

Consultant Performance Evaluation Process Guidance

ACEC/ODOT Project Delivery Management Systems Sub-Committee
ODOT Technical Services, Project Delivery Unit

PURPOSE

This document provides process guidance and direction for ODOT staff and consultants in assessing consultant performance on ODOT highway projects.

INTRODUCTION

Assessing consultant performance is a standard business practice needed by ODOT in order to:

- Determine if the owner is receiving good value; ensure ODOT is receiving good, quality deliverables
- Provide opportunities for continuous improvement/lessons learned (project close-out)
- Provide input into the contract selection reference process
- Meet FHWA FAR subpart 42.15 – Contractor Performance Evaluation Information

Consultant Performance Evaluation is a federal requirement and ODOT holds an ownership role of the process. However, this process has been developed largely in partnership with ACEC and FHWA.

This process applies to the following:

- Prime Consultants only
- Full Service and Discipline Specific Architectural and Engineering (A&E) and related services contracts of \$100K or more (see scope exclusions below)

NOTE: Project specific, planning and any other related service A&E contracts funded with federal aid will be added to the formal process at a future point in time, building upon the successes and lessons learned of the full service and discipline specific process. Project managers are encouraged to conduct a performance evaluation on these type of contracts on their own.

The following programs have been excluded from this process; evaluation processes have been or will be developed and implemented separately as appropriate to these programs.

- OTIA III Contracts – own evaluation process in place
- Small Contracting Program – will develop smaller scale process for feedback, mentoring and coaching purposes only
- “Major” Contracts (i.e. Columbia River Crossing, OIPP) – own evaluation processes will be put into place as applicable
- Design-Build Projects – consultant is not direct ODOT client.

HOW TO CONDUCT THE PERFORMANCE EVALUATION

The performance evaluation process should incorporate good project management practices throughout the contract deliverables so there are no surprises with the evaluation. Performance review and feedback should be a regular, ongoing conversation between the ODOT work order contract manager¹ and the consultant throughout the life of the project.

¹ ODOT “Work Order Contract Manager” can include, but is not limited to, the following roles: Project Manager, Technical Center Manager, Technical Discipline/Unit Manager, Technical Services Section/Unit Manager, etc.

During the formal aspects of the evaluation process, the ODOT work order contract manager completes the evaluation tool. Ideally, the ODOT work order contract manager will schedule a meeting with the authorized Consultant representative to review and sign the evaluation together. If meeting in person is problematic, the ODOT work order contract manager shall forward the completed evaluation to the Consultant for review and signature, and schedule a telephone meeting. The Consultant shall return the signed document to the ODOT work order contract manager. The ODOT work order contract manager will sign the evaluation and send a copy to the Consultant and to the appropriate ODOT upline manager². The ODOT work order contract manager will submit the original or a PDF version to the ODOT Procurement Office (OPO).

If an authorized Consultant representative refuses to sign the evaluation form, the ODOT work order contract manager will sign and date the evaluation, make a note in the comment section, and transmit a copy to the Consultant's address of record shown in the contract.

WHEN TO CONDUCT THE PERFORMANCE EVALUATION

Evaluations will be conducted annually, based on the Notice to Proceed date, and at the end of the project as part of the project close-out. No more than 12 months shall pass without a formal evaluation.

SCORING METHOD & DESCRIPTIONS:

Level	Score	Description
Exceeds:	3	Performance exceeds contract requirements to the Agency's benefit. Few minor problems; corrective actions taken by the contractor were highly effective. Extraordinary performance, such as: <ul style="list-style-type: none"> ▪ Identified cost-saving, innovative options or efficiencies ▪ Demonstrated excellence in quality of work and service delivery ▪ Added value ▪ Did not compromise quality ▪ Went above and beyond expectations
Meets:	2	Performance meets contract requirements. Some problems; corrective actions taken by the contractor appear satisfactory or completed corrective actions were satisfactory.
Needs Improvement:	1	Performance does not meet some contractual requirements. Multiple or serious problems; contractor's proposed actions have not been satisfactory or have not been fully implemented. Corrective action is required and timely, cost effective recovery is anticipated.
Does not meet:	0	Performance does not meet contractual requirements and recovery is not likely in a timely or cost effective manner. Serious problems for which the contractor's corrective actions have been ineffective.

² ODOT Up-line managers include, but are not limited to: Area Manager (AM), Technical Center Manager (TCM), Technical Services Section/Unit Manager (TSSM or TSUM).

CRITERIA DESCRIPTIONS & WEIGHTS

NOTE: these can apply to PE or CE phase.

Category	Criteria	Description	Weight
1. Quality/Technical Performance	<ul style="list-style-type: none"> ▪ Met work product standards. ▪ Performed and documented quality control according to approved plan. 	<ul style="list-style-type: none"> ▪ Followed applicable policies, procedures and standards. ▪ Work required minimal correction. ▪ Provided clear, complete, and concise documentation. 	40%
2. Cost Performance	<ul style="list-style-type: none"> ▪ Finished within WOC budget. ▪ Invoiced ODOT accurately and timely, according to contract 	<ul style="list-style-type: none"> ▪ On budget ▪ Required minimal correction ▪ Exercised prudent judgment 	10%
3. Schedule Performance	<ul style="list-style-type: none"> ▪ Submitted accurate and timely schedule. ▪ Met milestone due date. 	<ul style="list-style-type: none"> ▪ No significant schedule changes within consultant control. ▪ On time ▪ early ▪ late 	20%
4. Business Relations Performance	<ul style="list-style-type: none"> ▪ Responded to customer needs. ▪ Conducted business in a professional manner. ▪ Provided effective verbal and written communication. 	<ul style="list-style-type: none"> ▪ Responded to questions/requests timely and adequately. ▪ Approached issues proactively. ▪ Maintained continuity in staff assignments ▪ Approached issues collaboratively. ▪ Represented the agency positively to others. ▪ Coordinated with ODOT staff effectively. ▪ Submitted timely progress reports. ▪ Kept ODOT apprised of issues early on. ▪ Provided clear, concise information. ▪ Communicated timely with ODOT and project stakeholders. 	30%

CONSULTANT PERFORMANCE EVALUATION TOOL AND INSTRUCTIONS – [CLICK HERE](#)

Note: there are two tabs on the form: one for instructions and one to complete the form.

REVIEW/Appeal PROCESS

If the Consultant disagrees with the evaluation score, the consultant must provide a written response which shall be attached to the evaluation. The Consultant must also request a meeting with the ODOT work order contract manager to try to resolve differences. The request for a meeting must be made within 10 calendar days after receiving the evaluation rating. If the request is not made within 10 calendar days, the score shall be considered final.

The ODOT work order contract manager will meet with the Consultant to try to resolve differences within 15 calendar days after receiving the request. After this meeting is held, the ODOT work order contract manager shall notify the consultant in writing within 10 calendar days of the ODOT work order contract manager. A copy will be sent to the appropriate ODOT up-line manager.

If the Consultant does not agree with the ODOT work order contract manager's final findings, the consultant must provide a written response which shall be attached to the evaluation. The Consultant shall also request a review meeting with the applicable ODOT up-line manager. The request for review shall be made in writing and sent to the ODOT work order contract manager. The written request must be received by the ODOT work order contract manager within 10 calendar days from the date that the consultant received the ODOT work order contract manager's final score decision. If the consultant does not request a meeting with the ODOT up-line manager within 10 calendar days from the date of receipt of the ODOT work order contract manager's final decision, the score shall be considered final.

The ODOT up-line manager will meet with the Consultant within 10 calendar days of receiving the request. The findings of the ODOT up-line manager shall be final. The ODOT up-line manager will notify the contractor of the final decision in writing.

The ODOT work order contract manager will send the final evaluation and written Consultant comments to OPO.

HOW EVALUATION DATA WILL BE USED

Evaluations will be retained no more than three years. Completed evaluation forms and any Consultant responses will be forwarded to selection committees for use in the reference check process of future procurement solicitations. Trend reports will be reviewed on a regular basis as part of quality assurance processes to address any potential problem areas, identify common issues and continuously improve processes as needed.

ROLES AND RESPONSIBILITIES

ODOT Work Order Contract Manager

- Complete evaluations timely
- Provide immediate and continuous feedback throughout the life of the contract

Consultant (authorized representative)

- Respond timely to evaluations
- Provide immediate and continuous feedback throughout the life of the contract

ODOT Procurement Office

- Manage and maintain data produced by the completed evaluations in a timely manner
- Receive and maintain master copies of completed evaluations and consultant responses
- Provide completed evaluation materials to solicitation committees
- Provide trend reports on a regular basis
- Provide performance measure data quarterly on evaluations completed on time

ODOT Technical Services Project Delivery Unit

- Represent the ODOT Project Delivery Leadership Team (PDLT) as owners/overseers of the process
- Review trend reports for problem areas, issues and improvements needed
- Provide and maintain evaluation tool, guidance and associated materials
- Provide guidance and training for project managers and area managers as needed
- Liaison with PDLT, ACEC/ODOT, OPO, Work Order Contract managers, and up-line managers resolve process issues