

<b>REQUEST FOR RECORDS DISPOSITION AUTHORITY</b>		JOB NUMBER <b>N1-412-06-17</b>	
To NATIONAL ARCHIVES and RECORDS ADMINISTRATION (NIR) WASHINGTON, DC 20408		DATE RECEIVED <b>3-8-2006</b>	
1 FROM (Agency or establishment)  U S Environmental Protection Agency		<b>NOTIFICATION TO AGENCY</b>  In accordance with the provisions of 44 U S C 3303a, the disposition request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10	
2 MAJOR SUBDIVISION			
3 MINOR SUBDIVISION			
4 NAME OF PERSON WITH WHOM TO CONFER  Constance Downs	5 TELEPHONE  202-566-1640	DATE <b>9/20/07</b>	ARCHIVIST OF THE UNITED STATES <i>[Signature]</i>
6 AGENCY CERTIFICATION I hereby certify that I am authorized to act for this agency in matters pertaining to the disposition of its records and that the records proposed for disposal on the attached <u>4</u> page(s) are not now needed for the business of this agency or will not be needed after the retention periods specified, and that written concurrence from the General Accounting Office, under the provisions of Title 8 of the GAO manual for Guidance of Federal Agencies,  <input checked="" type="checkbox"/> is not required,      is attached, or      has been requested			
DATE <b>2/27/06</b>	SIGNATURE OF AGENCY REPRESENTATIVE Constance Downs <i>[Signature]</i>	TITLE Acting Agency Records Officer	

7 Item No	8 DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9 GRS OR SUPERSEDED JOB CITATION	10 ACTION TAKEN (NARA USE ONLY)
	Contract Management Records -Superfund Site-Specific	N1-412-94-3/4	

*At 9/24/07 copies sent to Agency, NWD, NWMW, NR*

**This schedule is in draft. It may be used to retire records, but may not be used to destroy records. If you have any questions, please contact the Records Help Desk.**

## EPA Records Schedule 020

**Status:** Draft, 05/31/2007

**Title:** Contract Management Records - Superfund Site-Specific

**Program:** Superfund

**Applicability:** Agency-wide

**Function:** 405 - Supply Chain Management

**NARA Disposal Authority:**

This schedule authorizes the disposition of the record copy in any media (media neutral) Records designated for permanent retention must be transferred to the National Archives in accordance with NARA standards at the time of transfer

- N1-412-06-17

### **Description:**

Contains Superfund contract records including all correspondence and related records pertaining to the requests for proposals (RFPs), successful bids and proposals, procurement award and administration, receipt, inspection and payment of any and all contracts, requisitions, purchase orders, leases, and bond and surety agreements to which EPA is a party and that are maintained and used by the Agency for contract documentation and for performance and financial monitoring and oversight activities Includes regionally-based contracts such as ARCS and ERCS and headquarters-based contracts such as REM and TES and reviews and audits conducted by the Financial Analysis and Rate Negotiation Service Center (FARSC)

Excludes Superfund contract documents that are not site-specific (EPA 202), final deliverables (EPA 258), Superfund program support agreements (EPA 001), and unsuccessful bids and proposals and canceled solicitations not filed with the contract case file (EPA 275)

### **Disposition Instructions:**

**Item a:** Contracting Officer

- **Disposable**
- Close inactive records upon termination or expiration of contract
- Destroy 30 years after file closure

**Item b:** Contract-level Contracting Officer's Representative (COR)

Formerly called Project Officer (PO)

- **Disposable**
- Close inactive records upon completion of final invoice for task order or work assignment
- Destroy 30 years after file closure

**Item c:** Work Assignment Contracting Officer's Representative (COR)

Formerly called Delivery Order Project Officer (DOPO) or Work Assignment Manager (WAM)

- **Disposable**
- Close inactive records upon completion of final invoice for task order or work assignment
- Destroy 30 years after file closure

**Guidance:**

This schedule covers management of contracts by headquarters or field offices. Contracts for Superfund that are not site-specific or for programs other than Superfund are scheduled as EPA 202. Determination of whether a contract is covered by EPA 020 or EPA 202 is made by the COR. Final deliverables are scheduled as EPA 258. The Integrated Contracts Management System (ICMS) is covered in EPA 055.

For Superfund grants and other program support agreements, see EPA 001, and EPA 003 for programs other than Superfund or Superfund contracts that are not site-specific. Waste water construction and state revolving fund grants are scheduled as EPA 232. Unsuccessful bids and proposals and canceled solicitations that are not filed with the related contract case file are scheduled as EPA 275. See EPA 084 for case-specific decisions on indemnification requests from states for response action contractors (RACs).

Other Superfund site-specific records are covered by the following schedules: EPA 010 for site assessment, EPA 012 for federal agency hazardous waste compliance sites, EPA 013 for removal sites, EPA 014 for remedial sites, EPA 018 for sampling and analytical data, EPA 019 for administrative records, EPA 024 for cost recovery, and EPA 025 for enforcement actions.

Routine procurement files are covered in EPA 036.

Contracting officers and CORs should work together to determine who is responsible for maintaining specific documents to minimize duplication while still providing an adequate audit trail. The following are general guidelines:

- a. Contracting Officer - Record copy of RFPs, successful bids and proposals, contract and modifications, copies of financial and payment documents, contract specifications, drawings or manuals incorporated into the contract by reference, performance evaluations, technical and financial reports, statements of work (SOWs) and level of effort (LOE) documents, project officer and contract monitor designations, notices to proceed, stop work or correct deficiencies, and related documents.
- b. Contract-level COR is responsible for supporting documentation of performance evaluations, technical

and financial progress reports, invoices and invoice approvals

c Work Assignment COR is responsible for the record copy of documents used for day-to-day technical direction of the task order or work assignment. Documents include work plans and schedules, draft deliverables submitted by the contractor, comments provided to the contract or other records of technical direction, contract monitoring logs and communication records, meeting records and notes, evaluation forms, the supporting documents for statements of work (SOW) and level of effort (LOE) documents, amendments, and modifications, invoices and invoice approvals

Copies incorporated into other files (e.g., site files) are retained according to the disposition instructions for the records they support

In order to assure that the records are available to EPA when needed for cost recovery and in order to save EPA access costs and the contractor storage costs, it is recommended that all Superfund-related contracts be amended to have contractors turn over all records upon termination or completion to the EPA in a format acceptable to the FRC. The records can then be retired directly to the FRC and retrieved when needed for audits or cost recovery or litigation without fear that the contractor has dissolved or inadvertently disposed of the records. An Agency records liaison officer should be contacted for the latest guidance on preparing records for the FRC. The Corps of Engineers as a federal government entity is exempted from this policy.

Contracts that are being audited, protested, or are in any other kind of legal action can not be destroyed until the case is closed. See EPA 679 for bid protest appeals, EPA 656 for Board of Contract appeals cases, and EPA 657 for GAO contract bid protest cases.

Records containing sensitive information must be shredded or otherwise definitively destroyed to protect confidentiality.

Specific legal citations include, but are not limited to

- Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, Sec. 111
- 40 CFR Part 300

### **Reasons for Disposition:**

The disposition instructions have been rewritten as media neutral to allow for maintaining the record copy in EPA's electronic recordkeeping system. The retention has not changed.

Item d for electronic copies created with word processing and electronic mail applications was deleted 08/09/2006 pursuant to NARA Bulletin 2006-04.

### **Custodians:**

Multiple units

### **Related Schedules:**

EPA 001, EPA 003, EPA 010, EPA 012, EPA 013, EPA 014, EPA 018, EPA 019, EPA 024, EPA 025, EPA 055, EPA 084, EPA 202, EPA 232, EPA 258, EPA 275, EPA 656, EPA 657, EPA 679

**Previous NARA Disposal Authority:**

NC174-118/V/3, NC-412-76-4/10, NC1-412-85-5/4 and 6, N1-412-87-4/14 and 15, N1-412-94-3/4

**Entry:** 05/30/1991

**EPA Approval:** 02/27/2006

**NARA Approval:** Pending