

## SECTION 2

### OFFICE ADMINISTRATION

#### 2-1. Correspondence.

a. All resident engineer office correspondence is prepared and handled in accordance with AR 25-50, Preparing and Managing Correspondence, and AR 25-400-2, The Modern Army Recordkeeping System (MARKS).

b. All contract-related correspondence issued from the resident office to the contractor is signed by the COR (within authority delegated by the Contracting Officer) using the signature block format of "Contracting Officer Representative," as prescribed by AFARS 42.9002, Authority and Limitations. Noncontractual and interorganizational correspondence is signed as "Resident Engineer." Correspondence committing the Government to contract changes in time and/or price must be signed in accordance with EFARS 1.603-3 (100) (Administrative Contracting Officer) with the title block of "Administrative Contracting Officer."

c. Incoming correspondence should be handled promptly. Items not completed on a daily basis, such as engineering studies and investigations, should be assigned a suspense date. When there will be a delay in answering correspondence, a letter of acknowledgment is issued to the sender explaining the causes for the delay in replying and offering an approximate date on which a reply can be expected. The resident engineer assures expeditious action on requests for time extensions or requests for contracting officer decisions, since delays on these actions may result in claims for constructive acceleration or in compromising the Government's position on claims.

d. The resident engineer determines which letters require the reply of higher authority and forwards them to the district at the earliest possible date accompanied by comments and recommendations. Examples of matters requiring action by the district would be:

- (1) Requests which require a CO's decision.
- (2) Requests for contract changes involving design criteria or real estate easements.
- (3) Requests for using agency changes and enhancements.  
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(4) Letters concerning policy and procedure.

(5) Letters from congressional authorities, public officials, or other dignitaries.

(6) Requests for time extensions which are beyond the authority of the resident engineer.

(7) Freedom of Information Act Requests.

f. Verbal discussions, interpretations which may arise in potential claim issues, or directives pertaining to contracts should be documented in a daily report or by memorandum for record.

## 2-2. Filing and Records.

a. The filing system used in the resident office is the Modern Army Recordkeeping System, governed by AR 25-400-2. Records are maintained according to AR 25-1, Army Information Resources Management Program, and assistance can be obtained from the district records management officer. Contract numbers are used for file identification and each contract file is maintained separately.

b. The master contract file is maintained by the FOA contracting office, however the RE should maintain a good working file. A copy of all correspondence or other data referring to multiple contracts is filed and cross-referenced under each contract.

c. The following list of records, files, and publications are items commonly required by higher authority to be kept current:

(1) Contract plans and specifications with modifications.

(2) Construction progress reports.

(3) Organization chart of resident staff.

(4) Organization chart of architect-engineer staff (Only for Title II, Architect-Engineer Management Contracts).

(5) Layout of the installation or project, indicating the location of construction work.

(6) Approved progress schedule of overall project and breakdown of the major items of work with actual up-to-date progress.

(7) Contractor payment estimates with supporting documentation.

(8) CQC/QA plan (Organizational)

(9) List of critical materials with delivery dates and current status.

(10) List of actual or anticipated delays and comments on action by the resident engineer.

(11) Record drawings.

(12) Latest safety records showing hours worked, hours of lost time due to accidents, number of lost time accidents, and related figures.

(13) Modification and claim status records.

(14) Status of funds for each project.

(15) Quality control and QA reports.

(16) Status of significant deficiency actions.

(17) Submittal registers and shop drawings.

(18) ACO's letter of delegated authority.

(19) COR's letter of delegated authority.

(20) Contractor's accident prevention plan.

(21) Contractor's environmental control plan.

(22) Contractor's certified payroll register.

(23) Contractor's affirmative action plan.

(24) Contractor's drug-free workplace statement.

(25) A-E and contractor performance evaluations.

(26) Minutes of prebid meeting, the preconstruction conference, and the CQC/QA coordination meeting.

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d. Contract records and project files are forwarded to the district as soon as practical after contract completion, but in no case later than 1 year after contract completion. Prior to shipment, files are listed on SF 135 and SF 135A, Records Transmittal and Receipt, and prepared in triplicate. The original copy and one duplicate copy are forwarded to the records management officer of the district for approval. When the duplicate SF 135/135A is returned, it is placed in an envelope as the first item in the first box of the shipment. The third copy is retained in the resident office.

#### 2-3. **Forms.**

a. An adequate stock of current, commonly used forms are typically maintained to ensure a 30 to 60-day supply. The district office can keep the resident engineer supplied with the latest forms. DA Pamphlet 25-30, Consolidated Index of Army Publications and Blank Forms, and EP 25-1-2, Index of Blank Forms, may be referenced for form numbers and titles.

b. Proposed forms must be forwarded to the USACE proponent through the district for approval. The USACE proponent may adopt them by submitting a DA Form 1167, Request for Approval of Form, and prescribing directive.

#### 2-4. **Reports.**

a. Periodic and special reports are required by the resident engineer to record and report matters of importance. All reports by the resident engineer are prepared and submitted in accordance with the instructions furnished by the district, with emphasis placed on minimizing paperwork.

b. When the resident engineer receives a request for a formal report from higher authority, the district will supply, upon notification, the required instructions.

c. Construction data items used in AMPRS must be reported monthly to HQUSACE through the district.

#### 2-5. **Visitors to the Resident Office.**

a. At the discretion of the resident engineer, United States citizens may be admitted to activities under direct supervision of USACE (provided no classified information is involved).

Due regard for the safety of such visitors and noninterference with the project work must be exercised. In addition, at military activities the rules prescribed by the installation commander must also be observed by the visitor(s). Foreign citizens will not be permitted to visit civil works activities without prior approval from the district.

b. The resident engineer extends every courtesy and cooperation to visitors and, when possible, gives them personal attention. If this is not possible, a suitable person for the event should be assigned. In such cases, the resident engineer arranges a meeting with the visitors before they leave the area.

c. Representatives of higher authority, other than the contracting officer for the ACO, are not empowered to verbally direct the resident engineer to make changes in contract requirements. The merit of visitors' opinions and suggestions will be carefully weighed and, if appropriate, action taken.

d. Inspections and visits by higher authorities are routinely reported to the district.

e. Identification and authorization of visitors are checked before allowing access to security matters or areas.

## **2-6. General FOIA Procedures.**

a. The Freedom of Information Act (FOIA) requires federal agencies to make certain agency records available to any person that requests them. The request must be in writing and reasonably describe the records requested. The federal agency is only required to release existing documents and is not required to generate new documents to meet the request. The Act requires the agency to provide the information to the requester, or deny the request in ten working days. In practice, however the ten day deadline is hard to meet, and a response that a document search has been initiated will usually satisfy the immediate concerns of the requester.

b. When a FOIA request is sent directly to the area or resident office by the requester, it must be forwarded, as soon as possible, to the District/Division FOIA Officer. The FOIA Officer will process the request, and may send it back to the area/resident office for collection of the requested documents. The FOIA Officer may also ask that form DD 2086, "Record of Freedom of Information Processing Cost," be completed. It is important to fill out that form with the time spent searching and copying the requested documents.

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c. Before a document can be withheld from a requester, the FOIA Officer must determine whether that document, or any reasonably segregable portion thereof, fits within one of the nine exemptions in the Act. All other material must be released. The area/resident office should provide the FOIA Officer with a contact point who can help determine if the documents are withholdable. Even though the FOIA Officer is required to make an independent determination, area/resident office input is important. Any questions regarding the type of information that is withholdable, should be directed to the FOIA Officer. FOIA procedures in the individual Districts/Divisions may vary. The area/resident engineer should contact the District/Division FOIA Officer to ensure that the proper procedures are being followed.