Prime Contractor Performance Report

The Prime Contractor Performance Report, DOT Form 421-010, consists of two pages:
1. Page 1 consists of Sections I, II, and III.
2. Page 2 consists of Sections IV and V.
Each section is described in detail below.

Section I — Contractor Data
1. Type of Report — Enter “Final,” “Interim,” “Interim/Final,” or “Special.”
2. Company Name — Enter the complete name, address, and phone number of the firm shown on the contract.
3. Superintendent — Enter name.
4. Foreman — Enter name.

Section II — Project Data
1. Region — Enter region.
2. Contract No. and FA No. — Enter applicable numbers.
3. County and SR — Enter county and sign route(s) where project is undertaken.
4. Project Title — Enter complete name of the project as shown on the contract.
5. Authorized Working Days — Enter currently assigned number of working days. (As reported in Construction Contracts Information System (CCIS))
6. Working Days Charged — Enter number of working days charged to the contract as of the date of physical completion or completion as applicable. (CCIS)
7. Work Starting Date — Enter the date of the first charged working day. (CCIS)
8. Completion Date — Enter physical completion or completion date (CCIS) as defined in Section 1.01.3 of the Standard Specifications for Interim/Final and Final reports respectively. If physical completion date is used, delete the word “Final” and write in the word “Physical.”
9. Contract Award Amount — Enter the contract amount as awarded. (CCIS)
10. Contract Completion Amount — Enter the total contract cost (CCIS) before sales tax. If total cost cannot be determined accurately when the report is prepared, compute an estimated completion cost. Designate such amount as “estimated.”
11. Work Classes Performed by Contractor — List such work using the headings used in the list of Prequalification Work Classes attached as Appendix D. Do not list work performed by subcontractors.
12. Description of Work — Provide a brief description of contract work based upon the Description of Work in the project documents.
Section III — Numerical Rating

This section contains four weighted rating areas. Each contains rating elements which are further weighted as to their importance within that area. The rater evaluates a contractor’s performance in relation to each statement by:

1. Placing a “tick” mark within the adjectival rating space that best indicates the contractor’s typical performance in relation to each statement. These marks should in general, be spread between the vertical spaces delineating the adjectival ratings.

2. Placing a corresponding numerical value in the “Rating” column for each rating element.

3. Total the values for each subsection and enter those totals and the grand total in the appropriate spaces.

It should be extremely rare when the numerical section of the report would show “tick” marks for all or mostly all statements in a straight vertical line. This might be appropriate however, on limited occasions when a project is very small, of short duration, and no problems had been encountered during its term.

The Prime Contractor Performance Report must provide an accurate, detailed account of a contractor’s typical performance over the life of the project. Inadequate, below standard, above standard, and superior ratings will be based upon and compared with the requirements for a standard rating described below and in Appendix A. All adjectival ratings will be measured from the standard position on the rating scale on the form. They are defined as follows:

1. Superior
   A range of preeminent performance, which is consistent at an extremely high level. It is that performance readily recognized as exceeding well beyond that which is required or specified. A superior rating is given only when performance is exceptional and ample justification can be provided.

2. Above Standard
   An above standard range of performance extends from standard to the lower range of superior. It extends beyond merely adequate or acceptable to a point verging on superior. It exceeds the quality of performance usually anticipated in this type of project work.

3. Standard
   Standard performance - The expected, acceptable quality of performance considered to meet the requirements of the project documents, plans, specifications, industry standards, and as otherwise prescribed herein. Unlike the other rating categories, standard performance has no range. If that performance level has been achieved by the contractor, the rater places the markings on the scale directly in the standard category shown on the performance report form.

4. Below Standard
   Below standard performance borders on standard and has a range that extends downward to the upper limit of inadequate. It is performance that entails repetitive and frequent below standard practices or activities that should slant the rating toward inadequate.
5. Inadequate

A range of performance that fails demonstrably and completely to meet the prescribed standards or requirements. Repetitive and frequent unacceptable performance and practices should slant the rating towards the lower portion of the scale.

A range of possible numerical values for each statement’s adjectival rating (superior, above standard, etc.) is shown at the top of Section III of the form.

The rater is encouraged to develop numerical ratings through use of a mathematical formula. Refer to page A-7 of Appendix A for an example.

The rater is to be guided by the Rating Element descriptions cited in Appendix A to determine the numerical rating which best fits the contractor’s typical performance for each rating element statement. The rating element description statements are not intended to be all inclusive but only intended to give general guidance for rating typical performance. The requirements for a standard rating are specified under the heading of each rating element. Guidance for determining a superior rating is also stated. (See Appendix A, Rating Elements.)

Section IV — Narrative Rating

The Narrative Section is divided into three parts. These relate to general elements, below standard elements, and superior elements to be discussed by the rater which describe the contractor’s typical performance on the project. The rater must be cautious to assure that good and outstanding performance is considered in determining typical performance on the same basis as poor performance. The narrative should be prepared from project records which must be referenced in the comments. If more space is needed, use additional sheets (bond paper). The rater should enter data as follows in this section:

1. General Elements

Make any general statements pertinent to the contractor’s work activity, e.g., innovativeness in performing the work, manner in which the project was undertaken, explanations of differences between initial contract and final contract amounts, and any other noteworthy activities to give a picture of the contractor’s effort. Remarks pertaining to above standard ratings may also be entered in this section though not required. Describe the basis for time extensions granted or changes made in the required work.

If an interim, interim/final, or special report is prepared, state the reason for its preparation (e.g., Departure of Project Engineer, Periodic Report for Multi Season Project, Conditional Status Report, etc.) in this section.

2. Below Standard Elements

Explain those rating elements that were rated below standard in the numerical section in this space. The statements must be keyed to the numerical section by identifying the rating element, e.g., Q-1 for “Adherence to Plans and Specifications.” Adequate documentation must be cited to backup any below standard remark so that justification may be located readily for an appeal, litigation, investigation, revocation of prequalification, or for any other need.
References to documentation should be made as follows:

IDR 10/16/92 (Inspector’s Daily Report dated October 16, 1992); Ltr 8/18/92, DOT J.D. Smith (letter dated August 18, 1992, Department of Transportation, signed by J.D. Smith); CO #23 6/5/92 (Change Order No. 23, dated June 5, 1992); or L&I Cit 6/16/92 (Labor and Industries Citation dated June 16, 1992).

Since the narrative explains typical contractor performance, below standard or superior performance must be justified by stating several, rather than a single example, and examples of such performance that apply over the duration of the project. Comments must be based upon fact rather than on unsubstantiated opinion. (See Appendix B, Sample Report.)

3. Superior Elements

Contractors must be given credit for outstanding work or performance. It is easy to observe and to document poor work and performance. By the same token, it is appropriate that special attention be given to the contractor’s outstanding aspects on a job and to document them. Practicing objectivity and fairness should be the rater’s maxim.

Of necessity, superior ratings also require justification. This is necessary to avoid accusations by contractors that the rater has engaged in favoritism. In some instances, contractors have been rated at the very top of the superior scale with no remarks or backup justification. Superior ratings that are not adequately justified and documented will be revised to a maximum “above standard” rating upon Headquarters review.

The Regional Administrator will be advised of such changes and copies of the revised report will be distributed to the contractor and to the region. If a contractor’s performance has been superior, it should not be difficult to find something to be said that would substantiate a superior rating. The higher the rating, the greater the number of examples and the better the quality of the remarks that should be made. Be sure to state facts rather than opinions. If opinions are cited, back them up with facts from project documentation.

Section V — Authentication and Review

This section records the review and verification of the accuracy and veracity of the report by the rater, the endorser, and the reviewer. Its purpose is also to document the contractor’s receipt of a copy of the report and that the contractor has been made aware of the right to appeal. It also gives assurance that the report has been reviewed for objectivity in its preparation and for the elimination of the influences of personalities. The report will be prepared, reviewed, and endorsed as follows:

1. Project Engineer

Prepare a draft Prime Contractor Performance Report based on data in project records after the appropriate completion date as defined in Section 1.01.3 of the Standard Specifications. Review the draft report with the contractor. The contractor should be encouraged to call any performance considered to be exemplary to the project engineer’s attention, so that it may be verified, recorded, and if appropriate, entered in the report. Prepare and sign the finalized report and forward it to the Operations Engineer/Designee (or other individual of corresponding title).
2. Operations (Construction) Engineer/Designee
   a. Review the report for objectivity, correctness, and documentation. Documentation will be of utmost importance in the event of an appeal or litigation. In no circumstance should the Project Engineer sign at this level as the Operations Engineer/Designee.
   b. Provide a copy of the report to the contractor with an appropriate cover letter. (See Appendix C, Sample Cover Letter.) The report may be delivered in person, or by certified mail with return receipt.
   c. Inform the contractor that an appeal of the rating to the Regional Administrator may be made in writing within twenty (20) calendar days from the receipt of the report. Appeals received after twenty days have elapsed will not be considered.

3. Regional Administrator — Review all contractor performance reports after endorsement by the Operations Engineer/Designee.
   a. The Regional Administrator may modify the rating, if appropriate, on the form and/or on additional sheets. The Regional Administrator must advise the contractor of any changes that have been made. Appropriate comments will be made when a contractor’s overall rating is inadequate, below standard, or superior. In no circumstance should the Regional Administrator’s Designee at this level be the same as the Project Engineer or Operations Engineer/Designee. The report requires three independent reviews and signatures.
   b. Performance reports, when completed at region level, will be submitted to the Secretary, Attn: Manager, Contractor Prequalification Office, not later than forty-five calendar days following final completion of the project.
   c. Forward original copy to the Manager Contractor Prequalification Office. Final distribution of remaining copies, whether revised or not, will be made by Headquarters subsequent to review and approval for filing in the Office of the Secretary.

Refer to additional instructions attached to the Prime Contractor Performance Report, DOT Form 421-010.