

## STATE OF VERMONT GENERAL RECORD SCHEDULE

Issued to: All Agencies

GRS-1000.1126: Contract Files

Last Revised: 12/6/2010



Vermont State Archives and Records Administration

Vermont Office of the Secretary of State

[www.vermont-archives.org/records/schedules](http://www.vermont-archives.org/records/schedules)

### GRS-1000.1126: Contract Files

Classification: GENERAL (Contracting)

- Authority:** A custodian of public records shall not destroy, give away, sell, discard, or damage any record or records in his or her charge, unless specifically authorized by law or under a record schedule approved by the state archivist pursuant to subdivision 117(a)(5) of Title 3. (1 V.S.A. § 317a)
- Scope:** This general record schedule applies to any agency, board, department, commission, committee, branch, instrumentality, or authority of the state or any agency, board, committee, department, branch, instrumentality, commission, or authority of any political subdivision of the state that produces or acquires the records listed on this record schedule in the course of public agency business. Record means any written or recorded information, regardless of physical form or characteristics, and includes electronic or digital records and data. (1 V.S.A. § 317)
- Use:** State agencies MUST have a Notice of Adoption (VSARA-11) acknowledged by the Vermont State Archivist and on file with the Vermont State Archives and Records Administration (VSARA) prior to using any general record schedule. Use of a General Record Schedule (GRS) to destroy records without proper notification is not permitted. In addition, internal policies must be established to assure that the requirements outlined in any GRS are being applied across the agency. General Record Schedule (GRS) numbers shall be cited in all internal policies to demonstrate compliance with 1 V.S.A. § 317a. Local public agencies do not have to submit a Notice of Adoption; however, internal policies should clearly cite any general schedules that have been adopted and associated GRS numbers. If a GRS does not meet an agency's legal or administrative needs, the agency should continue to use any applicable disposition orders that have been issued for its records or seek agency specific record schedules through VSARA's Targeted Assistance Program (TAP).
- Exemptions:** It is the policy of Title 1, Chapter 5, Subchapter 3 of Vermont Statutes Annotated to provide for free and open examination of records consistent with Chapter 1, Article 6 of the Vermont Constitution. All people, however, have a right to privacy in their personal and economic pursuits, which ought to be protected unless specific information is needed to review the action of a governmental officer. Some records listed on GRS-1000.1126 may be exempt from public inspection and copying for this reason. Security measures to protect records and information from unauthorized access, use, and disclosure are necessary if the records are exempt pursuant to 1 V.S.A. §§ 315-320. Please see Appendix B for Access Requirements and Appendix E for related legal references regarding exemptions from public inspection and copying.
- Retention:** GRS-1000.1126 reflects the retention and disposition requirements for the following records regardless of their media, format, or mode of transmission. Duplicate records within the same agency that are used for specific legal, fiscal, or administrative purposes may be either retained using the retention requirement listed in this schedule or in accordance to an internal policy. Any copies of records made only for convenience of reference or informational purposes may be discarded when no longer needed unless otherwise directed through an internal policy. Duplicates or copies of records shall not be retained longer than the original records.

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**GRS-1000.1126: Contract Files**

Classification: GENERAL (Contracting)

*GRS-1000.1126: This schedule is reserved for recorded evidence of activities and transactions that relate to or affect, in a specific manner, formal agreements, including contracts and leases, entered into by a public agency in order to secure goods and services.*

**Retention:** Contract files document the history of the contract including, but not limited to, the bidding process, contract drafting and approvals, and final authorizations. These files usually have temporary administrative and legal value.

**Public Access:** Review

**MINIMUM RECORDKEEPING REQUIREMENTS for Specific Contract Files (see APPENDIX E for related legal references)**

<b>Record Category/Type:</b>	<b>Applicability/Use:</b>	<b>Appraised Value:</b>	<b>Minimum Retention/Disposition:</b>
<b>GRS-1000.1126.141</b> <b>Authorizations</b> Public Access: <i>Review</i>	Use for written approvals, including all permissions required under Bulletin 3.5.	Temporary (Administrative)	RETAIN UNTIL: Expired PLUS: 3 Year(s) THEN: Destroy (Shred)
<b>GRS-1000.1126.149</b> <b>Bids</b> Public Access: <i>Review</i>	Use for bids, proposals, and quotes received by the agency in response to a request for proposal.	Temporary (Administrative)	RETAIN UNTIL: Expired PLUS: 3 Year(s) THEN: Destroy (Shred)
<b>GRS-1000.1126.21</b> <b>Certificates</b> Public Access: <i>Review</i>	Use for certificates and similar statements of qualifications related to agency contracts, including Form AA-14: Contract Summary and Certification Form (state agencies only).	Temporary (Administrative)	RETAIN UNTIL: Expired PLUS: 3 Year(s) THEN: Destroy (Shred)
<b>GRS-1000.1126.26</b> <b>Contracts</b> Public Access: <i>Review</i>	Use for signed original contract and all amendments.	Temporary (Administrative)	RETAIN UNTIL: Expired PLUS: 3 Year(s) THEN: Destroy (Shred)

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<b>GRS-1000.1126.28</b> <b>Correspondence (Routine)</b> Public Access: <i>Review</i>	Use for general correspondence related to agency contracts.	Temporary (Administrative)	RETAIN UNTIL: Obsolete PLUS: 0 Year(s) THEN: Destroy (General)
<b>GRS-1000.1126.53</b> <b>Correspondence (Substantive)</b> Public Access: <i>Review</i>	Use for correspondence that has significant administrative value and/or supports agency decisions related to the award or administration of contracts.	Temporary (Administrative)	RETAIN UNTIL: Expired PLUS: 3 Year(s) THEN: Destroy (General)
<b>GRS-1000.1126.133</b> <b>Decisions</b> Public Access: <i>Review</i>	Use for written decisions including any selection justifications or explanations.	Temporary (Administrative)	RETAIN UNTIL: Expired PLUS: 3 Year(s) THEN: Destroy (Shred)
<b>GRS-1000.1126.32</b> <b>Declarations</b> Public Access: <i>Review</i>	Use for written explanations and justifications required under Bulletin 3.5 that do not relate to selection, including reasons why contract packages were not received within the timeline specified and explanations of extended contract duration.	Temporary (Administrative)	RETAIN UNTIL: Expired PLUS: 3 Year(s) THEN: Destroy (General)
<b>GRS-1000.1126.55</b> <b>Lists</b> Public Access: <i>Review</i>	Use for lists of vendors who have requested bid documents or who have been solicited to provide bids.	Temporary (Administrative)	RETAIN UNTIL: Expired PLUS: 3 Year(s) THEN: Destroy (Shred)
<b>GRS-1000.1126.50</b> <b>Notices, Legal</b> Public Access: <i>Review</i>	Use for evidence that the opportunity to bid was broadly publicized and that there was public notification of an agency's decision.	Temporary (Administrative)	RETAIN UNTIL: Completed/Closed PLUS: 1 Year(s) THEN: Destroy (Shred)
<b>GRS-1000.1126.62</b> <b>Opinions</b> Public Access: <i>Review</i>	Use for recommendations related to a contract, including those forwarded by the Finance and Management Department following its review of the contract package (state agencies only).	Temporary (Administrative)	RETAIN UNTIL: Expired PLUS: 3 Year(s) THEN: Destroy (Shred)
<b>GRS-1000.1126.69</b> <b>Plans (reports)</b> Public Access: <i>Review</i>	Where applicable, use for contracting plans providing alternatives to any requirement in Bulletin 3.5.	Temporary (Administrative)	RETAIN UNTIL: Expired PLUS: 3 Year(s) THEN: Destroy (Shred)

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<b>GRS-1000.1126.80</b>	Use for general information and reference material used in the drafting, award, and/or administration of agency contracts.	Temporary (Administrative)	RETAIN UNTIL: Completed/Closed
<b>Reference sources</b>			PLUS: 1 Year(s)
Public Access: <i>Review</i>			THEN: Destroy (General)
<b>GRS-1000.1126.81</b>	Use for formal lists of pre-qualified vendors.	Temporary (Administrative)	RETAIN UNTIL: Superseded
<b>Registers</b>			PLUS: 3 Year(s)
Public Access: <i>Review</i>			THEN: Destroy (Shred)
<b>GRS-1000.1126.139</b>	Where applicable, use for written requests for the Secretary of Administration to waive provisions of Bulletin 3.5.	Temporary (Administrative)	RETAIN UNTIL: Expired
<b>Requests</b>			PLUS: 3 Year(s)
Public Access: <i>Review</i>			THEN: Destroy (Shred)
<b>GRS-1000.1126.83</b>	Use for all bid documents associated with the Request for Proposal package, including, but not limited to, cover pages, agency descriptions, statements of work, requirements, etc. Includes any changes or clarifications following a pre-bid conference.	Temporary (Administrative)	RETAIN UNTIL: Expired
<b>Requests for proposals</b>			PLUS: 3 Year(s)
Public Access: <i>Review</i>			THEN: Destroy (Shred)
<b>GRS-1000.1126.150</b>	Where applicable, use for written evidence that provisions of Bulletin 3.5 have been waived, including any waivers issued by the Secretary of Administration, Director of Risk Management, or Attorney General.	Temporary (Administrative)	RETAIN UNTIL: Expired
<b>Waivers</b>			PLUS: 3 Year(s)
Public Access: <i>Review</i>			THEN: Destroy (Shred)
<b>GRS-1000.1126.104</b>	Use for recorded evidence supporting an agency's decision, such as worksheets used ranking each bidder's qualifications.	Temporary (Administrative)	RETAIN UNTIL: Expired
<b>Worksheets</b>			PLUS: 3 Year(s)
Public Access: <i>Review</i>			THEN: Destroy (Shred)

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## Appendix A: Appraisal Values

*An appraisal value establishes the usefulness or importance of a record after its original purpose has passed. The value of a record also dictates how it must be disposed after retention requirements are met (also see "Retention Requirements"). The appraisal values below represent categories of values that may be assigned to records following the record appraisal process. See "Vermont Archival Records" in the Archives and Records Management Handbook for conditions a record must meet to be appraised as "archival."*

Appraisal Value	Description	Usage
Conditional Archival	Records may have archival value but not always.	Assigned to records that meet the conditions of a "Vermont Archival Record" under special circumstances.
Permanent (Archival)	Records have archival value.	Assigned to records that meet the conditions of a "Vermont Archival Record" and are therefore permanent (archival) records.
Temporary (Administrative)	Records have temporary administrative value.	Assigned to records that do not meet the conditions of a "Vermont Archival Record" but are needed for administrative reasons.
Temporary (Legal)	Records have temporary legal value.	Assigned to records that do not meet the conditions of a "Vermont Archival Record" but have legal requirements governing their retention.
Unappraised	Default value for records that have not been appraised.	Assigned to records that have not been appraised and do not yet have retention or disposition requirements.

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## Appendix B: Public Access Requirements

*A public access requirement is the availability of a record for public use and inspection pursuant to 1 V.S.A. §§ 315-320. Unless exempt from public inspection and copying pursuant to 1 V.S.A. § 317, records are expected to be promptly produced for public inspection upon request. Public agencies shall follow the procedure outlined in 1 V.S.A. § 318. The access requirements below represent actions agencies must take based on specific laws associated with the accessibility of their records. With general record schedules, the default requirement is always REVIEW unless it is clear that certain records are wholly exempt from public use and inspection pursuant to 1 V.S.A. § 317. Agencies using general record schedules should defer to their internal policies for specific access requirements.*

Access	Description	Usage
Exempt	Records shall not be provided for free and open examination pursuant to 1 V.S.A. §§ 315-320.	Assigned to records that are wholly exempt from public use and inspection pursuant to 1 V.S.A. § 317.
General	Records may be provided for free and open examination pursuant to 1 V.S.A. §§ 315-320.	Assigned to records that are not exempt from public inspection and copying pursuant to 1 V.S.A. § 317.
Redact	Records contain specific information that shall not be provided for free and open examination pursuant to 1 V.S.A. §§ 315-320.	Assigned to records that contain specific information that is exempt from public inspection and copying pursuant to 1 V.S.A. § 317 and require exempt information to be redacted from the records prior to public use, inspection and/or copying.
Review	Records may be provided for free and open examination pursuant to 1 V.S.A. §§ 315-320 but not always. Default value for general schedules, which require agencies to establish internal policies.	Assigned to records that are generally not exempt from public inspection and copying pursuant to 1 V.S.A. § 317 but, in limited circumstances, may be exempt. Internal review and/or policy is required.

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## Appendix C: Retention Requirements

*A retention requirement is the length of time a record must be retained by an agency before it may be destroyed or transferred to the State Archives or an agency archives (also see "Disposition Requirements"). The retention requirements below represent events or triggers that cause records to move from an active to inactive state. An "event" is tied to a specific time requirement: i.e. Retain Until "Calendar Year Ends" PLUS 3 Years.*

Retention	Description	Usage
Audit Complete	Retain until an audit or verification is complete.	Assigned to records that are actively used or needed until the information contained therein has been audited or verified.
Calendar Year Ends	Retain until the end of the calendar year.	Assigned to records that are actively used or needed until the end of the calendar year.
Completed/Closed	Retain until the activity or process supported by the record is completed.	Assigned to records that are actively used or needed until the activity is formally completed, closed, or finalized (includes appeals).
Expired	Retain until the conditions or requirements supported by the record are satisfied and no further action is needed.	Assigned to records that are actively used or needed until the conditions or requirements are satisfied and complete.
Fiscal Year Ends	Retain until the end of the fiscal year.	Assigned to records that are actively used or needed until the end of the fiscal year.
Life of Asset Ends	Retain for the life of the person, structure, object, organization, etc. that is the subject of the record.	Assigned to records that are actively used or needed for the life of person, structure, object, organization, etc.
Obsolete	Retain until the record is no longer needed and is valueless.	Assigned to records that have limited administrative value and may be purged when they no longer have any administrative value. Agency must develop internal policy that states when records no longer have administrative value.
Superseded	Retain until the record is superseded, updated, or revised.	Assigned to records that will be superseded, updated, or revised.

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## Appendix D: Disposition Requirements

*A disposition requirement is how an agency must dispose of a record from its legal custody once retention requirements have been met. Disposition is based on the record's appraisal value. If the record has been appraised as non-archival it will be destroyed after retention requirements are met. If appraised as archival the record will be transferred to the State Archives or agency archives for permanent preservation and access. The disposition requirements below represent actions that an agency must take once a record has met its retention requirements.*

Disposition	Description	Usage
Archives	Retain indefinitely. These records are eligible for transfer to the State Archives or agency archives.	Assigned to records that have been appraised as having archival value and are therefore permanent records.
Confirm	Confirm disposition with the Vermont State Archives and Records Administration after retention requirement has been met.	Assigned to records that are maintained in a centralized database or information system or are appraised as conditional archival.
Destroy (General)	Destroy by recycling or deleting the record.	Assigned to records that have been appraised as non-archival and are not exempt from public access. Agency discretion advised for general record schedules.
Destroy (Shred)	Destroy by shredding (includes electronic shredding).	Assigned to records that have been appraised as non-archival and are exempt from public access or contain sensitive information.
Unappraised	Default value for records that have not been appraised.	Assigned to records that have not been appraised and do not yet have retention or disposition requirements.
Weed	Separate temporary records from archival records in accordance with the approved records schedule.	Assigned to records that have been appraised as conditional archival. Upon weeding the temporary records from the archival records, transfer archival records to the Archives.

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## Appendix E: Legal References

GRS-1000.1126: Contract Files		<i>Review for Exemption?</i>
1 V.S.A. § 311	Declaration of public policy; short title	No
1 V.S.A. § 312	Right to attend meetings of public agencies	Yes
1 V.S.A. § 313	Executive sessions	Yes
1 V.S.A. § 314	Penalty and enforcement [for Vermont open meeting law]	No
1 V.S.A. § 315	Statement of policy [for free and open examination of records]	Yes
1 V.S.A. § 316	Access to public records and documents	No
1 V.S.A. § 317	Definitions; public agency; public records and documents	Yes
1 V.S.A. § 318	Procedure [for producing records for public inspection]	No
1 V.S.A. § 319	Enforcement [of Vermont public records law]	No
1 V.S.A. § 320	Penalties [for denying access to public records]	No
3 V.S.A. § 344	Contract administration	No
<b>Bulletin 3.5, Agency of Administration</b>	Contracting Procedures -- 2008 Revision	No