



STANDARD CONTRACTOR PROJECT EVALUATION FORM

Contractor Project Evaluation Form Instructions

INTRODUCTION

PRIVATE BUILDING PROJECTS: Private projects include **vertical building work** performed for private parties, federal agencies and all out of state work.

PUBLIC BUILDING PROJECTS: Contracts for procurement for the construction, reconstruction, installation, demolition, maintenance or repair of a building by a public agency. Public projects **only** include **vertical building work** performed for state agencies, state commissions or authorities, state schools, state hospitals and municipalities in the state of Massachusetts.

PROJECT EVALUATIONS: This Standard Contractor Evaluation Form is for the evaluation of all Public and Private Building projects, and covers contractual work performed by both Prime Contractors and Sub-Bidders.

EVALUATION QUESTIONS: This Standard Contractor Evaluation Form consists of 8 questions, designed to measure a Contractor's performance on a specific building project upon its completion. For each question, an expandable list is provided to give evaluators criteria when considering the scoring for each question.

SCORING: The scoring is weighted depending on the predetermined point value for each question. For all questions the Contractor's work is rated from Unacceptable ("0" points) to Excellent (maximum points for that question). The maximum points a Contractor can score on the evaluation is 100 points. **A PASSING SCORE** for Evaluations is a minimum of 80 points. **A FAILING SCORE** for Evaluations is less than 80 points.

NO LIABILITY: "No person shall be liable for any injury or loss to a contractor as a result of the completion of a contractor evaluation form as required by this section unless the individual completing the form has been found by a court of competent jurisdiction to have acted in a willful, wanton or reckless manner." [M.G. L. c. 149, Sec. 44D (7)]

FINAL EVALUATIONS AND CONTRACTOR REBUTTALS ARE PUBLIC RECORDS: Final Evaluations and any written Contractor responses are included in a Contractor's certification file as "public records." [M.G.L. c. 149, Sec. 44D (7)]

AMENDMENTS TO FINAL EVALUATIONS: Evaluators finding good cause to revise an Evaluation must provide a written explanation for the revisions for consideration by DCAMM.

AWARDING AUTHORITIES REVIEW OF CERTIFICATION FILES: An Awarding Authority, prior to awarding a contract, must inspect DCAMM's certification file for any Contractor and/or Filed Sub-Bidder under consideration for a Public Building Project for the purpose of establishing the qualifications of the Contractor to perform the project for the Awarding Authority. [810 CMR 8.08(2) and 8.14 (2)]

PROHIBITION AGAINST NEGOTIATIONS: An Awarding Authority must certify in all evaluation forms as to the accuracy of its contents and shall not negotiate the contents of the Standard Contractor Evaluation Form or the Project Rating with the Contractor or its representatives for any reason. [Chapter 149, Section 44D (7) and (16); 810 CMR 8.02(4) and 8.09(3)]

COMPLETION OF EVALUATION FORMS

Evaluations must be filled out by an individual responsible for oversight of the project as soon as possible after completion of a building project.

COMPLETING THE FORM - FOR PUBLIC BUILDING PROJECTS ONLY

(a) For contracts estimated to cost \$1,500,000 or more (requiring an Owner's Project Manager – "OPM"), the OPM must complete this form [M.G.L. c. 149, Sec. 44A 1/2; M.G.L. c.149, Sec. 44D(7); 810 CMR 8.02(3)(a)); 810 CMR 8.09(2)(a)]

(b) For contracts estimated to cost less than \$1,500,000 (not requiring an Owner's Project Manager – "OPM"), an official from the Awarding Authority, architect/designer representing the Awarding Authority or any other party responsible for oversight of the project must complete this form. [M.G.L. c. 149, Sec. 44D(7); 810 CMR 8.02(3)(b); 810 CMR 8.09(2)(b)]

(c) The Evaluator may seek the general contractor's input in evaluating sub-contractors. However, the Awarding Authority and/or representative must complete and sign the Standard Contractor Project Evaluation Form. [810 CMR 8.09(2)(b)]

SIGNING THE FORM

(a): For contracts estimated to cost \$1,500,000 or more (requiring an Owner's Project Manager – "OPM"): (i) the OPM must sign as required under M.G.L. Ch. 149, Sec. 44D (7); 810 CMR 8.02(3)(a); and 810 CMR 8.09(2)(a); and the Awarding Authority must sign as required under M.G.L. Ch. 149, Sec. 44D(7), 810 CMR 8.02(4) and 810 CMR 8.09(3).

(b): For contracts estimated to cost less than \$1,500,000 (not requiring an Owner's Project Manager – "OPM"): (i) an official from the Awarding Authority, architect/designer representing the Awarding Authority, or any other party responsible for the oversight of the project must sign as required under M.G.L. Ch. 149, Sec. 44D(7); 810 CMR 8.02(3)(b); and 810 CMR 8.09(2)(b); and (ii) the Awarding Authority must sign as required under M.G.L. Ch. 149, Sec. 44D(7), 810 CMR 8.02 (4) and 810 CMR 8.09(3).

IMPORTANT REMINDER: A COPY OF THIS FORM MUST BE SENT BY THE AWARDING AUTHORITY TO THE CONTRACTOR [M.G.L. c. 149, Sec. 44D(7)]

All Evaluations for Private Projects require only one signature. The evaluation may be signed by the project owner or by an individual responsible for oversight of the project (e.g. General Contractor, architect/designer, Owner's Project Manager).

PRELIMINARY EVALUATIONS

Awarding Authorities are **required** to complete and submit a Preliminary Evaluation form to the contractor at approximately the 50% completion stage of a project in order to advise the contractor of its performance on the project for informational purposes. [M.G.L. Ch. 149, Sec. 44D(7)]

Private Project Owners are not required by statute to complete Preliminary Evaluation forms but may elect to do so in order to inform the contractor of how it is doing on the project.

Preliminary Evaluations **are not** to be returned to DCAMM.

SUBMITTING THE FORM - ***IMPORTANT***

This completed Standard Contractor Evaluation Form must be submitted by email to: certeval.dcammm@mass.gov. In the alternative, you may also submit the completed Form by email directly to the assigned Compliance Officer, if known.