



Division of Capital Asset Management Standard Contractor Evaluation Form

(Revised July 2009)



****IMPORTANT NOTICE****

THIS FORM IS TO BE USED TO EVALUATE THE PERFORMANCE OF BOTH PRIME/GENERAL AND SUBCONTRACTORS¹ ON MASSACHUSETTS PUBLIC BUILDING PROJECTS BID UNDER M.G.L. c. 149A and c. 149, § 44A AND § 44F. PLEASE DO NOT USE THIS FORM TO EVALUATE THE PERFORMANCE OF CONTRACTORS ON PRIVATE WORK.

Instructions to Public Awarding Authorities

1. This evaluation form is to be used for *Preliminary Evaluations* and *Final Evaluations* on both Prime/General Contractors and Subcontractors for all projects bid under M.G.L. c. 149A and c. 149, § 44A and § 44F. This form **must** be completed by every Massachusetts public agency and submitted to the Division of Capital Asset Management (“DCAM”) for inclusion in each contractor’s certification file promptly after completion (i.e. use and/or occupancy, or upon issuance of a certificate of use and/or occupancy, or termination, *whichever is earlier*).
2. This form must be completed and signed by one of the following:
 - a) For public projects estimated to be under \$1.5 million dollars which do not require an Owner’s Project Manager (“OPM”), as mandated by M.G.L., c. 149, § 44A 1/2, the Awarding Authority must complete the evaluation and sign the last page of the Evaluation. At the Awarding Authority’s discretion, the Awarding Authority’s Representative (e.g. Architect/Designer) may sign the last page of the evaluation. The Awarding Authority’s Representative shall not submit a separate Evaluation to DCAM.
 - b) For public projects estimated to be \$1.5 million dollars or greater which require an OPM, it is mandatory that the Awarding Authority and the OPM complete and sign the Evaluation.

Evaluations that do not meet these requirements will not meet the Awarding Authority’s statutory obligations regarding Contractor Evaluations and will not be accepted by DCAM. DCAM will return incorrectly completed Evaluations to the Awarding Authority for proper completion within the required time frames. The Awarding Authority’s evaluation of the contractor is critically important to DCAM and affects DCAM’s determination of whether a contractor should be, or remain certified. It is of the utmost importance that the individual from the Awarding Authority with the most knowledge of the project be the evaluator on this form.

¹ For the purpose of this evaluation form, the term “Subcontractor” shall mean all filed sub-bidders as defined in M.G.L. c. 149, §44F. Subcontractors who are NOT filed sub-bidders need not be evaluated.

3. Any public agency that fails to complete and submit the contractor evaluation forms to DCAM within 70 days (for the Prime/General Contractor) and 90 days (for Subcontractors) of the completion of a project shall be ineligible for the receipt of any public funds disbursed by the Commonwealth for the purposes of any public buildings or public works projects. Individuals completing this form on behalf of a public Awarding Authority will be indemnified and represented by that Awarding Authority in connection with any suit commenced by a contractor as a result of the completion of an evaluation form in accordance with the terms of M.G.L., c. 149, § 44D.
4. Upon completion of all Contractor Evaluation forms on your project, submit them **directly** to the DCAM Contractor Certification Office at the following address: *One Ashburton Place, 15th Floor Boston, MA 02108*
5. **As an Awarding Authority, you are also required to send a copy of any completed Contractor Evaluation form to the contractor being evaluated.**
6. We strongly encourage you to provide DCAM with copies of the Preliminary Evaluations on the Prime Contractors and Subcontractors.

Guidelines for Reviewers

The following definitions are being furnished as a guide for assisting evaluators in determining an appropriate rating for contractors:

Finished Product Quality

The rating in this category covers general quality of workmanship.

- (a) A building and/or system will be rated “very good” to “excellent” if the workmanship exceeds customary practices with no complaints.
- (b) The Division will consider as “satisfactory” a building and/or system that has been installed and is operating in accordance with contract requirements with few and minor complaints.
- (c) A building and/or system that has met contract requirements only after frequent adjustments or modifications and with many complaints will be rated “poor.”
- (d) A building and/or system which functions with constant adjustments or modifications and serious complaints attributed to the contractor's work, and a building and/or system which fails to meet contract requirements, rates as “unacceptable,” and no points will be given to the contractor, with a written explanation attached.

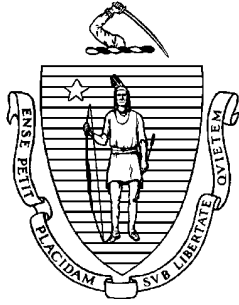
Project Management

Five factors are evaluated: coordination and scheduling; ability to manage subcontractors; safety and housekeeping procedures; change orders; working relationships with others on the project; and paperwork.

- (a) “Very good” to “excellent” performance is when the contractor routinely furnishes all schedules, shop drawings, and submittals required by the contract in a timely fashion, performs according to the schedules, has the subcontractors in and out of the project as scheduled, maintains a businesslike relationship with the Awarding Authority, designer, subcontractors and the project manager, and runs an orderly and safe project with few complaints.
- (b) “Satisfactory” performance is when the contractor occasionally fails to meet the above scheduling and management requirements.
- (c) A “poor” rating is when the contractor fails to meet the above scheduling and management requirements on a regular and recurring basis.
- (d) If the contractor's performance is so poor that the project is seriously affected, the rating should be “unacceptable,” thereby, no points should be given, and a written explanation attached.

Supervisory Personnel Rating

The contractor's on-site supervisory staff is rated on their knowledge, management skills and experience.



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IMPORTANT – Please check (✓) if this evaluation is for:

Prime/General Contractor

Subcontractor

Section I- General Project Information - Section I must be completed in its entirety.

Reference Name:	Reference Telephone #:
Reference Position/ Title:	Date:
Reference Agency/ Firm:	DCAM
Name of Contractor Being Evaluated:	Interviewer (if any):
Project Title:	Contract Cost for Contractor Being Evaluated Including Change Orders: \$ (if change order amount unknown for subcontractor then estimate as 5% of subcontract amount)
Scope of Work:	Contract Start/ End Dates:
Project Location (city and state):	Actual Completion Date:

*******Important*******

- ***Please check (✓) if this is a :*** ***Preliminary Evaluation (50% complete); or***

Final Evaluation (once use and/or occupancy, or issuance of a certificate of use and/or occupancy, or contract termination have been achieved, whichever is earlier)

- ***Please check (✓) if:*** ***The project was estimated to be greater than \$1.5M dollars and required an Owner's Project Manager.***

- ***Did the contractor execute this project using their own employees?*** Yes No

Section II- Evaluation Questionnaire

Please rate this contractor's performance in each of the following areas. If you need additional space, attach additional sheets. If you rate the contractor below "satisfactory" in any area, please provide detailed information to explain the rating assigned. You are not restricted to using the numerical values (points) shown and may score in between the points shown. A total of 80 points are required for a passing grade.

1. Quality of Workmanship (0-28 points)

Carry over points

here ↓

Rate the quality of this contractor's workmanship. Were there quality-related or workmanship problems on the contract? Was the contractor responsive to remedial work required? If so or if not, provide specific examples.

unacceptable
0 points

poor
14 points

satisfactory
24 points

very good
26 points

excellent
28 points

→ ___ points

comments: _____

2. Project Management

- a) **Scheduling-** (0-13 points) Rate this contractor's performance with regard to adhering to contract schedules. Did this contractor meet the contract schedule or the schedule as revised by approved change orders? If not, was the delay attributable to this contractor? If so, provide specific examples.

unacceptable
0 points

poor
7 points

satisfactory
11 points

very good
12 points

excellent
13 points

→ ___ points

comments: _____

- b) **Subcontractor Management-** (0-13 points) Rate this contractor's ability, effort and success in managing and coordinating subcontractors (if no subcontractors, rate this contractor's overall project management). Was this contractor able to effectively resolve problems? If not, provide specific examples.

unacceptable
0 points

poor
6 points

satisfactory
11 points

very good
12 points

excellent
13 points

→ ___ points

comments: _____

c) **Safety and Housekeeping Procedures-** (0-9 points) Rate this contractor's safety and housekeeping procedures on this project. Were there any OSHA violations or serious safety accidents? If so, provide specific examples.

unacceptable 0 points poor 3 points satisfactory 7 points very good 8 points excellent 9 points → ___ points

comments: _____

d) **Change Orders-** (0-9 points) Did this contractor unreasonably claim change orders or extras? Were this contractor's prices on change orders and extras reasonable? If not, provide specific examples.

unacceptable 0 points poor 3 points satisfactory 7 points very good 8 points excellent 9 points → ___ points

comments: _____

e) **Working Relationships-** (0-7 points) Rate this contractor's working relationships with other parties (i.e. Awarding Authority, designer, subcontractors, etc.). Did this contractor relate to other parties in a professional manner? If not, give specific examples.

unacceptable 0 points poor 2 points satisfactory 5 points very good 6 points excellent 7 points → ___ points

comments: _____

f) **Paperwork Processing-** (0-7 points) Rate this contractor's performance in completing and submitting required project paperwork (i.e. change orders, submittals, drawings, requisitions, payrolls, workforce reports, etc.). Did the contractor submit the required paperwork promptly and in proper form? If not, provide specific examples.

unacceptable 0 points poor 2 points satisfactory 5 points very good 6 points excellent 7 points → ___ points

comments: _____

3. On-Site Supervisory Personnel Rating (0-14 points)

a) **General Performance-** Rate the general performance of this contractor's on-site supervisory personnel. Did the superintendent(s) have the knowledge, management skills and experience to run a project of this size and scope? If not, provide specific examples.

unacceptable *poor* *satisfactory* *very good* *excellent*
0 points *3 points* *10 points* *12 points* *14 points* → *points*

comments: _____

Please add up all points from this page and the preceding pages and enter total here: _____

Section III- Legal and Administrative Proceedings

Are you aware of any legal or administrative proceedings, invoked bonds, assessed damages, demands for direct payment, payment bond claims, contract failures, contract terminations, or penalties involving this contractor on this contract? What is the status of any pending litigation? What was the final outcome of any completed litigation? What are the dollar amounts of assessed damages or penalties?

comments: _____

Section IV- Evaluator Certification

I hereby certify that the information contained in this evaluation form represents, to the best of my knowledge, a true analysis of this contractor's performance record on this contract and that this Project Evaluation and Project Rating was not the subject of any negotiation, close-out, or settlement of the subject project or related thereto and that no compensation or consideration (either financial or additional work on this project or otherwise) was given to the awarding authority or me in connection with its preparation or the opinions contained herein.

I also certify that I have no ties with this contractor either through a business or family relationship.

I have mailed a copy of this completed evaluation form to the contractor on _____
(Public Awarding Authorities must mail a copy of this completed evaluation form to the contractor).

For Public Projects below \$1,500,000, this form must be completed and signed by the Awarding Authority and may also be signed by the Owner's Representative (i.e. Architect/Designer) in conjunction with the Awarding Authority:

Signature of Awarding Authority

Print Name and Title

Date

Signature of Awarding Authority's Representative
(optional)

Print Name and Title

Date

For Public Projects \$1,500,000 or greater, this form must be signed by the Owner's (Awarding Authority's) Project Manager and the Awarding Authority pursuant to M.G.L., c. 149, § 44A 1/2:

Signature of Owner's (Awarding Authority's)
Project Manager

Print Name and Title

Date

Signature of Awarding Authority

Print Name and Title

Date

Section V- Additional Comments

Comments: _____