

# Contract Management Dept.: Enhanced Consultant Performance Evaluation Process

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JUNE 24, 2013



# Enhanced Consultant Performance Evaluation

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## **Agenda:**

- Performance Evaluation Evolution – Where Are We & How Did We Get Here?
- Process Objectives
- Procedural Recap & Modifications
- Review of Enhanced Consultant Performance Evaluation Criteria & Forms
- Implementation Schedule
- Q & A's

# Performance Evaluation Evolution

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- **May 23 & May 31, 2012:**
  - Qualifications-Based Selection (QBS) Enhancement Process, notating changes to Item #8 (City of Austin's Experience with the Prime) of evaluation matrix
    - Consultant Performance Evaluation average score (10.00-pt. scale) will determine the points allocated to Item #8
  - In these meetings, attendees were informed of upcoming changes and future roll-out to external stakeholders
  - Initial targeted simultaneous implementation: Oct. 2012

# Performance Evaluation Evolution (cont.)

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- **May 2012 – June 2013:**
  - Rules Promulgation process for Enhanced Consultant Performance Evaluation process initiated
  - Revision of Rules to accommodate city-wide procurement services
  - Internal re-posting expected by 6/28/13
  - External posting, approx. 2 weeks after internal posting

# Process Objectives

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- Ensure evaluation process is relevant and applicable
- More effectively gauge phase-specific performance/forms customized to individual phases of the contract
- Link all performance criteria to the Professional Service Agreement (PSA) and align with contract requirements and industry standards
- Enhance applicability to different types of projects and contracts
- Identify and group projects of similar scope – added category designations (Industry/Disciplines) for scope-specific database (db) sorts
- Stronger emphasis on quality, deliverables, compliance, etc.
- Integration of Probation/Suspension/Debarment rules

# *Current* Evaluation

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# Procedural Recap & Modifications

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Current	Proposed
<ul style="list-style-type: none"><li>• Mandatory completion of evaluation at the end of each phase by PM</li><li>• Forwards to CMD (Rick Wilson)</li></ul>	<ul style="list-style-type: none"><li>• Mandatory completion of evaluation at the end of <b>Preliminary, Design or Bid/Award, and Construction OR at project completion (for projects with no distinctive phase)</b></li><li>• Same</li></ul>
<ul style="list-style-type: none"><li>• CMD forwards to consultant contact person &amp; email noted on form</li><li>• Consultant given an opportunity to respond / request Response Meeting</li><li>• Consultant must request Meeting within 10 business days of email</li><li>• CMD schedules Meeting within 10 business days of written request</li></ul>	<ul style="list-style-type: none"><li>• CMD forwards to <b>consultant project manager and principal noted on form</b></li><li>• Consultant given an opportunity to respond / request <b>Rebuttal</b> Meeting</li><li>• Same</li><li>• Same</li></ul>

# Procedural Recap & Modifications (cont.)

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<b>Current</b>	<b>Proposed</b>
<ul style="list-style-type: none"><li>• Issue resolution:<ul style="list-style-type: none"><li>• Resolved, score adjustment required then written notification to consultant/attendees and records updated</li><li>• No score adjustment, official email finalizing evaluation will be sent</li><li>• Note – additional info may be requested from consultant or other City staff by CMD</li><li>• No resolution, consultant may request Appeal Hearing</li></ul></li></ul>	<ul style="list-style-type: none"><li>• Same</li></ul>
<ul style="list-style-type: none"><li>• CMD schedules Appeal Hearing within 5 business days of receipt of Notice of Appeal</li><li>• Final decision, usually made within 10 business days of Appeal Hearing</li></ul>	<ul style="list-style-type: none"><li>• Same</li></ul>
<ul style="list-style-type: none"><li>• Probation, Suspension, Debarment rules do not apply to process</li></ul>	<ul style="list-style-type: none"><li>• <b>Probation, Suspension, Debarment rules are integrated into process – COA Purchasing Dept.</b></li></ul>

# Procedural Recap & Modifications (cont.)

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<b>Current</b>	<b>Proposed</b>
<ul style="list-style-type: none"><li>• Evaluation scores to be used in contract award decision for a period of five (5) years, from contract award date</li></ul>	<ul style="list-style-type: none"><li>• Evaluation scores to be used in contract award decision for a period of five (5) years, from contract award date, <b>then archived and retained in db</b></li></ul>
<ul style="list-style-type: none"><li>• No consistent communication of evaluation process at Pre-Bid or Pre-Con meetings</li></ul>	<ul style="list-style-type: none"><li>• Effective communication of evaluation process at Pre-Bid and Pre-Con meetings</li></ul>

# Evaluation Criteria – Preliminary, Design thru Bid/Award Phases [Prelim/Design]

Item	Evaluation Measure	Max. Score Available (pts.)
1	Timeliness of Performance	1
2	Budget / Cost Control	1
3	Quality of Work Performed	2
4	Invoicing and Payments	1
5	Compliance w/ MBE/WBE Procurement Program	2
6	Deliverables	2
7	Regulatory Compliance & Permitting	1
	<b>Total</b>	<b>10</b>
	<i>Note: All evaluation measures are subject to P/S/D action.</i>	

## Item 1 – Timeliness of Performance [Prelim/Design]

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- Evaluation Measure/ Criteria
  - Preliminary Design, Design and/or Bid/Award Phases of the project were completed on time per the Professional Services Agreement (PSA) and authorized amendments
  
- Max. Available Score
  - 1 pt.

# Item 2 – Budget / Cost Control [Prelim/Design]

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- Evaluation Measure/ Criteria
  - The Consultant provided interim construction estimates / Opinions of Probable Cost to verify that the Project is within the Fixed Construction Budget as required in the Professional Services Agreement (PSA)
- Max. Available Score
  - 1 pt.

## Item 3 – Quality of Work Performed [Prelim/Design]

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- Evaluation Measure/ Criteria
  - Consultant performed services with the degree of skill and diligence normally practiced by professional engineers, architects, or consultants performing the same or similar work
  - There were no delays in this/these phase(s) of the project due to issues within the Consultant's responsibility and control
- Max. Available Score
  - 2 pts.

# Item 4 – Invoicing and Payments [Prelim/Design]

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- Evaluation Measure/ Criteria
  - Applications for payment were accurate and complete, inclusive of all required attachments and backup data, and submitted on a timely basis reflective to the contract requirements, *and* Prime Consultant paid each subconsultant its appropriate share of payments no later than ten (10) business days after receipt of payment from City
  
- Max. Available Score
  - 1 pt.

# Item 5 – Compliance with MBE/WBE Program

[Prelim/Design]

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- Evaluation Measure/ Criteria
  - The Consultant utilized the subconsultants identified to perform work during the Preliminary, Design, and/or Bid/Award phases
  - During the Preliminary, Design, and/or Bid/Award phase(s); the Consultant complied with the City's MBE/WBE Procurement Program requirements, including but not limited to, the requirements associated with post-award changes
- Max. Available Score
  - 2 pts.

# Item 6 – Deliverables [Prelim/Design]

16

- Evaluation Measure/ Criteria
  - Consultant's deliverables met the criteria and requirements established in the contract
  - Resolution of significant issues were documented by the Consultant in writing, not just verbally
- Max. Available Score
  - 2 pts.

# Item 7 – Regulatory Compliance and Permitting

(Health, Safety & Welfare, ADA/TDLR, Sustainability, Environmental Protection)

17

- Evaluation Measure/ Criteria
  - Consultant's design met all applicable laws, regulatory and permitting requirements for the project/contract
- Max. Available Score
  - 1 pt.

# Evaluation Summary & Worksheet

(Prelim., Design thru Bid/Award Phases)

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- [G:\Contract Procurement Division\Contract Procurement\Contract Management\Revised Consultant Perf. Eval\2013 \(not Implemented as of Jun2013\)\Consultant Evaluation 0513Excel 10.xlsx](#)

# Evaluation Criteria – Construction Phase

[Construc]

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Item	Evaluation Measure	Max. Score Available (pts.)
1	Timeliness of Performance	2
2	Budget / Cost Control	1
3	Quality of Work Performed	1
4	Invoicing and Payments	1
5	Compliance w/ MBE/WBE Procurement Program	2
6	Deliverables	2
7	Regulatory Compliance & Permitting	1
	<b>Total</b>	<b>10</b>
	<i>Note: All evaluation measures are subject to P/S/D action.</i>	

# Item 1 – Timeliness of Performance [Construct]

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- Evaluation Measure/ Criteria
  - Consultant responded within five (5) business days to all requests of information, submittal reviews, claims, disputes, and other matters in question between the Owner and the Contractor relating to the execution or progress of the work or the interpretation of the construction documents
  - There were no delays in this phase of the project due to issues within the Consultant's responsibility and control
- Max. Available Score
  - 2 pts.

# Item 2 – Budget / Cost Control [Construc]

21

- Evaluation Measure/ Criteria
  - The total dollar value of Change Orders (COs) – excluding additional scope requested by the Owner was equal or less than 5% of the construction contract amount
- Max. Available Score
  - 1 pt.

## Item 3 – Quality of Work Performed [Construc]

22

- Evaluation Measure/ Criteria
  - There were no Change Orders (COs) as the result of error(s) and/or omission(s) by the Consultant
- Max. Available Score
  - 1 pt.

# Item 4 – Invoicing and Payments [Construc]

23

- Evaluation Measure/ Criteria
  - Applications for payment were accurate and complete, inclusive of all required attachments and backup data, and submitted on a timely basis reflective to the contract requirements, *and* Prime Consultant paid each subconsultant its appropriate share of payments no later than ten (10) business days after receipt of payment from City
  
- Max. Available Score
  - 1 pt.

# Item 5 – Compliance with MBE/WBE Program [Construc]

24

- Evaluation Measure/ Criteria
  - During the Construction Phase, the Consultant complied with the City's MBE/WBE Procurement Program requirements, including but not limited to, the requirements associated with post-award changes
  - The Consultant fulfilled the contracted Goals or Subgoals, taking into account all approved substitutions, terminations, and changes to the Consultant's scope of work
- Max. Available Score
  - 2 pts.

# Item 6 – Deliverables [Construc]

25

- Evaluation Measure/ Criteria
  - Consultant's deliverables met the criteria and requirements established in the contract
  - Resolution of significant issues were documented by the Consultant in writing, not just verbally
- Max. Available Score
  - 2 pts.

# Item 7 – Regulatory Compliance and Permitting

(Health, Safety & Welfare, ADA/TDLR, Sustainability, Environmental Protection)

26

- Evaluation Measure/ Criteria
  - Consultant's design met all applicable laws, regulatory and permitting requirements for the project/contract
- Max. Available Score
  - 1 pt.

# Evaluation Summary & Worksheet (Construction Phase)

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- [G:\Contract Procurement Division\Contract Procurement\Contract Management\Revised Consultant Perf. Eval\2013 \(not Implemented as of Jun2013\)\Consultant Evaluation 0513Excel 10.xlsx](#)

# Implementation Schedule & Timeline

CMD Performance Evaluation Implementation Schedule (revised:06/19/13)

Process Delay for Development of City-Wide Process Rules w/Purchasing, re-vetting thru Law Dept.

## Rules Promulgation

11/01 - 12/14	12/14 - 01/15	01/15 - 02/15	05/27 - 06/28	07/01 - 07/12	07/12 - 07/31
Evaluation Drafting	Internal Stakeholder Feedback	Reconcile Comments	External Stakeholder Feedback	Reconcile Comments	Training
			6/24 Consultant - External Stakeholder Meeting		
			6/25 Contractor - External Stakeholder Meeting		
				<b>PROJECTED IMPLEMENTATION</b>	7/31/2013

## Rules Promulgation (revised)

11/01 - 12/14	12/14 - 01/15	01/15 - 02/15	05/27 - 08/09	08/12 - 08/16	08/19 - 08/30
Evaluation Drafting	Internal Stakeholder Feedback	Reconcile Comments	Internal Rules Re-posting External Rules Posting External Stakeholder Feedback	Reconcile Comments	Training
			6/24 Consultant - External Stakeholder Meeting		
			6/25 Contractor - External Stakeholder Meeting		
				<b>PROJECTED IMPLEMENTATION (revised)</b>	8/30/2013

# Q & A

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Questions??



Answers

# Follow-up Questions

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Please direct follow-up questions to:

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OR

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