

**CITY OF SPRINGFIELD
CONTRACTOR RATING SYSTEM**



***PUBLIC WORKS DEPARTMENT
840 BOONVILLE
SPRINGFIELD, MO 65802***

June, 2013

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Dear Contractors,

The City of Springfield is going to start evaluating contractors who deliver a quality product on time for a reasonable cost. We have developed this contractor rating system to provide feedback for the City about our general contractor's performance at regular intervals during a construction project. There will be an overall rating after the project is completed. Contractors will also rate the City's performance as contract design, administrator and inspection.

Contractors performing construction services for the City shall be subject to evaluations. Performance evaluations are a key component in determining contractor's responsiveness and will be used by the City in the review of a contractor's eligibility for future work. These ratings will also highlight responsible contractors who have outstanding or superior performance that merit recognition by the City.

Section 98-224 of the City Code grants the City of Springfield authority to be sure we have responsible contractors providing services for the City. We look forward to working with the many firms that currently do work for the City and believe this program will help both the City and its contractors improve their practices.

Truly yours,



Phil Broyles, P.E.

Director of Public Works

Department of Public Works
Busch Municipal Building • 840 Boonville Avenue, P.O. Box 8368
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**CITY OF
Springfield
PUBLIC WORKS**



Pre Construction Evaluation Form

East & West Street Improvements

File No: 2013PW000XX

Contractor: **XYZ Construction, Inc.**

Date of Evaluation: 4/22/2011 to 5/22/2011

Evaluation Scoring:

Rate the Contractor with Scores 5 - 1

5 = Excellent 4 = Good 3 = Satisfactory 2 = Needs Improvement 1 = Unacceptable N/A = Not Applicable

Score Given for Time Period Specified Above

Rating Scale Explanation

Excellent - Demonstrates exceptionally high performance on a consistent basis. Achieves results well beyond the goals and objectives established.

Good - Performance often exceeds expectations. Frequently performs tasks beyond normal job requirements.

Satisfactory - Consistently meets and may occasionally exceed performance expectations. Meets requirements of job as expected.

Needs Improvement - Performance does not consistently meet expectations, but demonstrates capability for improvement. Improvement is required on next evaluation.

Unacceptable - Falls substantially below expectations and is not performing in an acceptable manner. Significant improvement is required immediately.

Evaluation Criteria:

Documentation

1	Did the contractor return copies of the contract, bond, and insurances within 10 days?	
2	Were the proper insurance certificates provided in accordance with the contract documents and in a timely manner?	
3	Did the contractor provide a current Springfield business license and Tax ID number?	
4	Did the contractor provide, in a timely manner, the affidavit of enrollment in a federal work authorization program?	
5	Did the contractor provide, in a timely manner, the affidavit of completion of a 10-hr construction safety program?	

Pre Construction

6	Did the Contractor work with City staff to schedule and attend a Pre Construction meeting?	
7	Did the Contractor work with City staff to schedule and attend a Sediment & Erosion Control Pre Construction meeting?	

Submittals

8	Did the contractor submit the Traffic Control Plan in a timely manner?	
9	Did the contractor submit the SWPPP, Sediment & Erosion Control Plan, and Land Disturbance Permit application in a timely manner?	
10	Did the contractor provide other required submittals (not listed above) in a timely manner?	
11	Did the contractor provide all required certifications and testing results for materials used on the project?	
12	Did the contractor adequately disclose any and all subcontractors performing work?	

Each contractor performing services for the Department of Public Works shall be subject to evaluation. Performance evaluations are a key component in determining contractor responsiveness and may be used by the Department of Public Works in the review of a contractor's eligibility for future work. Evaluation sheets will be provided to the contractor along with the pay estimate for a given pay period. Any contractor who wishes to contest any information contained in the evaluation form may submit a written response to the City no later than thirty (30) calendar days from date the evaluation was received. Such response shall set forth any additional information concerning the project that may be relevant in the evaluation of the contractor's performance on the project. All correspondence will be reviewed and placed in the project file for record purposes.

Comments: (Required for any score of 5 or less than 3)

Project Inspector: _____

Date: _____

Printed Name: _____

Project Superintendent: _____

Date: _____

Printed Name: _____

Project Manager: _____

Date: _____

Printed Name: _____



Performance Evaluation Form

East & West Street Improvements

File No: 2013PW000XX

Contractor: **XYZ Construction, Inc.**

Date of Evaluation: 4/22/2011 to 5/22/2011

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Good - Performance often exceeds expectations. Frequently performs tasks beyond normal job requirements.

Satisfactory - Consistently meets and may occasionally exceed performance expectations. Meets requirements of job as expected.

Needs Improvement - Performance does not consistently meet expectations, but demonstrates capability for improvement. Improvement is required on next evaluation.

Unacceptable - Falls substantially below expectations and is not performing in an acceptable manner. Significant improvement is required immediately.

Evaluation Criteria:

Quality of Work:

1	Did the materials & workmanship conform to the plans and specifications?	
2	Was defective or unauthorized work removed in the time specified?	
3	Did cleanup and temporary seeding of disturbed areas follow closely and at the same rate as construction?	

Prosecution and Progress

4	Did the contractor submit, follow, and update a schedule of construction?	
5	Did the contractor provide adequate materials, equipment, & manpower to perform the work in accordance with the approved schedule?	
6	Did work progress in a continuous and diligent manner?	
7	Did the contractor notify City of any potential problems or change order requests in a timely manner?	
8	Did the contractor cooperate with City staff and other contractors in every way possible?	
9	Was a contractor's representative (competent superintendent) on site as required during construction?	
10	Did the contractor display diligence in notifying all impacted property owners during construction?	
11	Did the contractor respond to "Notice to Proceed" within the specified timeframe?	

Conformance With General Conditions and Special Conditions

12	Did the contractor adhere to the approved Traffic Control Plan?	
13	Did the contractor update SWPPP and provide adequate Erosion & Sediment Control Measures?	
14	Did the contractor provide adequate protection of public and private property?	
15	Did the contractor provide all required certifications and testing results for materials used on the project?	
16	Did the contractor provide documentation of compliance with appropriate wage rates?	
17	Did the contractor adequately disclose any and all subcontractors performing work?	
18	Did the contractor submit updated insurance certificates throughout the project?	

Each contractor performing services for the Department of Public Works shall be subject to evaluation. Performance evaluations are a key component in determining contractor responsiveness and may be used by the Department of Public Works in the review of a contractor's eligibility for future work. Evaluation sheets will be provided to the contractor along with the pay estimate for a given pay period. Any contractor who wishes to contest any information contained in the evaluation form may submit a written response to the City no later than thirty (30) calendar days from date the evaluation was received. Such response shall set forth any additional information concerning the project that may be relevant in the evaluation of the contractor's performance on the project. All correspondence will be reviewed and placed in the project file for record purposes.

Comments: (Required for any score of 5 or less than 3)

Project Inspector: _____

Date: _____

Printed Name: _____

Project Superintendent: _____

Date: _____

Printed Name: _____

Project Manager: _____

Date: _____

Printed Name: _____



Post Project Evaluation Form

East & West Street Improvements

File No: 2013PW000XX

Contractor: **XYZ Construction, Inc.**

Date of Evaluation: 4/22/2011 to 5/22/2011

Evaluation Scoring:

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Score Given for Time Period Specified Above

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Needs Improvement - Performance does not consistently meet expectations, but demonstrates capability for improvement. Improvement is required on next evaluation.

Unacceptable - Falls substantially below expectations and is not performing in an acceptable manner. Significant improvement is required immediately.

Evaluation Criteria:

Project Closeout

1	Did the contractor complete all remaining work items in the timeframe specified by the Inspector/Engineer?	
2	Did the contractor remove all equipment, material, and debris from the site immediately upon completion of work?	
3	Did the contractor remove all sediment & erosion control BMPs, including trapped sediment, from the project site as soon as the site was stabilized?	
4	Did contractor achieve acceptable grass growth in the time specified?	

Required Documentation

5	Did the contractor submit the Certificate of Compliance and Affidavit in a timely manner?	
6	Did the contractor submit DOL Form PW-4-A1 (Compliance with Prevailing Wage Law) in a timely manner?	
7	Did the contractor submit all City Utilities Affidavits in a timely manner?	
8	Did the contractor submit SWPPP closeout information and finalize the Land Disturbance Permit in a timely manner?	
9	Did the Project Manager notify the bonding agency prior to final project acceptance?	

Project Approval

9	Liquidated Damages were assessed for _____ Days on this project.
10	The final date of substantial completion occurred on _____
11	Contract was approved for final payment on _____ (final acceptance)

Each contractor performing services for the Department of Public Works shall be subject to evaluation. Performance evaluations are a key component in determining contractor responsiveness and may be used by the Department of Public Works in the review of a contractor's eligibility for future work. Evaluation sheets will be provided to the contractor along with the pay estimate for a given pay period. Any contractor who wishes to contest any information contained in the evaluation form may submit a written response to the City no later than thirty (30) calendar days from date the evaluation was received. Such response shall set forth any additional information concerning the project that may be relevant in the evaluation of the contractor's performance on the project. All correspondence will be reviewed and placed in the project file for record purposes.

Comments: (Required for any score of 5 or less than 3)

Project Inspector: _____

Date: _____

Printed Name: _____

Project Superintendent: _____

Date: _____

Printed Name: _____

Project Manager: _____

Date: _____

Printed Name: _____



Contractor's Evaluation of Public Works

East & West Street Improvements

File No: 2013PW000XX

Contractor: XYZ Construction, Inc.

Inspector: _____

Project Manager: _____

Date of Evaluation: 4/22/2011 to 5/22/2011

Evaluation Scoring:

Rate the City of Springfield with Scores 5 - 1

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Needs Improvement - Performance does not consistently meet expectations, but demonstrates capability for improvement.

Unacceptable - Falls substantially below expectations and is not performing in an acceptable manner. Significant improvement is required immediately.

Evaluation Criteria:

Prior To Construction

1	Did the plans and bid documents clearly communicate the scope of the project to be constructed?	
2	Were the requirements for insurance, material and labor bonds, and supporting documentation considered reasonable?	
3	Did the pre-construction meeting, contract award and execution, shop drawing approval, etc. occur in a timely manner?	
4	Were easements and other construction limits adequate and sufficiently defined?	

During Construction

5	Were all payments processed accurately and promptly according to the contract provisions?	
6	Were change order requests, material approvals, and questions processed in a timely manner?	
7	Were City Staff cooperative and helpful in answering questions and providing support?	
8	Did the plans and specifications provide sufficient detail to complete the project?	

After Construction

9	Was the final payment and closeout processed in a timely manner?	
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Each contractor performing services for the Department of Public works are given an opportunity to provide feedback to the City. This evaluation sheet will be provided to the contractor at the close of a project and will be used by the City to improve processes and policies. In no event will a contractor's response to this evaluation be used to determine a contractor's ability to perform future projects with the City. All correspondence will be reviewed and responded to as appropriate.

Comments: (Required for any score of 5 or less than 3)

Attach additional sheets as necessary.

Project Inspector: _____

Date: _____

Printed Name: _____

Project Superintendent: _____

Date: _____

Printed Name: _____

Project Manager: _____

Date: _____

Printed Name: _____

CITY OF SPRINGFIELD
PUBLIC WORKS DEPARTMENT
840 North Boonville Avenue
Springfield MO 65802

Project Name No. #####

CONTRACTOR STATEMENT OF QUALIFICATIONS

1. Name and Address (with zip code) of Firm.

Federal ID No. _____

2. Area Code and Telephone Number. _____

NOTE: If the Bidder is a Joint Venture, then all parties to the Joint Venture must complete a separate Statement of Qualifications.

3. If you have done business under a different name, please give name and location.

General Information: All questions must be answered accurately and the data given must be clear and comprehensive. This statement must be notarized. If necessary, questions may be answered on separate attached sheets. Additional information may be submitted, if so desired.

4. How many years have you been engaged in construction under your present firm name or trade name? _____

5. General character of work performed by you. _____

6. Have you ever failed to complete any work awarded to you. If so, where and why? _____

7. Have you ever defaulted on a contract? If so, where and why? _____

8. Has your firm ever engaged in litigation for the settlement of claims or disputes arising out of a construction contract? If so, give particulars. _____

NOTE: The information provided here, in conjunction with other available information, will be used to determine whether or not you are qualified to perform the scope of work defined in this bid package. The Director of Public Works will make the final decision regarding contractor qualification at his discretion. Providing false or misleading information will likely result in the rejection of the bid proposal.

List all current contracts as well as all contracts of a similar size and scope that you have worked on in the **last three (3) years**. Use additional sheets as necessary.

Project Description	Customer Name	Date Started	Date Completed	Your Total Contract Amount	Customer Contact Name/e-mail/Phone

NOTE: In order for this bid proposal to be considered eligible for consideration, the contractor must show **at least one project of similar size and scope completed within the last three years. Failure to show a history of completing work similar to this proposal may result in a rejection of the bid proposal.**

(The PM can customize this statement to fit with their specific project. They may require more projects or a more specific statement of "similar")

(REVISED) Sec. 98-224. - Authority to suspend or debar bidders.

The ~~purchasing contractor review~~ committee established pursuant to ~~chapter 4 of the city purchasing manual, comprised of the City Manager, the Director of Finance, the City Attorney, and the Director of Public Works, or their authorized representatives,~~ shall have authority to suspend or debar a person from consideration for bid awards involving any public works improvement project of the city, including boards and agencies. A suspension may be for up to six months. A debarment may be from six months to ~~two~~ three years in length.

(EXISTING) Sec. 98-225. - Procedure for suspension or debarment of bidders.

(a) Notice of suspension or debarment under section 98-224 shall be given by certified mail from the city manager or the chairperson of the board or agency at least 14 days prior to the effective date of the suspension or debarment.

(b) The person to be suspended or debarred has a right to a hearing, if requested, within 14 days after mailing of notice.

(c) The hearing shall be held promptly thereafter before the hearing officer. A hearing officer will be appointed by the city manager for this purpose. The hearing officer shall have all powers necessary to conduct the hearing.

(d) The city attorney, on behalf of the city, or any party to the proceeding may request that the hearing officer issue subpoenas for witnesses or subpoenas duces tecum. The hearing officer shall cause a record of the case to be kept, and copies shall be made available to any interested person upon the payment of a fee. The hearing need not be conducted according to the rules of evidence. Any relevant matter may be admitted and considered by the hearing officer if it is the sort of evidence on which reasonable persons are accustomed to rely in the conduct of serious affairs. Objections to evidence shall be noted, and the hearing officer may rule on such objections.

(e) The decision of the hearing officer shall be in writing and shall be subject to appeal under RSMo ch. 536. All decisions of the hearing officer shall be final decisions 30 days after the mailing of personal service of the decision.

(f) Suspension or debarment will not be stayed during the pendency of any hearing or appeal except by an order of the circuit court.

(EXISTING) Sec. 98-226. - Grounds for suspension or debarment of bidders.

The causes for suspension or debarment under section 98-224 include the following:

(1) Conviction within the last ten years for commission of a criminal offense as an incident to obtaining or attempting to obtain a public or private contract or subcontract, or in the performance of such contract or subcontract.

(2) Conviction within the last ten years under state or federal statutes for embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property, or any other offense indicating a lack of business integrity or business honesty which affects responsibility as a contractor.

(3) Conviction within the last ten years under state or federal statutes arising out of the submission of bids or proposals.

(4) Violation within the last two years of contract provisions, as follows, of a character which is regarded by the director of the contracting department or board to be so serious as to justify debarment action:

a. Deliberate failure without good cause to perform in accordance with the specifications or within the time limit provided in the contract; or

b. A record of failure to perform or of unsatisfactory performance in accordance with the terms of one or more contracts, provided that failure to perform or unsatisfactory performance caused by acts beyond the control of the contractor shall not be considered to be a basis for debarment.

(5) Violation of general ethical standards in relation to gratuities or kickbacks involving city contracts.

(6) Any other cause the director of the contracting department, board or agency determines to be so serious and compelling as to affect responsibility as a contractor.

(NEW) 98-227. - Right of Protest.

Any actual or prospective bidder, offeror, or contractor who is aggrieved in connection with the solicitation of bids, bid award, suspension or debarment may file an appeal as set forth in Sec. 2-162 (our new admin hearing section). The protest shall be addressed to the city manager and it shall present in writing the basis upon which the solicitation, award, suspension or debarment is contested, and must be presented within thirty (30) days after the aggrieved party became aware of the solicitation or award, or notice of suspension or debarment. Before proceeding in any court action, a person must pursue the administrative remedies set forth in Sec. 2-162.

(NEW) 98-228. - Solicitations or Awards in Violation of Law.

When a solicitation or award is determined by the City Attorney's Office or a court of competent jurisdiction to be in violation of law, the following provisions shall apply:

(1) Remedies prior to Award. If, prior to award, it is determined that a solicitation or proposed award is in violation of the law, then the solicitation or proposed award shall either be cancelled or revised to comply with the law.

(2) Remedies after Award. If, after an award is made, it is determined that a solicitation or award of a contract is in violation of the law, then:

a. If the person awarded the contract has not acted fraudulently or in bad faith, at the option of the City:

i. The contract may be ratified and affirmed, provided it is determined that doing so is in the best interests of the City; or

ii. The contract may be terminated and the person awarded the contract shall be compensated for the actual expenses reasonable incurred under the contract prior to termination;

b. If the person awarded the contract has acted fraudulently or in bad faith, at the option of the City:

i. The contract may be declared null and void; or

ii. The contract may be ratified and affirmed if such action is in the best interests of the City, without prejudice to the City's rights to such damages as may be appropriate.