

# Oklahoma Department of Transportation

## Contractor's Performance Evaluation Construction Control Directive No. **20141023**

**December 16, 2019**

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Scope: To clarify the procedure for evaluation of the contractor's performance throughout the project, and to provide the form to be used for this evaluation.

### **Background**

As per the Oklahoma Administrative Code (OAC), a contractor may be suspended from doing work with the Department for any one of several reasons. One of these reasons is listed under section 730:25-3-5(b)(1)(G) and states that "Performance suspension may occur for ... A demonstrated lack of proficiency in performing work on Department projects evidenced by performance evaluations of "unsatisfactory" on three (3) ratings in one (1) year."

Additionally, Section 102.04 of the Standard Specifications provides various reasons for which the Department may refuse to issue bid proposals to a contractor. One of these reasons is if "The bidder performs "unsatisfactory" on previous or current Department contracts".

In October 2007, as part of the Department's effort to improve our Contractor's Prequalification Process, we developed a new Contractor's Performance Evaluation form to replace the Confidential Rating of Contractors form which was in use at the time. On this new evaluation form "unsatisfactory" is defined as an overall rating value less than 6.0.

In order to ensure consistency in the application of this form we are issuing this Control Directive to clarify the procedure for evaluation, and to provide the form electronically in SiteManager.

### **Roles and Responsibilities**

At the very least, the performance evaluation form is to be prepared for the Prime Contractor upon completion of the project. However, the form may also be used to report the performance of any Subcontractor, and may be used at any time throughout the course of the project as a progressive evaluation.

The form is to be prepared by the individual designated by the Resident Engineer to do so, usually the Project Inspector. The evaluation will then be approved by the Resident Engineer, and reviewed by the Field Division Engineer.

The Resident Engineer will provide a copy of any evaluation, progressive or final, to the affected Prime Contractor or Subcontractor, and maintain documentation of this action in the project file. The Resident Engineer must also document submission of the Final evaluation to the Prime Contractor by entering the date this action is performed in the Key Dates screen of SiteManager.

Any evaluation with an overall rating value less than 6.0 is considered "unsatisfactory". The Resident Engineer is required to provide the contractor an opportunity to meet and discuss such an evaluation; and must maintain documentation of any meetings and subsequent results in the project file.

The Resident will submit two copies of the completed evaluation(s) to Construction Division as part of the Final Estimate Packet.

The form to be used is provided electronically in SiteManager at the following location:

Main Panel / ODOT Custom Panel / Contract Specific Reports / Admin / Contractor Rating

Refer to the attached example form and instructions. For further assistance in completing this form or for questions, please contact the Construction Division at 405-521-2561.



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