ATTACHMENT J.5

CONSTRUCTION CONTRACTOR'S PERFORMANCE EVALUATION GUIDELINES AND FORMS

CONSTRUCTION CONTRACTOR PERFORMANCE EVALUATION GUIDELINES

1. INTRODUCTION

[Adapted from the Commonwealth of Pennsylvania Department of General Services... Review Draft: June 14, 2005]

DEFINITIONS

The term "Contractor" means the Construction General Contractor.

The term "Administrator" means the Administrator of Construction in the Office of Property Management's (OPM) Construction Division.

The term "Deputy Director" means the Deputy Director of Construction in the Office of Property Management's Construction Division.

The term "Project Manager" means the individual assigned to manage the Project by the Office of Property Management's Construction Division.

The term "Client" means the District agency for which the Office of Property Management is managing the Project.

The term "Project" means an Office of Property Management managed construction project.

The term "Representatives" means OPM's third party professionals, such as architects and engineers.

The acronym "QA/QC" means Quality Assurance/Quality Control.

The acronym "SOV" means Schedule of Values.

The Contractor Performance Evaluation System has been developed to evaluate the performance of contractors on current construction projects. This system makes it possible for the Office of Property Management to review the Contractor's performance on OPM managed construction projects.

OPM will conduct construction contractor performance evaluations for all construction projects managed by OPM regardless of the method of procurement.

2. SCHEDULE OF EVALUATION

(A) OPM will evaluate a Contractor's performance during the course of each Project. The minimum frequency of evaluations will be based on the percent of physical work completed, as shown in the following table:

MINIMUM FREQUENCIES OF PERFORMANCE EVALUATIONS	
Contract Duration	Evaluation Frequency
Up to 4 months	One: at final completion
Between 4 to 12 months	Two: at 50% and final completion
Beyond 12 months	Five: at 15%, 30%, 50%, 75% and final completion

(B) In addition to the above, OPM reserves the right to evaluate a Contractor's performance at any time during a Project provided that no less than thirty (30) calendar days has elapsed since the last performance evaluation.

3. PERFORMANCE EVALUATION

The OPM Project Manager (PM) will be responsible for ensuring that the Contractor Performance Evaluation Form (Exhibit A) is completed and submitted to the Administrator in accordance with the above Section 2. The Contractor Performance Evaluation Form consists of two parts: Part 1 Summary Report, and Part 2 OPM Project Manager Report. Upon completing Part 2, the PM will complete Part 1 Summary Report and calculate the Contractor's overall performance rating for the project to-date. The PM will be responsible for completing and submitting its evaluation to the OPM Senior Project Manager (Senior PM) within 5 business days of Contractor's completion of an evaluation milestone as set forth in the table in Section 2(A) above, and additionally will be responsible for completing and submitting its evaluation to the Senior PM at such other times as OPM deems appropriate, in its sole discretion, in accordance with Section 2(B) above.

The Senior PM will be responsible for submitting the completed Contractor Performance Evaluation Form to the Administrator for review approval. The Administrator will review the Contractor Performance Evaluation Form to ensure that ratings are fair, consistent, and accurate based on the underlying facts and supporting documentation.

Upon approval, the Administrator will forward the Contractor Performance Evaluation Form to the Deputy Director for approval and signature. The final evaluation form will be sent to the Contractor per Section 6 of these guidelines.

4. EVALUATION CRITERIA

As identified on the Contractor Performance Evaluation Form, the evaluation criteria and sub-factors of each criteria are:

QUALITY OF WORK

- Quality of Workmanship
- Quality of Subcontractors' Work
- Compliance with Plans and Specifications
- Adequacy of the QA/QC Plan
- Adequacy of the QA/QC Testing
- Implementation of the QA/QC Plan

- Quality of QA/QC Documentation
- Storage of Materials
- Adequacy of Materials
- Use of Specified Materials
- Quality of Submittals
- Timely Correction of Deficient Work

COST CONTROL

- Practices Change Order Avoidance and Minimization
- Change Order Documentation
- Change Order Pricing (based on the percentage calculated by dividing the total value of the change orders since the last evaluation by the total Project Budget applicable to the same period, the rating for this sub-factor shall be: $\leq 3\% = 100$, $\leq 10\% = 90$, $\leq 15\% = 80$, $\leq 20\% = 70$, $\geq 20\% = 60$
- Timely Performs Change Order Work
- Subcontractor Change Order Review and Approval

SCHEDULE/TIME MANAGEMENT

- Adequacy of Initial Project Schedule
- Adherence to Approved Schedule
- Schedule Update Timeliness and Accuracy (Monthly)
- Timely Submittal of and Adherence to Recovery Schedule (If Applicable)
- Timely Notification of Conditions Impacting Schedule (such as, inspectors, material lead times, coordination with other city agencies)
- Timely Submission of Shop Drawings
- Timely Payments to Subcontractors and Vendors
- Timely Conducting of all Inspections, including, for example, inspections for permits (materials, mechanical systems, close-out, etc.)

MANAGEMENT

- Cooperation/Responsiveness with OPM Project Staff, Client and Representatives
- Coordination with Other Primes
- Coordination and Control of Subcontractors
- Professional Conduct
- Management of Personnel/Resources
- Adequate Amount of Workforce, Materials and Equipment to Meet Schedule
- Job-site Supervision
- Adequacy of Daily Work Log
- Review/Resolution of Subcontractor's Issues
- Compliance with Laws, Regulations, Permits, Inspections, Testing
- Housekeeping (i.e. cleanliness of job site, trailer, etc.)
- Invoices adhere to approved S.O.V./% Complete

LABOR STANDARDS

- Prompt Correction of Deficiencies
- Certified Payrolls Properly Completed and Submitted
- Compliance with Labor Laws
- Compliance with Prevailing Wage Laws

- Trained and Skilled Workforce

SAFETY STANDARDS

- Adequacy of Safety Plan
- Implementation of Safety Plan
- Minimizes Job-site Accidents
- On-site Safety Maintenance
- Compliance with Worker Exposure Requirements
- Compliance with Drug/Alcohol Abuse Requirements
- Adequacy of Regulatory Compliance Documentation

CLOSE-OUT

- Prompt Submission and Quality Completion of Punch List
- Prompt Submission and Quality Completion of As-built Drawings, O&M Manuals, Warranties, etc.
- Adequacy of User Training
- Supports Building Commissioning
- Demobilization and Site Clean-up

5. PERFORMANCE EVALUATION RATING SYSTEM

In evaluating and rating each criteria and subfactor on the Contractor Performance Evaluation Form, the evaluator will use the following rating systems. The ratings reflect the District's satisfaction with the Contractor's performance of the requirements of the Project from the date of the last evaluation (or from Project commencement if it is a first Project evaluation) to the date of the current evaluation).

Excellent (100)
When applied to the individual evaluation sub-factor, a rating of excellent should be given if the contractor work far exceeds the contract requirements by consistently exhibiting excellent performance typically meets and regularly exceeds the contract requirements.

Good (90)
When applied to the individual evaluation sub-factor, a rating of good should be given if the Contractor often exceeds the contract requirements and frequently provides a high level of performance, typically meets, and often exceeds the contract requirements.

Satisfactory (80)
When applied to the individual evaluation sub-factor, a rating of satisfactory should be given if the Contractor provides an acceptable level of performance consistently meeting the contract requirements.

Marginal (70)
When applied to the individual evaluation sub-factor, a rating of satisfactory should be given if the Contractor performs slightly below the requirements of the contract, meeting the contract requirements on an intermittent basis.

Unsatisfactory (60)

When applied to the individual evaluation sub-factor, a rating of unsatisfactory should be given if the Contractor fails to meet important contract requirements, resulting in a negative impact on the entire project.

For any performance evaluation rating value below Satisfactory (80.0), the evaluator must provide written comments with specific explanations of how and when a Contractor failed to meet the contract requirements.

6. NOTIFICATION TO CONTRACTOR

OPM will notify the Contractor of the results of the most recent performance evaluation. The notification will include a cover letter, and a copy of the Contractor Performance Evaluation Form with supporting documents, if any. If the overall Performance Rating is below Satisfactory (80.0), the cover letter will set forth a timeframe in which the Contractor must correct deficiencies to achieve an overall performance rating of at least satisfactory (80.0). If the Contractor fails to remedy the deficiencies within this timeframe, OPM will input results into the OPM database and submit a copy of evaluation and supporting documents to the Office of Contracts and Procurement (OCP) for inclusion in the Contractor's OCP file.

7. CONTRACTOR CHALLENGES

A Contractor who wishes to challenge a performance evaluation shall submit its challenge in writing to the Deputy Director, with a copy to the Administrator, postmarked within fifteen (15) calendar days of date of notice.

The written challenge must include a detailed explanation, and documentation, if any, of the specific grounds for the challenge.

Failure to timely challenge a performance evaluation in the manner required will be deemed to be a waiver of Contractor's right to challenge that performance evaluation.

If a challenge, in accordance with this Section 7, is given by a Contractor, the results of the Contractor's performance evaluation will not be final (entered into the OPM database) until the Deputy Director renders a final written decision. Upon arriving at a final decision, the Deputy Director, or his designee, will forward said decision to the Contractor. If the Deputy Director's final decision is to maintain the overall Performance Rating, the Deputy Director will forward a copy of the decision to OCP and the Contractor shall be added to the OPM database and a copy of evaluation and supporting documents will be provided to OCP for inclusion in the Contractor's OCP file.

8. MULTIPLE PERFORMANCE EVALUATION RATINGS

At the completion of a Project, the Contractor will be given a Final Performance Evaluation Rating which will be calculated by averaging all Performance Ratings given in the course of the Project.

Exhibit A

CONTRACTOR PERFORMANCE EVALUATION FORM

Part 1
Summary Report

DATE _____
CONTRACTOR _____
CONTACT NAME _____
PROJECT NUMBER _____
PROJECT NAME _____
PROJECT ADDRESS _____

EVALUATION SCHEDULE (based on physical work):

Circle One: 15% 30% 50% 75% Final Other_____

EVALUATOR _____ DATE _____

INSTRUCTIONS:

The Office of Property Management (OPM) should complete a performance evaluation form for each prime contract according to the evaluation schedule set forth above. It is important to use the point ranking system specified on this form.

	SUMMARY RATING	N/A
QUALITY OF WORK		
COST CONTROL		
SCHEDULE/TIME MANAGEMENT		
MANAGEMENT		
COMPLIANCE WITH SAFETY STANDARDS		
CLOSEOUT (Final Only)		
OVERALL PERFORMANCE RATING*		-

*Sum of Summary Ratings divided by number of categories evaluated.

_____ PROJECT MANAGER/DATE

_____ SR. PROJECT MANAGER/DATE

_____ ADMINISTRATOR/DATE

_____ DEPUTY DIRECTOR/DATE

Exhibit A

CONTRACTOR PERFORMANCE EVALUATION FORM

Part 2

Construction Inspection Supervisor Detailed Report

DATE _____

CONTRACTOR _____

CONTACT NAME _____

PROJECT NUMBER _____

PROJECT NAME _____

PROJECT ADDRESS _____

EVALUATION SCHEDULE

Circle One: 15% 30% 50% 75% Final Other_____

EVALUATOR _____ DATE _____

QUALITY OF WORK	N/A	Excellent	Good	Satisfactory	Marginal	Unsatis-factory
Quality of Workmanship		100	90	80	70	60
Quality of Subcontractor's Work		100	90	80	70	60
Compliance with Plans and Specifications		100	90	80	70	60
Implementation of the QA/QC Plan		100	90	80	70	60
Adequacy of the QA/QC Plan		100	90	80	70	60
Adequacy of QA/QC Testing		100	90	80	70	60
Quality of QA/QC Documentation		100	90	80	70	60
Storage of Materials		100	90	80	70	60
Adequacy of Materials		100	90	80	70	60
Use of Specified Materials		100	90	80	70	60
Quality of Submittals		100	90	80	70	60
Identification and Timely Correction of Deficient Work		100	90	80	70	60
Summary Rating (Sum of values circled divided by number of sub-factors evaluated)						

Comments for Individual or Summary Ratings less than 80: _____

_____

COST CONTROL	N/A	Excellent	Good	Satisfactory	Marginal	Unsatisfactory
Practices Change Order Avoidance and Minimization		100	90	80	70	60
Change Order Documentation		100	90	80	70	60
Change Order Pricing		100	90	80	70	60
Timely Performs Change Order Work		100	90	80	70	60
Subcontractor Change Order Review and Approval		100	90	80	70	60
Summary Rating (Sum of values circled divided by number of sub-factors evaluated)						

Comments for Individual or Summary Ratings less than 80: _____

_____

Exhibit A

CONTRACTOR PERFORMANCE EVALUATION FORM

SCHEDULE/TIME MANAGEMENT	N/A	Excellent	Good	Satisfactory	Marginal	Unsatisfactory
Adequacy of Initial Project Schedule		100	90	80	70	60
Adherence to Approved Schedule		100	90	80	70	60
Schedule Update Timeliness and Accuracy		100	90	80	70	60
Timely Submittal and Adherence to Recovery Schedule		100	90	80	70	60
Timely Notification of Conditions Impacting Schedule, Tie-ins, Shut-downs, etc.		100	90	80	70	60
Time Submission of Shop Drawings		100	90	80	70	60
Timely Payments to Subcontractors and Vendors (Compliance with Prompt Payment Act)		100	90	80	70	60
Timely in Obtaining Permits, Conducting Inspections, etc.		100	90	80	70	60
Summary Rating (Sum of values circled divided by number of sub-factors evaluated)						

Comments for Individual or Summary Ratings less than 80: _____

MANAGEMENT	N/A	Excellent	Good	Satisfactory	Marginal	Unsatisfactory
Cooperation/Responsiveness with OPM Project Staff, Client and Representatives		100	90	80	70	60
Coordination with Other Primes		100	90	80	70	60
Coordination and Control of Subcontractors		100	90	80	70	60
Professional Conduct		100	90	80	70	60
Management of Personnel Resources		100	90	80	70	60
Provides Adequate Amount of Workforce, Materials and Equipment to Meet Schedule		100	90	80	70	60
Job-Site Supervision		100	90	80	70	60
Adequacy of Daily Work Log		100	90	80	70	60
Review/Resolution of Subcontractor's Issues		100	90	80	70	60
Practices Claim Avoidance and Minimization		100	90	80	70	60
Compliance with Laws, Regulations, Permits, Inspections, Testing		100	90	80	70	60
Housekeeping		100	90	80	70	60
Invoices adhere to approved S.O.V. % complete						
Summary Rating (Sum of values circled divided by number of sub-factors evaluated)						

Comments for Individual or Summary Ratings less than 80: _____

Exhibit A

CONTRACTOR PERFORMANCE EVALUATION FORM

LABOR STANDARDS	N/A	Excellent	Good	Satisfactory	Marginal	Unsatisfactory
Correction of Noted Deficiencies		100	90	80	70	60
Payrolls Properly Completed and Submitted		100	90	80	70	60
Compliance with Labor Laws		100	90	80	70	60
Compliance with Prevailing Wage Law		100	90	80	70	60
Trained and Skilled Workforce		100	90	80	70	60
Summary Rating (Sum of values circled divided by number of sub-factors evaluated)						

Comments for Individual or Summary Ratings less than 80: _____

_____

SAFETY STANDARDS	N/A	Excellent	Good	Satisfactory	Marginal	Unsatisfactory
Adequacy of Safety Plan		100	90	80	70	60
Implementation of Safety Plan		100	90	80	70	60
Minimizes Job-site Accidents		100	90	80	70	60
On-site Safety Maintenance		100	90	80	70	60
Compliance with Worker Exposure Requirements		100	90	80	70	60
Compliance with Drug/Alcohol Abuse Requirements		100	90	80	70	60
Adequacy of Regulatory Compliance Documentation		100	90	80	70	60
Summary Rating (Sum of values circled divided by number of sub-factors evaluated)						

Comments for Individual or Summary Ratings less than 80: _____

_____

CLOSE-OUT	N/A	Excellent	Good	Satisfactory	Marginal	Unsatisfactory
Promptness/Quality of Punch List		100	90	80	70	60
Promptness/Quality of As-built Drawings, O&M Manuals, Warranties, etc...		100	90	80	70	60
Adequacy of User Training		100	90	80	70	60
Supports Building Commissioning		100	90	80	70	60
Demobilization and Site Clean-up		100	90	80	70	60
Summary Rating (Sum of values circled divided by number of sub-factors evaluated)						

Comments for Individual or Summary Ratings less than 80: _____

_____

Exhibit A

CONTRACTOR PERFORMANCE EVALUATION FORM

INSTRUCTIONS:
In the space provided below, if applicable, provide additional text to identify and to describe how specific individuals or firms exerted a positive or negative impact on the contractor's performance on this project. The text provided below is for informational purposes only and should already be factored into the evaluation ratings.

Contractor's Personnel

Subcontractor's Personnel