

CHANGE REQUEST COVER SHEET

Change Request Number: 14-15A

Date Received: 12/16/2013

Title: eDocS Procurement Guidance T3.1.9A4 Electronic Contract Files

Name: Eugene Scott

Phone: 202-493-4639

Policy OR Guidance: Guidance

Section/Text Location Affected: T3.1.9A4

Summary of Change: (1) The change specifies that contract actions prior to FY14 do not have to be put into eDocS, however the metadata from pre-FY14 contracts does have to be included in eDocS prior to April 1, 2014. (2) The Contracting Officer must include in eDocS a description of the location of any contract files that are not included in eDocS.

Reason for Change: The avoid the costly and time consuming task of scanning pre-FY14 contracts Guidance was updated to require that only metadata from pre-FY14 contracts be included in eDocS.

Development, Review, and/or Concurrence: Acquisition Policy AAP-100, AAQ-1 and Division contracts managers, Aeronautical Center and AGC.

Target Audience: Contracting Officers and Contract Specialists.

Potential Links within FAST for the Change: None

Briefing Planned: No

ASAG Responsibilities: Approve

Potential Links within FAST for the Change: None

Links for New/Modified Forms (or) Documents (LINK 1) [null](#)

Links for New/Modified Forms (or) Documents (LINK 2) [null](#)

Links for New/Modified Forms (or) Documents (LINK 3) [null](#)

SECTIONS EDITED:

Procurement Guidance:

T3.1.9 Electronic Commerce

Electronic Commerce and Signature in Contracting

Section 4 : Electronic Contract Files [\[Old Content\]](#) [\[New Content\]](#) [\[RedLine Content\]](#)

SECTIONS EDITED:

Section 4 : Electronic Contract Files

Old Content: Procurement Guidance:

T3.1.9 Electronic Commerce

Electronic Commerce and Signature in Contracting

Section 4 : Electronic Contract Files

a. *eDocS*. The official contract file contains the complete record of activities, rationale for decisions and related documentation from planning through close-out of a procurement action. Beginning with new awards in FY14, except for documents which are otherwise required to be created or maintained in paper format such as documents associated with real estate transactions and documents requiring a raised seal signifying authenticity, FAA's official contract file must be stored in the "Electronic Document Storage (eDocS)," the single, online document repository for paperless contract files. The Chief of the Contracting Office (COCO) may waive this requirement on an individual or class basis.

(1) eDocS is the official system of records for contract files. It contains a standard folder structure based on mandatory AMS contract file checklists used to label and organize documents into official files. The CO must use eDocs to establish and maintain an official file for all procurement actions, excluding purchase card transactions and certain real estate transactions involving sales or conveyances. Paper-based files will no longer be considered the official contract file.

(2) The CO must ensure documents stored in eDocS are legible, accurately labeled, and filed promptly under the appropriate contract folder. Signed documents especially must be accurate, complete, legible, and not altered in any way.

(3) Certain documents may need to be maintained in original form, such as large scale drawings impractical to convert to electronic format or a document with a raised seal signifying authenticity. When a document cannot be stored in eDocS, the CO must prepare a memo to file placed in the applicable eDocS folder explaining location of the original document and why it is not in eDocs.

(4) Documents containing personally identifiable information (PII) are subject to Privacy Act restrictions. A Tax Identification Number (TIN) may be an individual's Social Security Number, and as such would be PII that must be protected. As a general rule, the

following documents containing a TIN must be encrypted before storing in eDocS (other documents may also include PII and must be encrypted):

- (a) Business declaration
- (b) Electronic funds transfer waiver
- (c) Intra-Agency Agreements (DOT 2300.1a)

(5) Classified and sensitive unclassified documents must be marked and stored according to FAA orders 1600.72 and 1600.75.

(6) Documents stored in eDocS should not be password protected or encrypted, unless otherwise required by regulation, policy, or order.

(7) All users must complete training before using eDocS.

(8) Contract files for pre-FY14 awards that will be active in FY14 or later (e.g., contracts with options) should be stored in eDocS. A substantial volume of legacy contract files may need to be converted to electronic format or migrated to eDocS. Accordingly, the CO may request a waiver from the COCO on a case-by-case basis to maintain legacy files outside of eDocS.

(9) After operating procedures are established and training is provided, the requirement to use eDocS will apply to procurement actions by individuals with a Delegation of Procurement Authority who are outside of Acquisition and Contracting (AAQ) and the Office of Acquisition Services at the Aeronautical Center (AMQ).

b. *Electronic Records.* Federal law, regulations, and policy allow and encourage electronic contract files and using electronic signatures. The Comptroller General as far back as 1991 has affirmed electronic contracts meet the requirement that contracts be in writing. The Electronic Signatures in Global and National Commerce Act (E-SIGN) gives legal equivalence between electronic contract records, including contracts digitally signed, and paper-based, manually signed documents. E-SIGN also provides legal equivalence for retaining electronic versus paper records. Electronic records satisfy any other policy, regulation, or law that requires “written” contract documents and related information to be created, maintained, and stored. The National Archives and Records Administration regulations and policy allow agencies to transmit files for storage entirely in electronic format.

New Content: Procurement Guidance:

T3.1.9 Electronic Commerce

Electronic Commerce and Signature in Contracting

Section 4 : Electronic Contract Files

a. *eDocS.* The official contract file contains the complete record of activities, rationale for decisions and related documentation from planning through close-out of a procurement

FAST Version 1/2014

CR 14-15A

p. 3

action. Beginning with new contract actions in FY14, except for documents which are otherwise required to be created or maintained in paper format such as documents associated with real estate transactions and documents requiring a raised seal signifying authenticity, FAA's official contract file must be created, stored and maintained in Electronic Document Storage (eDocS). The Chief of the Contracting Office (COCO) may waive this requirement on an individual or class basis.

(1) eDocS contains a standard folder structure based on mandatory AMS contract file checklists used to label and organize documents into official files. The CO must use eDocs to establish and maintain an official file for all procurement actions occurring in FY14 and later, excluding purchase card transactions and certain real estate transactions involving sales or conveyances.

(2) The CO must ensure documents stored in eDocS are complete, legible, accurately labeled, and filed promptly under the appropriate contract folder. Signed documents especially must be accurate, complete, legible, and not altered in any way.

(3) The CO must indicate the location of all contract file documents not stored within eDocS in the Annotations field of the eDocS properties page. The annotation must address any and all documents associated with the official contract file whether stored in electronic form or in paper form, including but not limited to paper files that may be maintained in original form, such as large scale drawings impractical to convert to electronic format or a document with a raised seal signifying authenticity.

(4) Documents containing personally identifiable information (PII) are subject to Privacy Act restrictions. A Tax Identification Number (TIN) may be an individual's Social Security Number, and as such would be PII that must be protected. As a general rule, the following documents containing a TIN must be encrypted before storing in eDocS (other documents may also include PII and must be encrypted):

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- (c) Intra-Agency Agreements (DOT 2300.1a)

(5) Classified and sensitive unclassified documents must be marked and stored according to FAA orders 1600.72 and 1600.75.

(6) Documents stored in eDocS should not be password protected or encrypted, unless otherwise required by regulation, policy, or order.

(7) All users must complete training before using eDocS.

(8) By no later than April 1, 2014, the contract reporting metadata for all active contracts must be entered into eDocS. It is the responsibility of the CO to ensure that the data is

maintained and updated. eDocS will identify the metadata that must be entered and maintained.

(9) After operating procedures are established and training is provided, the requirement to use eDocS will apply to procurement actions by individuals with a Delegation of Procurement Authority who are outside of Acquisition and Contracting (AAQ) and the Office of Acquisition Services at the Aeronautical Center (AMQ).

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Red Line Content: Procurement Guidance:

T3.1.9 Electronic Commerce

Electronic Commerce and Signature in Contracting

Section 4 : Electronic Contract Files

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(3) ~~Certain documents may need to be maintained in original form, file~~ The CO must indicate the location of all contract documents not stored within eDocS in the Annotations field of the eDocS properties document page, with a raised seal signifying authenticity, and ~~When a document cannot be the official contract file whether stored in eDocS, electronic~~ all documents associated with the official contract file whether stored in eDocS, electronic ~~the CO must prepare a form or in paper a form, including but not limited to file~~ paper files that may be placed maintained in the original applicable form, eDocS folder explaining location of the original document such as large scale drawings impractical to convert and to electronic why it is not in format or a document with eDocS a raised seal signifying authenticity.

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