Approved:

Effective: August 20, 2014
Office: Production Support
Topic No.: 375-030-007-j

Department of Transportation

PROFESSIONAL SERVICES CONSULTANT WORK PERFORMANCE EVALUATION

PURPOSE:

Establish a method for evaluating and reporting to the Department the work performance of professional services consultants under contract.

AUTHORITY:

Sections 20.23(4)(a) and 334.048(3), Florida Statutes (F.S.)

SCOPE:

This procedure will apply to all professional services contracts and Design-Build contracts.

Principal users of this procedure will be project managers and Procurement Services Office personnel.

REFERENCES:

Rule 14-75.003, Florida Administrative Code (F.A.C.)
Rule 14-75.0051, F.A.C.
Rule 14-75.0052, F.A.C.
Section 287.017, F.S.
Section 287.055(3)(d), F.S.
Section 337.105, F.S.

DEFINITIONS:

Central Office: The Department's headquarters offices, located in Tallahassee

Construction Engineering and Inspection (CEI): Personnel, whether consultant or Department employee, providing construction engineering and inspection services.

Construction Project Manager (CPM): The Department employee whose duties

include managing CEI consultant contracts.

Design Project Manager (DPM): The Department employee whose duties include managing design consultant contracts.

District Construction Engineer (DCE): The engineer appointed by the District Secretary to hold the title of District Construction Engineer and who serves to manage all District functions pertaining to construction of Department projects.

District Design Engineer (DDE): The engineer appointed by the District Secretary to hold the title of District Design Engineer and who serves to manage all District functions pertaining to design of Department projects.

Notice to Proceed (NTP): Notification given by the Department's Project Manager to the consultant to begin work on the contract Scope of Services, or part thereof, on which date the timing of periodic evaluations of the consultant begins.

Professional Services Administrator (PSA): Head of the Procurement Services Unit located in each District. The State Professional Services Engineer will act as the PSA for the Central Office.

Professional Services Information System (PSIS): A database maintained in the Central Office containing information relevant to consultant professional services contracted for the Department.

Professional Services Unit (PSU): A Central Office or District Procurement Services Office that maintains Department staff responsible for professional services and Design-Build contract procurement.

Project Manager (PM): A Department employee whose duties include managing professional service contracts between consultants and the Department.

Technical Reviewer: A designated technical expert for a specific type of work who has reviewed the consultant's work product.

Type of Work: The Department has categorized the types of professional services it generally requires into a Type of Work listing in ***Rule 14-75.003, F.A.C.*** These types of work are the basis for qualification of consultants.

GENERAL:

The Department contracts with professional services consultants to provide a variety of services to the Department. This procedure provides the Department with a means of evaluating the work performance of those consultants. For all professional services contracts, the consultant's work performance for each advertised major type of work

must be evaluated by the PM. Consultants may also be evaluated on minor types of work if that work is considered significant by the project manager. Contracts which do not exceed Category Two thresholds, as established by ***Section 287.017, F.S.***, are exempt and do not require evaluation.

1. ALL PERFORMANCE EVALUATIONS

1.1 Processing of Evaluation

The PM is responsible for completing interim and final performance evaluations for the appropriate contract. The PM should discuss the evaluations with the consultant before entry into PSIS to allow the consultant an opportunity for input into the evaluation process. With the exception of Design-Build, evaluations on contracts shall be entered by the PM into the PSIS for each major type of work advertised. Refer to Section 4 for processing of Design-Build evaluations. The appropriate PSU can determine which types of work were advertised if assistance is needed. The PSU shall prepare and send copies of the evaluation to the email addresses in PSIS.

To assure all parties' understanding, the Department's PM shall discuss the evaluation rating criteria with the consultant's PM before the consultant begins work.

The evaluating PM's manager shall review and approve the evaluation before the PM enters it into PSIS. After entry into PSIS, the PSU manager shall review and approve the evaluation before sending it to the consultant.

Completed evaluations shall be retained for five years.

1.2 Evaluation Scale

The rating scale for consultant evaluations shall be as follows:

5 = Outstanding performance

4 = Above Satisfactory performance

3 = Satisfactory performance

2 = Below Satisfactory performance

1 = Unacceptable performance

Comments must be entered in the comment section for a rating of 5 or 1.

2. PERFORMANCE EVALUATIONS FOR CEI CONSULTANTS

2.1 The evaluation of a CEI consultant shall be performed by the CPM. Evaluations shall be provided on the following schedule:

(A) The CPM shall complete the initial interim evaluation at the end of the first full quarter of contract performance. Quarters are defined as:

1st Quarter: January – March
2nd Quarter: April – June
3rd Quarter: July – September
4th Quarter: October – December

(1) Interim performance evaluations shall be completed within 30 days after the end of the quarter and shall be distributed during the months of February, May, August, and November. For example, for a quarter ending in March, evaluations shall be performed in April and grades shall be distributed in May.

(2) The final evaluation shall cover the period from the previous evaluation to the end of the contract.

(3) The evaluation of the overall performance for the entire contract period shall be the average of all evaluations (interim and final) for the contract. It is automatically calculated in PSIS.

(B) The CPM shall distribute the evaluation and any follow up correspondence as follows:

(1) If the evaluation is 3.0 or greater: Consultant and District CEI Consultant Manager receive a copy for information.

(2) If the evaluation is less than 3.0:

DCE: Receives a copy for disposition. The DCE may direct that the evaluation be changed to 3.0 or greater, upon which step (1) above shall apply. The DCE may agree with the evaluation, upon which the following shall apply:

a. Consultant: Receives a copy. The transmittal letter shall indicate what corrective action is necessary and the related time

frame and request a response to this action.

b. District CEI Consultant Manager: Receives a copy.

c. Director of the Office of Construction: Receives a copy from the DCE.

(C) Any commendatory or critical comments shall be included in the evaluation to fully explain the intent of the evaluation. The CPM shall provide as much documentation as deemed necessary to fully explain the conditions encountered in the field. Input provided by appropriate Department and construction contractor personnel should be considered.

2.2 The evaluation of a CEI consultant shall include evaluations of the following areas:

- Management of Consultant CEI Contract
- Issue Identification and Resolution
- Communication and Coordination
- Project Documentation
- Effective Administration of the Construction Contract
- Permit Monitoring
- Proactive in Regard to Public Concerns
- Effect on Construction Cost and Time

Specific criteria for CEI evaluations can be found in the PSIS or the ***Consultant CEI Work Performance Evaluation, Form No. 375-030-08X***.

2.3 If a particular performance test item does not apply to a project, it should not be used in the calculation of the weighted average for the performance test area.

2.4 The consultant CEI performance evaluation is a summary record of the CPM's in-depth reports of the CEI Consultant, the ***Quality Assurance Reviews*** prepared by the Specialty Engineer from the Office of Construction, and the Federal Highway Administration (FHWA) ***Monthly Field Reports***. These source documents should be used as the basis for preparation of this performance

evaluation and shall serve as the in-depth, back-up data needed to substantiate the numerical evaluation given.

2.5 The Department's PM may offer the consultant CEI the opportunity to request a meeting to discuss a grade with the DCE within ten calendar days of receipt of the evaluation. The DCE shall consider any information submitted by the consultant and decide whether the performance evaluation will be revised. The decision of the DCE is final.

3. PERFORMANCE EVALUATIONS FOR NON-CEI CONSULTANTS

The PM for the consultant contract shall complete an evaluation of the consultant's performance in the following areas:

- Schedule
- Management
- Quality
- Constructability (for contracts that produce construction plans)

3.1 Evaluation Areas

(A) **Schedule:** Prepared by the PM for the contract, this evaluation reflects the consultant's performance in meeting the contract schedule. The criteria for the schedule evaluation can be found in the PSIS or on the ***Consultant Schedule Evaluation, Form No. 375-030-08A***.

(B) **Management:** Prepared by the PM for the contract, this evaluation reflects the consultant's performance in managing the contract. The following areas shall be considered when performing this evaluation:

- Administration of Contract
- Management of Issues and Resources
- Communication, Documentation and Coordination
- Execution of Work
- Post Design Services (completed with constructability evaluation)

The specific criteria for each area of the Management Evaluation can be found in the PSIS or in the ***Consultant Management Evaluation, Form No. 375-030-08B***.

(C) **Quality:** A quality evaluation is prepared by the PM or the technical reviewer for each major type of work included in the advertisement for the services. This evaluation reflects the consultant's attention and concern to the established quality assurance plan and delivering a quality service and product.

Individual ***Consultant Quality Evaluations, Form Nos. 375-030-08C to 375-030-08V*** are used for each type of work. These forms include any specific criteria regarding the evaluation responsibility of the PM, the technical reviewer and any additional concurrence requirements for the specific quality evaluation.

For advertised types of work other than those pre-qualified by the Department, work Group 99 shall be used with appropriate criteria added by the PM. The specific criteria for each type of work being evaluated can be found in the PSIS or ***Quality Evaluation Form, Form No. 375-030-08W***.

A quality evaluation shall be assigned to any pre-qualified sub-consultant named in the contract who performs a major type of work. The prime consultant shall receive a schedule, management, and quality evaluation in the same types of work performed by the sub-consultant. Generally, the prime consultant quality evaluation should be the same as the sub-consultant's evaluation for subcontracted work, reflecting the prime consultant's ultimate responsibility for the work.

(D) **Constructability (Post Construction):** The constructability evaluation reflects the design consultant's ability to develop practical, accurate, complete, and cost effective construction plans. For all professional services contracts resulting in construction plans, the CPM shall prepare an evaluation of the constructability of the design consultant's plans and a management evaluation on the performance of post design services. In preparing these evaluations, the CPM shall solicit input from the construction contractor and the consultant's project administrator. After review of the comments received from the construction contractor, appropriate comments shall be entered on the evaluation by the CPM. The evaluation shall be reviewed by the DPM for concurrence prior to entry in the PSIS and prior to distribution to the design consultant. Specific criteria for the Constructability Evaluation and the ***Post-Design Services Management Evaluation*** can be found in the PSIS or on the

Constructability Evaluation Form and Management Evaluation Form.

3.2 When to Evaluate

For professional services contracts resulting in the production of construction plans, an evaluation is required according to the matrix below, but not to exceed 12 months since the last evaluation or ***Notice to Proceed***.

	Schedule	Management	Quality	Constructability
Phase 2 plans review	√	√	√	
Final Design	√	√	√	
Final Construction		√		√

A constructability evaluation and a management evaluation for post design services shall be performed within 30 days after final acceptance of the construction contract.

For contracts that do not produce construction plans, an evaluation is required for each 12 months of contract period from the ***NTP***. An end of contract evaluation shall be made within 30 days after completion and acceptance of basic services.

The evaluation of the overall performance for the entire contract period shall be the average of all evaluations (interim and final) for the contract. It is automatically calculated in PSIS.

For all professional services contracts, additional evaluations may be submitted upon completion of critical phases of work, such as preliminary design, submittal of draft environmental documents, phase submittals, reports and completion of ***Task Works Orders (TWO)***. Reasons to be considered for submitting additional evaluations include:

- Recognition of outstanding performance
- Notification of poor performance
- Requests from the consultant based on possible improved performance

3.3 Composite Evaluation

A composite evaluation shall be available at any point during the contract. The composite evaluation shall be calculated automatically by PSIS and shall include all evaluations completed up to that point in time. All evaluations associated with

the contract shall be part of the calculation to determine the Final Composite Evaluation for the contract. The composite evaluation shall be calculated as follows:

(A) Contracts that Produce Construction Plans:

(1) Design: A composite evaluation calculated during the design phase of the project shall be calculated as follows:

Schedule (S): Average of all schedule evaluations. This average shall be 25% of the composite evaluation calculated during the design phase.

Management (M): Average of all management evaluations. This average shall be 25% of the composite evaluation calculated during the design phase.

Quality (Q): Average of all quality evaluations. This average shall be 50% of the composite evaluation calculated during the design phase.

Composite Evaluation = (0.25 x S) + (0.25 x M) + (0.50 x Q)

(2) Construction: A composite evaluation calculated during the construction phase of the project shall be calculated as follows:

Schedule (S): Average of all schedule evaluations. This average shall be 25% of the composite evaluation calculated during the construction phase.

Management (M): A weighted average of all the management evaluations completed during the design and construction phase. The management evaluations made during design shall be 70% of the weighted average, while the management evaluations completed during construction shall be 30% of the weighted average. This weighted average shall be 25% of the composite evaluation calculated during the construction phase.

M = 0.70 x (average of management evaluations during design) + 0.30 x (average of management evaluations during construction).

Quality (Q): Average of all quality evaluations. This average shall be 25% of the composite evaluation calculated during the construction phase.

Constructability (C): Average of all constructability evaluations. This average shall be 25% of the composite evaluation calculated during the construction phase.

Composite Evaluation = (0.25xS)+(0.25xM)+(0.25xQ)+(0.25xC).

(B) All other Contracts:

Schedule (S) = Average of all schedule evaluations. This average shall be 25% of the composite evaluation.

Management (M) = Average of all management evaluations. This average shall be 25% of the composite evaluation.

Quality (Q) = Average of all quality evaluations. This average shall be 50% of the composite evaluation.

Composite Evaluation = (0.25 x S) + (0.25 x M) + (0.50 x Q)

3.4 The Department's PM may offer the consultant the opportunity to request a meeting to discuss a grade with the office head to whom the PM reports <u>within ten calendar days of receipt of the evaluation</u>. The office head shall consider any information submitted by the consultant and decide whether the grade will be revised. The decision of the office head is final.

4. PERFORMANCE EVALUATIONS FOR DESIGN-BUILD CONSULTANTS

Design-Build performance evaluations shall not be entered into PSIS. The CPM shall submit completed performance evaluations to the Office of Construction, Attention: Alternative Contracting Specialist.

The CPM for the Design-Build contract shall coordinate with the DPM and complete an evaluation of the Design-Build consultant's performance in the following areas:

- Quality
- Constructability

4.1 Evaluation Areas

Individual ***Design-Build Consultant Performance Evaluations, Form Nos. 700-011-30A to 700-011-30H*** shall be used for each type of work. These forms include specific criteria regarding the evaluation responsibility of the PM, the technical reviewer and additional concurrence requirements for the specific quality and constructability evaluation.

(A) **Quality (Q):** A quality evaluation shall be prepared by the CPM and DPM for each Professional Services Work Type included in the advertisement for the services. This evaluation reflects the consultant's attention and concern to the established quality assurance plan and delivering a quality service and product.

A quality evaluation shall be assigned to any pre-qualified sub-consultant named in the contract who performs a Professional Services Work Type included in the project advertisement. The prime consultant shall receive a quality evaluation in the same types of work performed by the sub-consultant. Generally, the prime consultant quality evaluation should be the same as the sub-consultant's evaluation for subcontracted work, reflecting the prime consultant's ultimate responsibility for the work.

(B) **Constructability (C):** The constructability evaluation reflects the design consultant's ability to develop practical, accurate, and complete construction plans. For all contracts resulting in construction plans, the CPM shall prepare an evaluation of the constructability of the design consultant's plans. Appropriate comments shall be entered on the evaluation by the CPM and DPM. The evaluation shall be reviewed and signed by the DDE and DCE for concurrence prior to distribution to the design consultant. Specific criteria is on the ***Design-Build Performance Evaluation Forms***.

4.2 When to Evaluate

Evaluation is required according to the matrix below.

	Quality	Constructability
Final Acceptance	√	√

Quality evaluations: Additional (interim) evaluations may be conducted. Reasons to be considered for submitting additional evaluations include:

- Recognition of outstanding performance

- Notification of poor performance
- Requests from the consultant based on possible improved performance

The constructability evaluation shall be performed within 30 days after final acceptance of the construction contract.

4.3 Composite Evaluation

A composite quality evaluation shall be the average of all interim quality evaluations, including the final quality evaluation.

A composite overall evaluation shall be calculated as follows:

Composite overall evaluation = (0.50xQ) + (0.50xC)

4.4 The Department's PM may offer the Design-Build consultant the opportunity to request a meeting to discuss a grade with the DDE and DCE within ten calendar days of receipt of the evaluation. The DDE and DCE shall consider any information submitted by the consultant and decide whether the performance evaluation will be revised. The decision of the DDE and DCE is final.

5. TRAINING

The Production Support Office shall develop and deliver training in the use of this procedure.

6. FORMS

The following forms are available from the Department's Forms Library:

Professional Services

375-030-08A	Consultant Schedule Evaluation
375-030-08B	Consultant Management Evaluation
375-030-08C	Consultant Quality Evaluation Type of Work: Group 2 Project Development and Environmental (PD&E)
375-030-08D	Consultant Quality Evaluation Type of Work: Group 3 Highway Design - Roadway
375-030-08E	Consultant Quality Evaluation Type of Work: Group 4

	Highway Design - Bridges
375-030-08F	Consultant Quality Evaluation Type of Work: Group 5 Bridge Inspection
375-030-08G	Consultant Quality Evaluation Type of Work: Group 6 Traffic Engineering and Operation Studies
375-030-08H	Consultant Quality Evaluation Type of Work: Group 7 Traffic Operations Design
375-030-08I	Consultant Quality Evaluation Type of Work: Group 8 Surveying and Mapping
375-030-08J	Consultant Quality Evaluation Type of Work: Group 9 Soil Exploration, Material Testing and Foundation
375-030-08K	Consultant Quality Evaluation Type of Work: Group 11 Engineering Contract Administration and Management
375-030-08M	Consultant Quality Evaluation Type of Work: Group 13 Planning
375-030-08N	Consultant Quality Evaluation Type of Work: Group 14 Architect
375-030-08P	Consultant Quality Evaluation Type of Work: Group 15 Landscape Architect
375-030-08R	Consultant Quality Evaluation Type of Work: Group 21 Acquisition, Negotiation, Closing, and Order of Taking
375-030-08S	Consultant Quality Evaluation Type of Work: Group 22 Acquisition Business Damage Estimating and Estimate Review
375-030-08U	Consultant Quality Evaluation Type of Work: Group 24 Acquisition Relocation Assistance
375-030-08V	Consultant Quality Evaluation Type of Work: Group 25 Right of Way Clearing and Leasing
375-030-08W	Consultant Quality Evaluation Type of Work: Group 99 Non-Standard Work Type
375-030-08X	Consultant CEI Work Performance Evaluation Type of Work
375-030-08Z	Constructability Evaluation

Design-Build Professional Services

700-011-30A	Design-Build Performance Evaluation Work Group 3 – Highway Design (Roadway)
700-011-30B	Design-Build Performance Evaluation Work Group 4 – Highway Design (Bridges)
700-011-30C	Design-Build Performance Evaluation Work Group 6 – Traffic Engineering &Ops (ITS)
700-011-30D	Design-Build Performance Evaluation Work Group 7 – Traffic Operations (Design)
700-011-30E	Design-Build Performance Evaluation Work Group 8 –

	Surveying & Mapping
700-011-30F	Design-Build Performance Evaluation Work Group 9 – Soil Exploration, Material Testing & Foundation
700-011-30G	Design-Build Performance Evaluation Work Group 13 – Architect
700-011-30H	Design-Build Performance Evaluation Work Group 14 – Landscape Architect