

# **Schedule 37-420**

## **DEPARTMENT OF TRANSPORTATION**

### **PROGRAM MANAGEMENT DIVISION**

**March 19, 2019**

Nebraska Records Management Division  
3242 Salt Creek Circle  
Lincoln, NE 68504  
(402) 471-2559

**REQUEST FOR APPROVAL  
OF RECORDS RETENTION  
AND DISPOSITION SCHEDULE**

SCHEDULE <b>37-420</b>
AGENCY, BOARD OR COMMISSION <b>DEPARTMENT OF TRANSPORTATION</b>
DIVISION, BUREAU OR OTHER UNIT <b>PROGRAM MANAGEMENT DIVISION</b>
<b>Supersedes Schedule 37-312, Edition of September 2, 2003</b>

**TO: STATE RECORDS ADMINISTRATOR  
STATE OF NEBRASKA**

**PART I – AGENCY STATEMENT:**

In accordance with Section 84-1212.01, R.R.S. 1943, approval of the attached records retention and disposition schedule by the State Records Administrator is hereby requested. Retention periods and dispositions have been recommended by this agency after a careful evaluation of all factors listed in Section 84-1212.01, R.R.S. 1943.

SIGNATURE 	DATE 3/5/19
TITLE Director - NE Dept of Transportation	

**PART II – APPROVAL OF STATE ARCHIVES:**

The attached schedule has been analyzed, all archival and historical material has been properly identified, no disposition except by transfer to the State Archives has been recommended for such material, and this schedule is approved as submitted.

SIGNATURE 	DATE 3/12/2019
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**PART III – APPROVAL OF AUDITOR OF PUBLIC ACCOUNTS:**

The attached schedule has been reviewed, all audit material has been properly identified, and this schedule is approved as submitted.

SIGNATURE 	DATE 3/19/19
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**PART IV – APPROVAL OF STATE RECORDS ADMINISTRATOR:**

The attached schedule has been reviewed in accordance with Section 84-1212.01, R.R.S. 1943, and is approved as submitted.

SIGNATURE 	DATE 3/19/2019
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## **INSTRUCTIONS FOR USING THIS SCHEDULE**

Records retention and disposition schedules are designed to serve as your records management guideline for storing and disposing of agency records, **regardless of the media on which they reside**, including paper, microfilm, diskettes, optical disks, CDs, DVDs, servers, computer hard drives, etc. This schedule was written specifically for records unique to your office and the State Agencies General Records Schedule #124 contains those records common to most state government agencies. This retention schedule, which is approved by the State Records Administrator, provides your only ongoing authority to dispose of records. Listed below are some basic procedures to follow when applying your schedule.

### **DISPOSING OF RECORDS**

1. Check your schedules to see what the retention period is. Note: Your agency's unique schedule will take precedence over State Agencies General Records Schedule #124 for any items which have differences in retention requirements.
2. Dispose of records that have met their retention periods. Unless there is pending or on going, legal action, records request, or audit.
3. For records requiring a review of, or transfer to the **NE State Historical Society (State Archives)**, your agency is required to contact the State Archives to negotiate the transfer. Additionally, **once the records are accessioned into their collection, they become the property of the State Archives** (Neb. Rev. Stat. §82-105). The State Archives may remove selected records in accordance with standard archival practices to ensure efficient access, organization and enduring historical value (Neb. Rev. Stat. §82-107). Please contact their office by calling (402) 471-4783.
4. Complete a Records Disposition Report for the records you dispose. The Records Disposition Report form is located on the Secretary of State Records Management website. [https://appengine.egov.com/apps/ne/sos\\_records\\_disposition\\_report](https://appengine.egov.com/apps/ne/sos_records_disposition_report). This report establishes that the destruction was performed in your normal course of business.

### **NON-SCHEDULED RECORDS**

Contact a Records Management Specialist in Records Management to see whether the records will fit under an item already on the schedule. If they do not, they must be retained until they are added to the next revision of your schedule.

### **SCHEDULE UPDATE**

It is the responsibility of each agency to periodically update their schedule. A Records Management Specialist in Records Management can assist you with the schedule update, which may involve adding new records series and making revisions to existing items. Keeping your schedule current will ensure you have the ongoing authority to discard records when their useful life has ended.

### **QUESTIONS**

If you have any questions about these procedures, please contact your agency Records Officer or the Records Management Specialist in Records Management. They will help you with any questions the schedule may present, including: transferring records to the State Records Center or microfilming records, scanning records, etc.

**Records Management Division  
3242 Salt Creek Circle  
Lincoln, NE 68504  
402-471-2559**

**SCHEDULE 37-420 (formerly 37-312)**  
**DEPARTMENT OF TRANSPORTATION**  
**PROGRAM MANAGEMENT DIVISION**  
**March 19, 2019**

Retention requirements are for all records, regardless of the media on which they reside, unless otherwise noted.  
Records that are handled by all Divisions and Districts will be listed in Department of Transportation General Schedule 37  
If you cannot find a record or you have questions on its retention period, please  
contact the NDOT Records Officer in the Communication Division

**Supersedes 37-312 Edition of September 2, 2003**

<b>ITEM NUMBER</b>	<b>RECORD TITLE</b>	<b>DESCRIPTION/EXAMPLES</b>	<b>RETENTION</b>	<b>REFERENCE/COMMENTS</b>
37-420-1	<b>CIVIL RIGHTS COMPLAINTS</b>	Complaint forms, investigative and supporting documentation.	Until final disposition	
37-420-2	<b>CIVIL RIGHTS DOCUMENTATION – NOT TIED TO SPECIFIC CONSTRUCTION PROJECT</b>	OJT Request for Trainee Approval form; Contractor EEO Self-Analysis form; FHWA 1391 forms; FHWA 1392 report; DBE uniform reports; Sub-recipient review reports.	5 years	
37-420-3	<b>CIVIL RIGHTS PROGRAM DOCUMENTS</b>	Federally mandated program documents: ADA transition plan, ADA self-evaluation, limited English proficiency (LEP) plan, disadvantaged business enterprises (DBE) manual, contractor Equal Employment Opportunity (EEO) compliance manual, internal Equal Employment Opportunity (EEO) plan, Title VI Implementation Plan.	Superseded + 5 years	
37-420-4	<b>CONSTRUCTION PROJECT CIVIL RIGHTS DOCUMENTS</b>	Environmental justice (EJ), limited English proficiency (LEP), technical memos, On the Job (OJT) monthly hour reporting forms, NDOT forms 441 and 422.	<b>PAPER RECORD:</b> Scan and retain in ECM. Until no longer of reference value but no more than 1 year <b>ELECTRONIC RECORD:</b> 10 years after project closeout	
37-420-5	<b>CONTRACT COMPLIANCE REVIEW</b>	Documentation of contractor compliance of Equal Employment Opportunity (EEO) and Affirmative Action contract requirements.	<b>PAPER RECORD:</b> Scan and retain in ECM. Until no longer of reference value but no more than 1 year <b>ELECTRONIC RECORD:</b> 5 years after date of compliance	
37-420-6	<b>DISADVANTAGED BUSINESS ENTERPRISES (DBE) FIRM APPLICATION/CERTIFICATION DOCUMENTATION</b>	DBE applications, personal financial forms, tax returns, onsite reports, other supporting documentation.	<b>ELECTRONIC RECORD:</b> Retain in ECM until firm denial or decertification + 1 year	

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
37-420-7	DIVISION RECORDS			See Schedule 124-General Records for State Agencies -- POLICY AND PROCEDURES MANUAL - OTHER, item 124-132
37-420-8	INTERAGENCY PROCEDURES			See Schedule 124-General Records for State Agencies -- POLICY AND PROCEDURES MANUAL - OTHER, item 124-132
37-420-9	NEBRASKA SURFACE TRANSPORTATION PROGRAM	Annual publication of one- and five-year project programs by district.	50 years	Contact Nebraska Publication Clearing house to deposit copies.
37-420-10	PROGRAM RECORDS	Decision documents, policies, approval letters, and tracking spreadsheets used to manage state and federal programs.	Superseded + 10 Years	
37-420-11	STATE TRANSPORTATION IMPROVEMENT PROGRAM (STIP)	Federally required planning document that is developed annually. STIP is continually updated during the fiscal year by amendments and revisions. Each revision, once approved by FHWA, it is posted on the NDOT website and will be retained for 10 years. Public comments and NDOT responses retained with applicable STIP.	Superseded + 10 Years	