

Arizona Department of Transportation
ENGINEERING CONSULTANTS SECTION (ECS)
CONSULTANT EVALUATION PROGRAM GUIDELINES

Introduction & Purpose

The Consultant Evaluation Program is a program administered by ECS as a means for ADOT to monitor and evaluate the quality of work performed on engineering consultant contracts. A positive approach to the program assures that project schedule, cost and quality of design and construction are attainable. This assures that potential problems which may impact other projects or the 5-Year Construction Program are identified and resolved in a timely manner.

All engineering consultant contracts shall be evaluated annually based on the Notice to Proceed (NTP) anniversary date by the ADOT staff assigned to the contract, including the ADOT PM, other technical groups, ECS staff, etc., in accordance with applicable contract provisions. In addition to annual evaluations, a final consultant evaluation must be conducted at the end of all engineering consultant contracts.

Implementation Timeline

This evaluation program will be effective for all ECS contracts with a Notice to Proceed (NTP) date of July 1, 2010 or later. Annual evaluation using this program will be conducted on contracts which were NTP'd before July 1, 2010, but the results will not affect consultant selection.

Uses for Consultant Evaluation

Consultant Evaluations will be used for the following purposes:

1. To identify consultant performance strengths and weaknesses, as well as help identify, document and resolve performance issues, as needed.
2. As one factor or criterion in the selection process for subsequent contracts. Final evaluations for contracts executed after **July 1, 2010** will be used as part of the selection process. Up to 5 points may be deducted from a consultant's score during the selection process for **final** evaluation ratings of less than 3 (average performance) on performance factors of evaluation for projects a firm has completed for ADOT over a three year time period.

Evaluation history to be used for selection will include evaluation scores encompassing the most current three-year period at any given time. The three-year evaluation history will be maintained for firm contracts executed after July 1, 2010. For example, a firm's evaluation history in FY 2013 would include scores from FY 2011 through FY 2013 and in FY 2014, the evaluation history would include FY 2012 through FY 2014.

ECS will deduct points from the final composite average score of submitted Statements of Qualifications (SOQ) for each firm based on performance rating as follows:

Performance rating of 1 or 2 on 1-2 evaluation factors	-1 Point
Performance rating of 1 or 2 on 3-4 evaluation factors	-2 Point
Performance rating of 1 or 2 on 5-6 evaluation factors	-3 Point
Performance rating of 1 or 2 on 7-8 evaluation factors	-4 Point
Performance rating of 1 or 2 on 9 or more evaluation factors	-5 Point

3. As documentation to justify disqualification of a prime consultant or subconsultant from submitting Statement of Qualifications (SOQ) proposals. In order for ECS to take action that could lead to

consultant disqualification from submitting SOQs, the ADOT PM or staff shall complete a Consultant Evaluation by initiating the process through the ECS Contract Specialist. When an evaluation form is used to document issues which could lead to consultant disqualification from submitting SOQ proposals (as outlined in Section 2.02 of the ECS Rules and Procedures), the ECS Specialist will select “Other” as the Evaluation type in eCMS.

4. As documentation to justify the declaration of a breach of contract for a consultant’s failure to fulfill terms of the contract or to address problems identified by ADOT in the performance of the contract. In order for ECS to take action that could lead ADOT to declare a breach of contract, the ADOT PM or staff must complete a Consultant Evaluation by initiating the process through the ECS Contract Specialist. When an evaluation form is used to document issues which could lead to a breach of contract being declared (as outlined in Section 4.17 of the ECS Rules and Procedures), the ECS Specialist will select “Other” as the Evaluation type in eCMS.

Procedure

ECS Contract Specialist will initiate the completion of consultant evaluation forms for contracts annually on their NTP anniversary date.

Since evaluations will be used as a factor in the consultant selection process, it is important for ADOT PMs, Resident Engineers or other applicable staff to complete evaluations in a timely manner.

Please adhere to the following general guidelines in completing the consultant evaluation electronically in eCMS:

1. All consultant evaluations (annual, final or otherwise) shall be initiated by the ECS Specialist. ADOT PMs, who wish to conduct a consultant evaluation outside of the normal annual or final cycle, should contact the ECS Specialist to initiate the evaluation process.
2. Section I (Items 1-4) of the evaluation form shall be completed by ECS staff in eCMS and forwarded to the ADOT PM through automatic email notification.
3. The ADOT PM shall confer with other ADOT Project Team members involved in the contract and complete Section II of the evaluation form (Items 5-12) in eCMS. The ADOT PM shall forward the fully completed evaluation to the consultant electronically through eCMS within 14 calendar days from the receipt of notification from the ECS Specialist.

If the ADOT PM is a Supplemental Services (SS) consultant, the PM portion of the evaluation must be completed in eCMS by the SS consultant’s Supervisor or Manager.

4. Section II, Item 12 (Post-Design) will be forwarded to the ADOT Resident Engineer (RE) by the ADOT PM for completion, as applicable. The ADOT RE shall confer with the ADOT PM and other ADOT project team members involved in the project and shall complete Section II, Item 12 within 5 calendar days.
5. When totally completed, the ADOT PM shall discuss the evaluation with the consultant (telephonically or in-person) and “publish” it to the consultant through eCMS. The consultant shall complete Section III by indicating the firm’s agreement or disagreement with the ratings, type comments and ”publish” the evaluation back to ADOT through eCMS within 10 calendar days, with the goal of completing the entire evaluation process within 30 calendar days.

ADOT PMs should encourage consultants to share the results of the subconsultant portion of the evaluation with their subconsultants.

General Guidelines

1. Each individual line item in the evaluation constitutes a performance factor.
2. ECS will assign negative points based on individual factor scores, not on an overall composite score.
3. Each individual performance factor and category on the form will be treated equally.
4. General comments are highly recommended to support scores in each major performance category.
5. Documentation and specific comments **must** be included to justify any performance factor receiving a score of 2 or less.
6. The ADOT PM, ECS and other applicable ADOT staff are encouraged to take timely and appropriate steps to resolve performance issues with consultants as they arise and to document these issues in the eCMS Evaluation tab for that particular contract. This information will be used as a means of documenting issues for future evaluation ratings.
7. If performance issues arise, ADOT PMs and ECS Contract Managers should expeditiously inform consultants in writing that they are performing unsatisfactorily (using the Issues Resolution form located in eCMS) and provide them the opportunity to take corrective action to cure the deficiency before they are formally evaluated. The following steps must be taken if there are performance issues with a consultant, which could potentially lead to an evaluation score of less than 3 (average):
 - a) If communicating to resolve the matter with the consultant informally does not resolve the issue, the ADOT PM, ECS Contract Specialist, Manager or other appropriate ADOT employee shall notify the consultant, in writing, of the deficient performance, identify required solutions and establish a deadline to resolve issues. The Consultant Performance Issues Resolution Form in eCMS must be completed by the appropriate ADOT staff and forwarded to the consultant for further action, as needed.
 - b) If the consultant does not respond within ten (10) business days or other timeframe specified on the form and/or the matter is still unresolved after the deadline set for the cure, it is appropriate for the ADOT staff to rate the consultant a 2 or less on the applicable evaluation criteria on the consultant evaluation form.
8. Consultants should take the initiative to expeditiously contact the ADOT PM or ECS, if they are experiencing difficulties which could result in a score of less than 3 on a performance factor. The consultant should identify any problems, state proposed resolutions and specify dates the firm expects to resolve issues.
9. Subconsultant performance will affect the scores of the prime consultant as it relates to performance factors in item #9 (Utilization of Key Subconsultants). Therefore, it is important for prime consultants to closely oversee the work of their subconsultants.
10. Subconsultant scores on Item #10 of the evaluation will not affect the scores of prime consultants. ECS will maintain an evaluation history on subconsultants.

11. If a prime consultant or subconsultant receives 10 or more scores of 2 or less on evaluations, within a two-year time period, these firms may be evaluated for disqualification from submitting SOQs by ECS, and may be deemed ineligible for work as a prime consultant or subconsultant on ECS contracts for a minimum of one year. A list of consultants that are prequalified and disqualified from submitting SOQs will be posted on the ECS website. Individual consultant evaluation scores will not be posted.
12. New consultants with no ADOT contracts or evaluation history will be evaluated according to the criteria outlined in the SOQ Package, and will not be evaluated based on past performance.
13. Consultants' ratings will not be adversely affected if ADOT reduces the scope of work, or in some way delayed or impacted the ability of the consultant to reasonably meet a performance factor.
14. Upon review of evaluation, a firm may agree or disagree with evaluation scores and provide comments regarding the evaluation. If a consultant believes that the firm has been unfairly rated in an evaluation, the firm can indicate its points of disagreement on the evaluation form itself before submitting it back to ADOT.
15. Firms should resubmit completed evaluations to ADOT within 10 calendar days of date published by ADOT in eCMS (PM Publish Date). Within 30 calendar days, ADOT will send one reminder to firms that have not submitted their evaluations back to ADOT. Evaluations not submitted to ADOT within 45 calendar days will be deemed by ADOT as "Reviewed and Approved" by the firm and will automatically become a part of the firm's evaluation history.
16. A firm may appeal **FINAL** evaluation scores of 1 or 2 only. Final Evaluation scores of 3, 4, or 5 as well as Annual Evaluations are not subject to protest. To protest a score of 1 or 2, the firm must:
 - a) Submit a protest in writing to the ECS Director within 14 calendar days of receipt of evaluation for Items 1-4 detailing reasons why scores do not reflect consultant performance for the contract.
 - b) Submit protest in writing to the ADOT Group Manager within 14 calendar days of receipt of evaluation for Items 5-12 detailing reasons why scores do not reflect consultant performance for the contract.

The ECS Director or Group Manager will review the disputed issues and discuss or meet with the firm to resolve the matter. The ECS Director or Group Manager will issue a written decision to the Consultant within 21 calendar days. If the firm disagrees with the decision of the ECS Director or Group Manager, the matter may be escalated to the State Engineer's Office within 14 calendar days of the ECS Director or Group Manager's decision. The State Engineer's Office will review the disputed issues and make a determination on the matter. The decision of the State Engineer's Office is final. The outcome of the appeal will be documented in the firm's evaluation history.