

**GUIDELINES FOR THE USE OF
CONSULTANT PERFORMANCE REPORTS
IN THE SELECTION PROCESS**

5-5-99

BACKGROUND

In October 1996, Mr. Browder instructed that a process be developed that would, on a formal manner, bring a consultant's past performance into the selection process. Since then, performance evaluations on firms under contract with VDOT have been collected by the Administrative Services Division (ASD) and entered into a data base. Starting September 1, 1998, these reports will be considered as you proceed through the short list process.

PROCESS

The following outlines the Selection Committee members' responsibility at the short list meeting. The Guidelines for the Procurement & Management of Professional Services should be referred to for the complete process:

1. The ASD representative will begin the short list meeting by outlining the process to be used during the meeting.
2. The individual committee members will read their scores. Their scores will be consolidated into one score sheet by the ASD representative.
3. Each committee member will verify their score has been accurately recorded. The math will be performed and checked, establishing a tentative short list.
4. The committee will next verify the current workload and the debarment status of the apparent short listed firms. (The committee may elect to do this after reviewing the Consultant Performance Reports)
5. The committee will then access the ASD Consultant Performance Report data base and review the reports for all prime consultants and subconsultants that are in the tentative short list. Past performance ratings for the last three years will be considered. If a firm is new to VDOT or has no performance reports on file, the committee will check some of the references shown in the Expression of Interest (EOI) and document their finding as part of the file.
6. If ratings less than 3 are discovered in the data base, the committee will review the actual performance reports for that firm. Ratings below 3 that are not supported with written comments must be discussed with the rater before they may be used to adjust the score. After this review, all committee members will have the opportunity to adjust their scores, if they find sufficient justification exists to do so. All changes on the score sheet will be made in ink and include the reason for making the change. A copy of the Consultant Performance Report with low ratings that justified the change in score will be attached to the score sheet.

7. If changes in scores result in a firm being removed from the short list, the next ranked firm will be added to the short list, the workload and debarment status verified, and the performance reports reviewed.
8. The ASD representative is not a member of the Selection Committee and will at no time in the process attempt to influence the committee's decision. However, if after observing the selection proceedings and reviewing the performance reports with the committee, the ASD representative, in his/her opinion, finds the committee has not made a decision in accordance with these guidelines or they have not properly documented their decision, the ASD representative will submit the documentation and reasons for not approving the short list to the contracting Division Administrator for review. In most cases, it is expected that the concerns will be resolved with the Division Administrator. However, if after review by the Division Administrator, the ASD representative still feels the decision is not in accordance with the guidelines or has not been properly documented, the ASD representative will ask for a review by the Chief Engineer. The Chief Engineer's decision will be final. The reason for the decision made by the contracting Division Administrator or the Chief Engineer will be included in the selection documentation.

CONSIDERATIONS

As the Selection Committee goes through the process of reviewing the Consultant Performance Report data, the following should be considered:

1. It is not the intent of the process for a single rating less than 3 to remove a firm from consideration to provide services for VDOT. A firm's total work performance history will be taken into consideration prior to any score being changed. It is important that we remain mindful that it is the Chief Engineer's desire that we should not be using firms that perform poorly.
2. There is no set rule for the number of low ratings that requires a firm's short list scores to be changed. This is an individual decision of each Selection Committee member.
3. Low ratings may exist in areas on other projects which are not relative to your project and the committee may choose to rate this information accordingly. The consultant may also be using different personnel on your project. However, the general guidance is the Chief Engineer wants firms to consistently perform well in all areas.
4. The Selection Committee need only review the performance reports in the same disciplines of work being procured. If a procurement is solely for bridge design, only the Structure and Bridge Division performance reports need to be reviewed. When surveying work is included as part of a road design contract, the term surveying and Location and Design Division reports will be reviewed. When a bridge design consultant is required to provide construction inspectors on unique types of construction, both the Structure and Bridge Division and construction inspection reports will be reviewed. A consultant's performance with other divisions within the same category may be considered if determined to be relevant to the current procurement. If a firm has no performance reports on file related to the requested services, the committee will check some

of the references shown in the Expression of Interest and document their findings as part of the file.

5. A rating of 3 indicates the consultant met the terms and conditions of their contract and is not considered to be a bad rating. Fractional ratings less than three may be given to indicate that a firm did not totally meet expectations, but their work was not of such poor quality for them not to be considered for future work. Committee members need to refer to the rater's comments. Any rebuttal comments by the consultant should also be considered.
6. The quality of the final product is of utmost importance; however, the amount of time and effort spent by the Department's staff in the management and supervision of the consultant during the project life must be considered. A consultant may submit a good final product, but it required a tremendous effort by Department personnel to make the consultant achieve the end results. This should be reflected in the performance reports and considered by the committee.
7. Low ratings of subconsultants should be weighed according to their scope and value to the effort, keeping in mind the Chief Engineer expects subconsultants to perform consistently well.
8. The short list scores may be adjusted as the Selection Committee deems appropriate based on the numerical ratings and significance of the rated category to the project being considered. If a firm's score is adjusted and the firm remains in the short list, the performance reports may be cited in the narrative prepared to document the selection recommendation as a reason for not ranking as high as the other firms.
9. Sometimes, it may be necessary for the Selection Committee to communicate with the rater that completed a Consultant Performance Report. This may occur from the rater not giving clear enough comments to appropriately support a low score or from the consultant's rebuttal to the rating in their comment section.