

Chapter: Agency Support and Controls
Title: Contract File Maintenance and Access

Effective Date: 1/1/09, T-93
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New

Statute: Texas Government Code §2262.052

References: State of Texas Contract Management Guide, Chapter 7

(a) **Policy.**

The Texas Youth Commission (TYC) maintains one complete master contract administration file in a secure location for each contract issued by the agency.

(b) **Definitions.**

- (1) **Administration File** - the master contract file which contains all required and pertinent documentation relating to the development, solicitation, evaluation, negotiation, award, and execution of a contract. The file also contains all documentation related to the administration and modification of the terms of the contract.
- (2) **Contract** – has the meaning assigned in GAP.111.31.
- (3) **Contract Specialist** - a Central Office Contracts Department employee responsible for the solicitation, evaluation, award, execution and modification of a contract. This person is also responsible for maintaining the contract administration file, and ensuring all documentation is filed in an orderly and easily accessible manner.
- (4) **Original Documentation** - any document that contains original signatures or that is submitted by a contractor or TYC on original letterhead.
- (5) **Program/Project Manager** - a TYC employee representing the division responsible for the delivery of services as described in the statement of work contained in the contract. This person is responsible for ensuring compliance with performance measures and TYC standards and licensure requirements.

(c) **Procedures.**

(1) **Preparation of a Contract Administration File.**

- (A) Once an approved Request to Contract for Services form, BSD-105, is received, the contract specialist will assign a contract number from the contracts database and create a contract file folder. The assigned contract number will be the official number used to reference the solicitation and/or contract.
- (B) Tabs will be established within each contract file folder to organize documentation into pre-award, award, and post-award documentation. All original documentation must be filed in this folder.

(2) **Maintenance of a Contract Administration File.**

- (A) The program/project manager is responsible for providing the following documentation to the contract specialist:
 - (i) copies of all documentation related to the contractor's compliance or non-compliance with the terms of the contract, such as:
 - (I) performance reviews and/or reports;
 - (II) corrective action requests;
 - (III) letters to the contractor regarding non-compliance; and

- (ii) all *original* correspondence from the contractor requesting a change to the statement of work, rates, period of performance, or any other agreed upon terms of the contract.
- (B) Throughout the life of the contract, the contract administration file will contain documents including, but not limited to:
- (i) a copy of the current contract and all modifications;
 - (ii) copies of all specifications, drawings or manuals incorporated into the contract by reference;
 - (iii) a reference list or a list of prior contracts with this specific vendor (if they offer valuable historical data);
 - (iv) the solicitation document, the contractor's response, evaluation determination, and the notice of award document;
 - (v) a list of contractor submittal requirements;
 - (vi) a list of government-furnished property or services;
 - (vii) a list of all information furnished to the contractor;
 - (viii) a copy of the pre-award conference summary, if conducted;
 - (ix) a schedule of compliance review, performance and quality assurance reports, and internal correspondence;
 - (x) copies of all general correspondence related to the contract;
 - (xi) the originals of all contractor data or report submittals;
 - (xii) copies of all routine reports required by the contract such as financial reports, pricing schedules, approval requests, and inspection reports;
 - (xiii) copies of all notices to proceed, to stop work, to correct deficiencies, or change orders;
 - (xiv) copies of all letters of approval relating to materials, the contractor's quality control program, prospective employees, and work schedules;
 - (xv) the records/minutes of all meetings, both internal and external, including sign-in sheets and/or agendas;
 - (xvi) evidence of final payment made to the contractor, in order to document close-out of the contract;
 - (xvi) copies of all backup and support documentation received from the contractor relating to amendments, quality assurance reports, performance reviews, corrective action requests or any issues that arise during the term of the contract; and
 - (xviii) copies of any audits.
- (3) **Access to Contract Administration Files.**
- (A) When not in use, the contract administration file shall be secured in a locked file cabinet in Central Office.
 - (B) Only the Central Office Contracts Department may authorize a non-Contracts Department staff member to access a contract administration file.
 - (C) In order to check out a contract administration file, the staff member (including Contracts Department staff members) must complete and sign an "Out" card, making the individual responsible for the file. Contracts Department staff will maintain a record of files that have been checked out and the expected return dates.
 - (D) If authorized by the Contracts Department, a non-Contracts Department staff member may check-out and remove a contract administration file from the designated storage area and copy contract documents, while under the supervision of Contracts Department staff.
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