms of the contract, during the time the costs were incurred and for which reimbursement is claimed.

BILLING INSTRUCTIONS FOR COST REIMBURSEMENT TYPE CONTRACTS

- (h) Fixed Fee.** If the contract provides for a fixed fee, it must be claimed as provided for by the contract. Cite the formula or method of computation. The contractor may bill for fixed fee only up to 85% of total fee.
- (i) Total Amount Billed.** Insert the total amounts claimed for the current and cumulative periods.
- (j) Adjustments.** For cumulative amount, include outstanding suspensions.
- (k) Grand Totals.**

Further itemization of vouchers/invoices shall only be required for items having specific limitations set forth in the contract.

BILLING INSTRUCTIONS FOR COST REIMBURSEMENT TYPE CONTRACTS

FEE RECOVERY BILLING REPORT

FIN: _____

Facility Name or Report Title:

TAC or Inspection Report Number:

(or other unique identifier)

Docket Number (if applicable):

Cost Categories	Period Amt.	Period Cost Incurred	Fiscal Year To Date Costs	Total Cumulative Costs
Labor				
Materials				
Subcontractor/ Consultant				
Travel				
Other (specify)				
Common Costs				
Total				

Remarks: