



Iowa Department of Administrative Services Recommendations for the Electronic Submission and Retention of Contracts

**Report Required by Senate File 2410
From the Second Regular Session of the
81st Iowa General Assembly (2006)**

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Executive Summary

Senate File 2410 from the second regular session of the 81st Iowa General Assembly (2006) implemented the Government Accountability Act (new Iowa Code Chapter 8F). It was created to provide mechanisms to effectively and efficiently monitor the utilization of public moneys to provide increased state government accountability. Section 8 of this legislation states:

“Electronic Submission of Contracts -- Report. The Department of Administrative Services shall submit a report concerning steps necessary to provide for the electronic submission and retention of contracts by the department. The department shall submit the report, with its findings and recommendations, to the general assembly by December 1, 2006. The report shall identify any costs associated with implementing the recommendations of the report.”

The Department of Administrative Services (DAS) is pleased to submit this report in response to the above referenced requirement. The Information Technology Enterprise within DAS has conducted research into the business and legal requirements of this legislation and makes the recommendations in this report based on government and information technology best practices.

This report relies on the definitions contained in the legislation and does not seek to clarify or explain the definition of the contracts subject to the electronic reporting requirements. All assumptions made in the preparation of these recommendations are clearly outlined and explained. Since this is a new reporting requirement, historical estimates of filing volumes were unavailable. All cost estimates used in this report are based on historical filing volumes from current and past state government business practices.

The role of the Department of Administrative Services, and in particular the Information Technology Enterprise (DAS-ITE), with regard to this central contract repository would be to provide legislatively mandated automated data processing services for Oversight Agencies (as defined in S.F. 2410). The contract repository maintained by DAS-ITE would hold various public records, doing so solely as the agent of the Oversight Agencies and not as the owner or lawful custodian (as defined in Iowa Code Section 22.1) of the public records. The Oversight Agencies would be responsible for compliance with Iowa Code Chapters 22 and 305 and any other applicable laws, rules, and regulations pertaining to the Oversight Agency’s public records. DAS-ITE will forward to the Oversight Agency any requests it receives concerning access to, or examination or copying of, the Oversight Agency’s records.

Assumptions Used in Developing the Recommendations for the Electronic Submission and Retention of Contracts as Defined in New Iowa Code Chapter 8F

In reading the legislative language mandating this report and researching the legislative intent with of S.F. 2410 with the Legislative Services Agency, it is assumed the “contracts” to be filed with and retained by the Department of Administrative Services are “service contracts” as

defined in Division I of the bill. The recommendations in this report are based on the assumptions that the service contracts are:

- Public Records¹ and contain no confidential information².
- To be maintained in a publicly accessible repository. It is further assumed that this repository shall be accessible from the internet in an electronic format that accommodates persons with disabilities.
- Reference copies only and are not subject to Records Series Retention and Disposition Schedules. All legally enforceable copies of the service contracts will remain in the Custody³ of the Oversight Agency (as defined in Division I of S.F. 2410) and the other parties to the contract. The retention and disposition of these service contracts pursuant to Iowa Code Chapter 305 (State Records and Archives) and the corresponding provisions in Iowa Administrative Code Chapter 671 (State Records Commission); and access to these public records pursuant to Iowa Code Chapter 22 (Open Records Law) shall remain the responsibility of the Oversight Agency.
- To be filed with the Department of Administrative Services by the Oversight Agency. The Oversight Agency will be required to file the reference copy of the Service Contract within a reasonable period of time after the execution of the original Service Contract and any subsequent contract revisions.
- To be accompanied by metadata to be specified by the Department of Administrative Services. The metadata will include information such as the name of the Oversight Agency, date of Service Contract or Service Contract amendment, short description of the contract, Oversight Agency point of contact, and other information used to classify and index the Service Contract.

Recommendations for the Electronic Filing of Service Contracts with the Department of Administrative Services

1. The filing requirement should be the responsibility of the “Oversight agency” as defined in new Iowa Code Section 8F2(4)
2. The filing requirement should specify a filing deadline that is within xx days of the effective date of the contract or subsequent contract revisions.

¹ Iowa Code Section 22.1(3): “As used in this chapter, “public records” includes all records, documents, tape, or other information, stored or preserved in any medium, of or belonging to this state or any county, city, township, school corporation, political subdivision, nonprofit corporation other than a fair conducting a fair event as provided in chapter 174 , whose facilities or indebtedness are supported in whole or in part with property tax revenue and which is licensed to conduct pari-mutuel wagering pursuant to chapter 99D , or tax-supported district in this state, or any branch, department, board, bureau, commission, council, or committee of any of the foregoing.”

² As defined in Iowa Code Section 22.7.

³ Custody as defined in Iowa Code Section 305.2 (4)

3. The Oversight Agency will be responsible for the lawful retention of, and access to the original service contracts. The Oversight Agency's Public Records Contact Person(s) is/are responsible for managing public records requests relating to the original service contracts in order to:
- Facilitate prompt and lawful response to Iowa Code Chapter 22 public records requests.
 - Provide a point person in the Oversight Agency to whom other employees can turn for information regarding the service contract.
 - Assure consistent responses to requests.
 - Simplify for the public the process of accessing service contracts.
 - Protecting the integrity of the service contracts subject to statutory requirements.

The Oversight Agency's Records Officer(s) is/are responsible for:

- Maintaining the original service contracts according to the Oversight Agency's records program.
- Ensuring the agency complies with the applicable records series retention and disposition schedules for the original contracts.
- Maintaining a records inventory containing a detailed listing of the volume, scope, and complexity of the Oversight Agency's records that is compiled for the purpose of creating, modifying, or discontinuing records series retention and disposition schedules.

The Service Contract Document Repository Application

An electronic document management system would be used to provide long-term, secure and reliable storage for the service contracts. The software would only store final documents as filed by the Oversight Agencies and it would need to accommodate a growing volume of documents over time. It is assumed all of the documents filed within the repository are deemed public documents with no requirements to limit access to specific users or groups.

The document repository should contain a document search system that allows users to easily find documents by searching using indexing values based on a centrally controlled vocabulary of terms or free text searching against an index that has been created based on the text contained within the document. Searching via either means should make finding documents very easy and accurate with a limited number of zero or excessive search returns. The creation of the document storage framework and document profile framework provides a means to organize documents and to facilitate the profiling of documents for subsequent retrieval. Once these frameworks are defined, content contributors can begin to add and manage documents in an effective matter that facilitates fast retrieval.

The development of the software application will require the following development activities:

- 1) Define a Document Storage Framework.
- 2) Define a Document Profile Framework.
- 3) Definition of Processes for Adding New Content to the Framework.
- 4) Document Retrieval Strategy.
- 5) Document Security and Authorization.

Document Formatting Recommendations for Centrally Filed Contracts

The Information Technology Enterprise would recommend the following document formats for filing Service Contracts.

- .doc (Microsoft Word Version 6.0 or newer)
- .rtf (rich text format; numerous word processors)
- .pdf (portable document format; Adobe Acrobat) To ensure the documents are fully searchable, .pdf files must contain a valid, descriptive title and computer-readable text. Documents which are scanned directly into PDF and only contain a graphic representation of the contract page are unacceptable.

Each of these formats is: a) in general use; b) is fully supported by a wide range of document management applications; and c) is fully searchable.

Estimated Cost for the Development and Operation of the Service Contract Document Repository

Exact costs are difficult to estimate absent a specific set of availability, accessibility, security and operational requirements. The base costs for the development of the document repository application are estimated at \$25,000. The final cost would be dependent on the features, maintenance, and operational support required.

The one time charges for setting up a secure server environment with both production and test capability would be approximately \$3,400 and the server charges to support the document repository application with internet access would be approximately \$390 monthly.