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May 31, 2012

KANSAS BULLETIN NO. KS300-12-50

SUBJECT: LTP–Kansas Policy on Expiring Contracts in the Program Contracts System

Purpose. To provide the Kansas policy on Program Contracts System (ProTracts) contracts which expire in “active” status

Expiration Date. September 30, 2013

Contracts that expire in “active” status have open obligations or actions that have not been completed. This bulletin serves to inform assistant state conservationists for field operations (ASTCs-FO), supervisory district conservationists (SDCs), and district conservationists (DCs) of the implementation of a Kansas **ZERO TOLERANCE** policy for contracts expiring in an “active” status in ProTracts. Disciplinary action for employees responsible for the administration of contracts that expire with open obligations or have actions left uncompleted will be determined by the state conservationist.

Contracts expire at midnight on the expiration date. An expired contract may or may not have had all practices completed. With proper contract administration, contracts will not expire with open obligations. It is not the policy of the Natural Resources Conservation Service (NRCS) to allow conservation program contracts to expire with an “active” ProTracts status, refer to Title 440–Conservation Programs Manual (CPM), Conservation Program Contracting, Part 512, Section 512.45.D.

Contracts may be modified to extend the expiration date (within the statutory contract length provisions) if approved prior to expiration. Field offices (FOs) should utilize the “contract maintenance” function within ProTracts to identify “active” contracts that expire in a selected year. Contract modifications with the following pending actions DO NOT appear on contract expiration maintenance queries:

- Contract modifications waiting for approval
- Contract modifications in progress (not yet submitted for approval)
- Contract modifications to set status to complete

(more)

DIST: A, F, S, Eaves, Franklin, C. Nelson

NOTE: FOs need to note the prior expiration date of all contracts pending modification to ensure required actions occur in a timely fashion in order to prevent contracts expiring while awaiting a modification approval.

In the last 12 months of a contract, if there are any incomplete contract items, participants shall be notified of the following at least 180 calendar days prior to the contract expiration (see CPM, Part 512, Section 512.55):

- That the contract is in violation of the contract appendix provisions which state that participants agree to complete all practices at least one year before the expiration date of the contract
- That the participant may have an option to extend the contract expiration date (within the statutory contract length provisions) **AND** to reschedule planned practices
- That the contract is in non-compliance and is subject to termination with refund of financial assistance payments made to them in addition to liquidated damages amounting to ten percent of the original contract obligation

Contact: Forward questions, through established channels, to Gaye L. Benfer, Assistant State Conservationist for Programs, at gaye.benfer@ks.usda.gov or 785-823-4569.

(Signed)

ERIC B. BANKS
State Conservationist