**Retention of Records, and Electronic Signing / Sealing Requirements for Local Agency Projects**

CDOT is transitioning from paper to accepting all submittals, forms, Project Records and supporting documents in electronic format on Local Agency Projects. This Local Agency Bulletin reflects current technology as of 2020. Users should feel free to work in partnership with CDOT staff to continue to advance this effort in between updates to the Local Agency Manual. The effective date of the following requirements is July 1, 2020.

Local Agency Requirements for Retention of Records on locally-administered projects:

This Local Agency Bulletin (Bulletin) updates the requirement in the Local Agency Manual, Chapter 11 – Finals, for the Local Agency, on projects containing any federal funds, to retain Project Records and supporting documents for three years following the date of submission of the final expenditure report, in accordance with 2 CFR 200.333, *Retention requirements for records*. This date is listed in SAP ZJ40LA and will be provided to the Local Agency by the CDOT Project Manager at the completion of the project. A Local Agency may have additional retention requirements specific to its organization in addition to the three years.

On state-funded projects, the Local Agency is required to retain Project Records for 3.5 years from the Form 950 project closure date in accordance with Procedural Directive 21.1, *Requirements for the Retention of Records for Specified Design, Construction, Engineering, and Specialty Groups (Paper and Electronic).* A Local Agency may have additional retention requirements specific to its organization in addition to the 3.5 years.

The Local Agency and/or its representative shall file applicable Project Records and supporting documents on an ongoing basis in ProjectWise Explorer / Project Share after being provided access by CDOT.

CDOT Requirements for Retention of Records on locally-administered projects:

This Bulletin also updates CDOT’s requirements for retention of Project Records in accordance with Procedural Directive 21.1, specifically:

* References are updated in the Local Agency Manual to ensure Project Records related to locally-administered projects are uniformly placed in CDOT’s statewide electronic document management system (ProjectWise Explorer / Project Share), in order to preserve them for the length of their legal retention requirements.
* CDOT Project Managers are to place Project Records with a retention period longer than 3.5 years as shown on CDOT’s Record File Plans in ProjectWise Explorer on an ongoing basis. The CDOT Record File Plan retention periods are extended to at least 7 years from the Form 950 closure date if the project is:
  1. A Construction Management General Contracting, Design-Build, P3 or other innovative contract project
  2. Subject to an internal or external audit
  3. Subject to a litigation hold, or
  4. Funded with emergency funding

This includes smart scanning and ensuring Project Records are ISO compliant before placing in ProjectWise Explorer. Training documents which explain smart scanning are available on CDOT’s Learning Management System for use by CDOT staff working on Local Agency projects. Search “Smart Scanning and Digital Signatures.”

Electronic Signing Requirements:

PD 508.1, *Requirements for the Use of the Professional Engineer’s Seal*, requires that Adobe Sign be the software used for electronic signature on those Project Records which require signatures. It is permissible for use on all other documents. Adobe Sign is also permissible for use on contract modification orders or change orders. Note that the State of Colorado is implementing the use of a different software program for electronic signatures on documents which require a CDOT Controller and/or State Controller signature, such as an Inter-Governmental Agreement. Training is available for Local Agency projects in CDOT’s Learning Management System on the use of Adobe Sign. Search “Adobe Sign Training l Local Agency.”

Electronic Sealing Requirements:

PD 508.1 defines the procedures for the use of the Professional Engineer seal by CDOT employees, consultants, contractors and Local Agencies who perform engineering work for CDOT. It applies to Project Records requiring Seals, including Record Sets, Contract Modification Orders, M&S Standards and changes thereto. Manufactured components, and stormwater management plans (SWMPs) that do not contain engineering information, are excluded from Sealing requirements. Which documents must be Sealed is a legal determination proscribed in 4 CCR 730-1, *Architects, Engineers and Land Surveyors* *Rules and Regulations.*

PD 508.1 requires that all CDOT, Local Agency and consulting engineers utilize electronic sealing. See PD 508.1 for information on exclusions from Sealing requirements. In this time of transition, Local Agencies should work with their CDOT Region Local Agency Coordinator or CDOT Project Manager if electronic sealing is not feasible.

PD 508.1 must be read together with PD 21.1. Sealed Project Records must be retained in ProjectWise Explorer in conformance with the CDOT Record File Plans.

Training documents which explain how to electronically Seal and Sign documents are available on CDOT’s Learning Management System for use by all staff working on Local Agency projects. Search “Adobe Sign Training I Local Agency.”

Updates for this Bulletin are reflected in Chapters 5 through 11, Appendices A, B, F, CDOT form 1243 – Local Agency Contract Administration Checklist and the Manual’s Table of Contents. Those documents follow:



Please print out or electronically retain this information and update your copy of the Manual. For additional questions, contact your CDOT Region Local Agency Coordinator or CDOT Project Manager.