

Prime Contractor Performance Report Manual

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Contract Ad & Award Office

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The Prime Contractor Performance Report Manual is prepared to give Project Office, Region, and other personnel of the Washington State Department of Transportation (WSDOT) a working reference of uniform standards and procedures for the preparation and processing of the Prime Contractor Performance Report.

The Prime Contractor Performance Report is an important part of the feedback process to the contractor about their performance on WSDOT contracts. This report is valuable during active contract administration as well as in the prequalification process.

As a contract administration tool, it provides the Project Engineer a forum to communicate performance issues being observed while there is still time to make corrections. Timely feedback can help prevent small issues from developing into larger long-term issues. This real-time communication is a fundamental principle of our partnering philosophy of contract administration.

The Prime Contractor Performance Report is a major consideration in a contractor's ability to be prequalified. Satisfactory or exceptional performance reports are necessary in order for a contractor to increase their prequalification in new work classes and to increase the multiplier used to calculate their maximum bidding capacity. Unsatisfactory performance ratings will typically result in a "freezing" of a contractor's current work class levels as well as pointed letters to the home office addressing our concerns of their performance. In extreme cases, unsatisfactory performance will result in denial of proposals and total revocation of bidding rights on WSDOT projects.

In order to be most effective as a tool in pre-qualification, this report must be an overall summary of the contractor's performance on the entire contract, and not a reflection based on a few challenging days. This report must be fair, objective, and supported by adequate documentation. As you will see from the review process outlined in this manual, the Department takes these reports very seriously.

Thank you for your continued efforts in making this a valuable tool in our project delivery process.

Chris Christopher, P.E. Director, Construction Division

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This manual has been prepared to guide Project Office, Region, and other personnel in successive steps, through the preparation of the Prime Contractor Performance Report. Attached is a sample copy of a completed report with related comments.

The rater is cautioned that this report is not a comparison of contractors, but an evaluation of the performance of a specific contractor on a specific project. It records whether a contractor typically meets or does not meet the requirements for standard performance (i.e., performance which meets the demand or need).

Diligence and objectivity in the preparation of a factual report is imperative to ensure that the report is an effective tool for measuring and recording a contractor's typical performance since the rating given will influence the firm's bidding ability. The report must be submitted in a timely fashion. Delayed reports may adversely affect a contractor's bidding ability.

All sections of the Prime Contractor Performance Report must be neatly and legibly prepared. Prime Contractor Performance Reports are to be submitted to the Secretary, ATTN: Contractor Prequalification Office.

References

- 1. RCW 47.28.070
- 2. Chapter 468-16 WAC, Prequalification of Contractors
- 3. E 1012 Delegation of Authority

Definitions

- 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.
- 6. **Typical Performance** Performance that is repetitive. Typical performance occurs more than once throughout the life of the contract. Typical performance is not an isolated incidence but several occurrences that are representative of performance throughout the life of the contract. A contractor will be evaluated and given a numerical score within the ranges described above based on their typical performance.

Instructions

There are four types of Prime Contractor Performance Reports.

1. The types of Prime Contractor Performance Reports are described as follows:

Final Report

A final report will be prepared immediately following the project Completion date as defined in Section 1-01.3 of the Standard Specifications when all work specified in a contract is completed and all the obligations of the Contractor under the Contract are fulfilled by the Contractor, when a contract is terminated. A final report must evaluate a contractor's performance for the duration of the project although interim reports have been prepared.

Interim reports, prepared during the life of the project, will be considered in preparing the final report. An overall summary of the contractor's total performance, considering interim reports and current data, shall be included in the narrative.

Interim Report

Should be prepared as follows:

- a. Annually on the anniversary of the work starting date for all projects exceeding one year's duration.
- b. When the current Project Engineer will no longer be involved with the project, providing the project has been in progress for 25 percent of the assigned working days. Include all contract working days either from the starting date of the project, or from the date of the last interim report to the beginning of a subsequent interim report, or to the project completion date. (Ref. Section 1-01.3 *Standard Specifications*).
- c. When a contractor's total, overall work has become less-than-standard and conditional qualification is being considered.
- d. At 60-calendar day intervals, for two consecutive 60-day periods, after a contractor has been placed in conditional qualification status; after written notification to the contractor of below standard performance by the Region Administrator.

Special Report

Prepared when a nonscheduled report is needed, when a report is needed to facilitate a counseling session, or at the request of the contractor. Such a report will not be referenced in the final report.

- 2. Reports are required for projects of a completed value of \$100,000 or more.
- 3. Under no circumstances will copies of any reports be filed in Records Control before having reviewed at Headquarters and stamped "Filed in Office of the Secretary", dated and initialed by the Prequalification Analyst.

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 state 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 including any days added to the contract. (As reported in Construction Contracts Information System (CCIS)).
- 6. Working Days Charged Enter number of working days charged to the contract (CCIS).
- 7. Work Starting Date Enter the date of the first charged working day (CCIS).
- 8. **Completion Date** Contract completion date (CCIS) as defined in Section 1.01.3 of the Standard Specifications for Final reports
- 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. Please see the note at the bottom of Page 1 when totaling sections with "Below Standard" elements.

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:

- Superior A range of preeminent performance, which extends beyond the upper range of above average performance to the maximum performance rating for that element and 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. A superior project performance rating is one which scores more than 125 points up to a maximum of 150 points.
- 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. A project score between 101 and 125 points is considered above average.

- 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. A project score between 75 and 99 is considered below standard.
- 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 project score less than 75 points is considered inadequate.

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 to be guided by the Rating Element descriptions and mathematical formulas 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. 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 although they are 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.

Contractors with an overall score above 126 will be awarded with a Certificate of Excellence.

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 Form should be be filled out and signed electronically in Adobe Acrobat. Do not use AdobeSign to route the form for signature. The report will be prepared, reviewed, and signed 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, but leave it unlocked for the other signatures, 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. Sign the report, but leave it unlocked for the other signatures. 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 by email. (See Appendix C, Sample Email.) The report should be sent by email to the contractor's representative who signed the contract with a delivery receipt and read 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 (20) days have elapsed will not be considered.

3. Regional Administrator

Review all Prime Contractor Performance Reports after they are signed 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. Sign the report, but leave it unlocked for Headquarter's completion and filing in the Office of the Secretary.
- b. Prime Contractor Performance Reports, when completed at region level, will be emailed to prequal@wsdot.wa.gov, Attn: Manager, Contractor Prequalification Office, not later than forty-five calendar days following final completion of the project.

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

All Prime Contractor Performance Reports will be reviewed by the Office of the Secretary for completeness, objectivity, and substantiation of numerical ratings. The Secretary may modify the report as deemed appropriate as a result of the review. The rated contractor and the Region Administrator shall be given a copy of the modified report. An analysis of reports will be made at Headquarters to determine trends in ratings and other pertinent factors relating to performance reports. Unsupported below standard or superior ratings will be appropriately modified. Region Administrators will be advised of the findings, discrepancies, and suggestions for improving the reporting process when appropriate.

- First overall below-standard rating on a Prime Contractor Performance Report: A letter to the contractor from Headquarters regarding below-standard elements of performance. A mandatory meeting will be scheduled with Regional Administrator, Operations Engineer and the Project Engineer to discuss below-standard elements of performance with the contractor.
- 2. Second overall below-standard rating on a Prime Contractor Performance Report: A mandatory meeting between the contractor and the State Construction Engineer will be scheduled to discuss below-standard elements of performance. A corrective action plan is required within thirty (30) days of this meeting.
- 3. Third overall below-standard rating on a Prime Contractor Performance Report: Results in mandatory conditional qualification of the contractor in accordance with WAC 468-16-100.
- 4. If a conditionally-qualified contractor receives an overall below-standard Prime Contractor Performance Report: Results in mandatory suspension in accordance with WAC 468-16-180.

- A contractor may appeal in writing the rating received on a Prime Contractor Performance Report to the Regional Administrator within twenty (20) calendar days of its receipt. An appeal must state the specific basis for the appeal. The Regional Administrator may extend the appeal period upon the request of the contractor for an additional twenty (20) calendar days. If the report is not given to a contractor in person, the date of the email delivery receipt shall be considered the date of receipt.
- 2. The Regional Administrator shall cause the appeal to be investigated to determine whether the facts substantiate a contractor's basis for the appeal. If the basis for appeal is justified, the report may be modified by striking those portions of the originally prepared report, and modifying the relevant numerical section and changing the narrative as appropriate on separate sheets. The Regional Administrator's response to the contractor shall be sent by email, to the contractor's representative that submitted the appeal, with a delivery receipt and read receipt, within twenty (20) days of the receipt of the appeal. Forward a copy of the appeal and response including copies of all data used to substantiate any action taken with regard to the contractor's appeal to the Secretary, Attn: Contractor Prequalification Office.
- 3. The contractor may further appeal to the Secretary of Transportation in writing setting forth the specific basis for the appeal. The contractor's app^eal shall be made within ten (10) calendar days of the date of receipt of the Regional Administrator's response. When making the appeal the contractor may also present information in a meeting. The Secretary will consider the appeal and respond to it by email, to the contractor's representative that submitted the appeal, with a delivery receipt and read receipt, within sixty (60) calendar days of receipt of the appeal. This determination shall be the final administrative act of the department.
- 4. If the Secretary modifies a report that has not been previously appealed, the contractor may appeal the modified report. The contractor's appeal shall be made within ten (10) calendar days of the date of receipt of the modified report and in the manner set forth in section (3) above. The Secretary will consider the appeal and respond to it by email, to the contractor's representative that submitted the appeal, with a delivery receipt and read receipt, within sixty (60) calendar days of its receipt. This determination will also be considered the final administrative act of the department.
- 5. A Prime Contractor Performance Report shall be considered a preliminary document until all reviews and appeals have been accomplished and it shall have been stamped and initialed as having been "Filed in the Office of the Secretary."

Conditional qualification of a contractor may be affected when the overall performance of that contractor has become less-than-standard and upon recommendation of the Regional Administrator to the Secretary. A contractor placed in conditional status may be restricted in bidding ability for highway projects or other sanctions may be placed in effect.

A contractor may be placed in Conditional Qualification status under the following conditions:

- 1. When an overall performance rating of less than 100 has been given on a final Prime Contractor Performance Report.
- 2. When a firm's performance is reported as below standard in either "quality of work" or "progress of work" on an interim report for a current project, and the Region Administrator has requested the Chief Engineer to place the firm in conditional status. The Chief Engineer will advise the contracting firm of its having been placed in conditional status and the consequences of being placed in such status. The contractor will be advised of the preparation of interim Prime Contractor Performance Reports while in that status.

Interim performance reports will be prepared at sixty-day (60) calendar intervals to record a contractor's performance while in conditional qualification status. If overall performance has not been brought to standard after two consecutive 60-day interim reports have been prepared, no further interim reports need be prepared unless specifically requested by the contractor or other circumstances require their preparation. In the event the contractor request completion of an interim report the date of the report shall be the date of the contractor's request. Prime Contractor Performance Reports, shall be considered a preliminary draft until all reviews and appeals, have been accomplished and the report has been stamped and initialed as "Filed in the Office of the Secretary." Once the report is finalized in this manner, the report, appeals, correspondence and other related data may be subject to public disclosure. Prime Contractor Performance Reports and related data will be released to individuals, other than the rated contractor, only by the Public Disclosure Office at Headquarters.

Rating elements (e.g., supervision and decision making) are defined as the numbered statements in Section III of the Prime Contractor Performance Report and are to be used as a basis for evaluating a contractor's typical performance.

The following Appendixes provide more detail for rating the contractor under each rating element. The rating criteria cited under each element heading does not preclude other considerations by the rater, however, such other elements considered should be explained in detail.

These rating elements have been prepared to provide for uniform guidance in the evaluation process by all raters. They are not to be considered as all encompassing, but to describe as far as practical, standard, and superior performance. From these descriptions, the rater will be able to determine inadequate, below standard, and above standard performance. In preparing these statements, a comparison of contractors is not intended. The rater must determine whether the contractor has met the standard, or the degree to which he has failed to meet or exceeded the standard required by the rating element.

Standard performance is defined as the expected, acceptable quality of performance considered to meet the requirements of the project documents, plans, specifications, industry standards, and as otherwise prescribed herein.

An inadequate or below standard rating in any area of section A, Q or P or C will limit the total rating for that section to a maximum of the standard rating for that section.

It is suggested that a copy of these rating elements and the Prime Contractor Performance Report be given to and discussed with the contractor at Preconstruction meetings and also when deemed otherwise appropriate.

Administration/Management/Supervision

A. Supervision/Decision Making/Coordination with Subcontractors and Suppliers (A1)

A standard score of 1 point is given for each of the following six areas. Inadequate performance in an area is scored as .5; below standard .7; above standard 1.3; and superior 1.6 – 1.7.

- 1. Supervisors used personnel, equipment, and materials effectively.
- 2. Supervisory decisions resulted in the project progressing smoothly and minimal conflicts
- 3. Supervisors strived to keep project expenses within the bid amount.
- 4. Sufficient managerial presence was always on the project site to direct the work with the result that few disruptions occurred in the construction effort and to assure satisfactory performance of all subcontractors and suppliers.

- 5. Delivery of supplies was efficiently scheduled and the activities of Suppliers and Subcontractors effectively coordinated to result in minimal, infrequent delay of the work.
- 6. Contractor actively assumed responsibility for all project activities throughout the life of the contract.

The performance of the Subcontractor must be considered in the Prime Contractor Performance Report. Aspects such as how the Subcontractor's performance affected the project (e. g., delayed or hastened the work, increased or decreased costs, or enhanced the quality of the project) must be assessed. Of major importance is how the Prime Contractor influenced those factors when involved with Subcontractor work.

Although a Subcontractor may not have performed in a standard manner, the effort expended by the Prime Contractor to obtain standard performance must be noted and considered heavily when rating the Prime Contractor. Such effort might include guidance, supervision, and other appropriate assistance.

The highest superior rating would be given only when it was readily observed that no delay, conflict or confusion could be attributed to a Contractor's coordination with a Subcontractor or Supplier. Supervisory personnel must have demonstrated proficiency, competency, managerial ability, technical knowledge, and judgment to the highest degree. Documented examples must be cited.

B. Submission of Documents and Reports (A2)

Standard rating would be given only when a minimal number of delayed and/or inaccurate reports have been submitted. The terms documents and reports include all pertinent paper work, including but not limited to, change orders, certified payrolls, wage affidavits, final project documents, and other allied records. When reports have not been properly submitted, the number of discrepant reports and the effort expended to obtain them must be considered. Statement of the due date and the date the report or document was received should be made to document the timeliness in which a Contractor made the required submittals. Formal letters documenting non-compliance with report or document submission requirements would indicate below standard performance.

The highest superior rating would be given only when no discrepancies or inaccuracies have been observed in document or report submission. Additionally, all reports must have been received in a timely fashion and none were returned for resubmission. Documented examples must be cited.

C. Coordination and Cooperation with Department Personnel on Project Matters (A3)

A standard rating requires that the Contractor react to comments, suggestions, and instructions from authorized Contracting Agency personnel in a positive, constructive manner. Although disagreements may occur, the conduct of both the Contractor's and Department's personnel must maintain attitudes conducive to a compatible, problem solving relationship which furthers the timely completion and enhanced quality of the project. A standard rating anticipates a minimal number of disagreements, all of which must have been resolved readily and with finality. A reasonable effort to correct discrepancies is expected.

A rating in the top range of superior requires the explicit effort of the Contractor to go well beyond the norm to assure outstanding coordination and communications with owner personnel. The Contractor must have looked ahead for problem areas, bringing them to the attention of the Contracting Agency, thus causing the project to progress in an optimal fashion. Documented examples must be cited.

D. Relations with General Public, Other Agencies and Adjacent Contractors (A4)

A standard rating requires that communication and association with the public, other agencies, and adjacent contractors resulted in good relationships, little disruption of the project, and few complaints from the general public, or other entities. The contractor has met the conditions of the contract in regards to public announcements of activities on the project and coordination with adjacent contractors.

To attain a top superior rating, no adverse impacts to the project will have occurred as a result of public relations or relations with adjacent contractors. No adverse impacts would have occurred as a result of communications with the public or coordination with adjacent projects. The contractor shall have received positive feedback. Documented examples must be cited.

E. Maintenance of Employee Safety Standards (A5)

A standard rating under this element requires compliance with the Occupational Safety and Health Act (OSHA) and the Washington Safety and Health Act (WSHA) with few, immediately corrected, minor infractions. Employees must have demonstrated a consciousness of the need for safety and accident prevention through knowledge, proper practices, and use of proper equipment, equipment safety features, and apparel. A standard rating requires that weekly safety meetings were held and that no serious safety infractions or accidents had occurred.

Major infractions or repeated minor offenses will result in a below standard score.

Quality of Work

A. Adherence to Plans and Specifications (Q1)

A standard rating will be given when the work has been accomplished as required by the plans, specifications, and referenced standards (e.g., quality control), with few deviations of minor significance occurring.

Work that may have been redone as a result of failure to adhere to standards will be rated below standard, although it has subsequently been brought up to specifications. The degree to which it is rated below standard will be dependent upon the subsequent quality attained, the number of substandard infractions encountered, and the effect the work item(s) has on the total project.

A superior rating requires that the work shall have been completed well beyond the requirements of the specifications or standards. To receive a superior rating, specific documentation of examples of the work exceeding the contract requirements must be cited. This is a heavily weighted element and must be evaluated with care.

B. Standards of Workmanship (Q2)

Standard ratings entail adequate workmanship that produces an acceptable product that meets the requirements of the standards and specifications. An inadequate rating would be given if workmanship was poor enough that removal and reinstallation was required.

The superior rating is given when the contractor takes the lead to reject bad workmanship and redo items on their own. Documented examples must be cited.

C. Public Safety and Traffic Control (Q3)

For a standard rating, a contractor's traffic control plan, if submitted must have been submitted for approval per contract requirements. Any changes directed by the engineer must have been made immediately. Traffic control equipment and personnel were always well managed with personnel having proper equipment, training and attire.

For a superior rating, the traffic control strategy and any necessary revisions were discussed and submitted well in advance the date specified in the contract, and provided additional benefit beyond the original traffic control strategy. Infractions to the requirements were not observed. Sensitivity to the safety needs of the public must have been evident throughout the contractor's activities. Documented examples must be cited.

D. Environmental Compliance (Q4)

A standard rating would be given if the Contractor adheres to all environmental commitments detailed in the special provisions and the conditions described in the environmental permits. A standard rating is given when the contractor proactively follows the Spill Prevention Control and Countermeasure (SPCC) plan for the project. Periodic inspections will ensure that the required preparation and preventative steps identified in the SPCC plan have been taken to keep the site in compliance throughout the life of the project. Although the Environmental Compliance Assurance Procedure (ECAP) pertains to WSDOT staff, any event caused by the Contractor's operation that results in ECAP being implemented and results in a Notice of Violation or a monetary penalty from the regulatory agency would be considered below standard.

The highest superior rating would only be given when there were no violations and utmost stress to environmental compliance had been given through meetings, counseling and supervision of employees, thus providing a highly noticeable daily appreciation for environmental compliance. Documented examples must be cited.

Progress of Work

A. Completion of Project within Allotted Time (P1)

- 1. Standard ratings are given when the project is physically completed within the working day allocation.
- 2. Below standard rating will be computed using the following formula:

Standard Rating minus [(days overrun divided by authorized days) times 10 (standard rating-lowest possible rating)] = rating for element

Example 10-[(3/100) × 10 × (10-6)] = 8.8

Standard Rating =10 Overrun Days = 3 Authorized days = 100 Lowest Rating = 6

3. Ratings for above standard and superior will be computed by using the formula below:

Standard Rating plus [(days under run divided by authorized days) times 10 (standard rating-lowest possible rating)] = rating for element

Example 10+[(3/100) × 10 × (10-6)] = 11.2

Standard Rating =10 Days Under run = 3 Authorized days = 100 Highest Rating = 14

- 4. The ratings from the foregoing formulas should be adjusted appropriately by taking into consideration, the effort expended to expedite the project, the appropriateness of the allocation of working days, and the circumstances affecting completion time that are beyond the contractor's control.
- 5. This is a heavily weighted element and must be evaluated with care.

B. Baseline Scheduling (P2)

This element will be rated for interim, final, interim/final, and special reports by measuring the contractor's adherence to the progress schedule at the time the report is prepared.

- 1. A standard rating will be awarded when the contractor's preliminary project schedule contains the required information according to contract specifications, submitted within the allotted time after contract execution and the baseline schedule is approved with minimal corrections.
- A below standard or inadequate rating will be given when the preliminary progress schedule is incomplete (below standard) or significantly incomplete (inadequate), OR submitted after the allotted time (below standard), or submitted after the preconstruction conference (inadequate).
- 3. An above standard or superior rating will be given when the preliminary project schedule contains the required information according to contract specifications and there was added detail in addition to what is required. A superior rating will be given if the above conditions are met and the contractor scheduled a meeting with the project office to review the schedule.
- 4. In each of the foregoing ratings, consideration will be given to the number of resubmissions of corrected schedules, and the quality thereof.

C. Weekly Look Ahead Schedule and Schedule Updates. (P3)

- Rating will be based on timeliness, accuracy and detail information required according to the specifications. A standard rating will be awarded when the contractor's Weekly Look-Ahead Schedule is submitted regularly on mutually agreed upon time and contains the required information according to specifications. Schedule Updates are submitted within 15 calendar days of receiving a written request or when an update is required by any other provision of the Contract.
- 2. A below standard rating will be given when performed work does not match Weekly Look-Ahead schedule and Schedule update is not submitted per contract. An inadequate rating will be given when the Weekly Look-Ahead schedule and Schedule Updates are not submitted, not on time and incomplete.
- 3. An above standard rating is given when the contractor's Weekly Look-Ahead schedule is realistic and work matches the schedule.

D. Number of Days from Physical Completion until Contract Completion (P4)

Rating will be based on achieving Contract Completion within ninety (90) Calendar days of Physical Completion.

- 1. A standard rating will be awarded when the contractor achieves Contract Completion within ninety (90) Calendar days.
- A below standard or inadequate rating will be given when Contract Completion is achieved within one hundred and twenty (120) Calendar Days, with the lowest score for closest to one hundred and twenty (120) days and the highest for closest to ninety (90) days.
- 3. An above standard or superior rating will be given when Contract Completion is achieved within 60 Calendar Days, with the highest score for closest to sixty (60) days and the lowest score for closest to ninety (90) days.
- 4. Consideration should be given to the duration and complexity of the project.

Compliance with Laws and Contract Requirements

A. Compliance with Business Utilization Requirements (C1)

Ratings will be based on accomplishments and goal attainments in the area of DBE, MSVWBE, SVBE and FSBE participation. If none of the areas below are applicable to the contract, a standard score of 5 will be given.

- 1. For contracts with a mandatory goal (COA)
 - **a.** (Inadequate Score = 1/3 3.4) by achieving less than half the dollar value or contract percentage of participation specified in the contract.
 - b. (Below Standard Score = 3/5 4.9) by achieving an amount greater than half the dollar value or contract percentage of but falling below the percentage specified in the contract with the lowest score for attainment close to 50% and the highest score for attainment near 100%.
 - *c.* (Standard Score = 5) by achieving the dollar value or contract percentage of participation as specified in the contract or demonstrating an acceptable good faith effort.
 - *d.* (Above Standard Score = 5.1 6.5) by achieving an amount greater than that specified in the contract but less than 125 percent greater.
 - **e.** (Superior Score = 6.6 8) by attaining 125 percent or more of the amount dollar value or contract percentage specified in the contract.

- 2. For contracts with a voluntary goal or no goal:
 - **a.** (Standard Score = 5) to be given in the absence of any attainment.
 - **b.** (Above Standard Score = 5.1 6.5) by achieving the amount specified in the contract.
 - **c.** (Superior Score = 6.5 8) by attaining an amount greater than that specified in the contract.
- **3.** For contracts with both mandatory and voluntary goals:
 - **a.** Score the mandatory and voluntary goals as described above and divide by 2 and then add the resulting amount together.

Intermediate scores for each of the above will be proportional to goal attainment. For each occurrence that the Project Office sent written notification that the contractor was not in compliance with mandatory requirements, subtract .2 points from the score determined as described above.

B. Compliance with Apprentice and On-the-Job Training Requirements(C2)

Ratings will be based on compliance with the Apprentice Utilization requirement and Onthe-Job Training goals. Each area will be valued at one-half of the total score if both areas were included in the contract. If only one area was included in the contract, the rating will be calculated as the total score for the element multiplied by 2.

- 1. For contracts with an Apprentice Utilization requirement.
 - a. (Inadequate Score = 0.7- 1.8) by attaining 0% 60% of the required apprentice participation.
 - b. (Below Standard Score = 1.9 2.4) by attaining 61% 99% of the required apprentice participation.
 - c. (Standard Score = 2.5) by attaining 100% of the required apprentice participation or by demonstrating that the requirement was met in good faith.
 - d. (Above Standard Score = 2.6 2.9) by attaining 101% 130% of the required apprentice participation.
 - e. (Superior Score = 3 3.5) by attaining 131% or greater of the required apprentice participation.

The exact score in the range given is determined by the percentage of apprentice utilization achieved. Additionally, for each occurrence that the Project Office sent written notification that the contractor was not in compliance with the Apprentice Utilization requirement or reporting requirements, subtract .2 points from the score determined by section 1.

- 2. Training Compliance
 - **a.** (Inadequate Score = 0.7 1.8 1.7) by achieving less than 50% of the training goal specified in the contract.
 - **b.** (Below Standard Score = 1.9 -2.4) by achieving an amount greater than 50% of the training goal specified in the contract but less than 100%.
 - c. (Standard Score = 2.5) by attaining the training goals specified in the contract or demonstrating an acceptable good faith effort.
 - *d.* (Above Standard Score = 2.6 2.9) by achieving an amount greater than that specified in the contract but less than 125 percent greater.
 - **e.** (Superior Score = 3 3.5) by attaining 125 percent or more of the training hours with a majority of those hours engaging minority and/or female trainees.

The exact score in the range given is determined by the percentage of the training goal achieved. Additionally, for each occurrence that the Project Office sent written notification that the contractor was not in compliance with On-the-Job Training requirements or reporting requirements, subtract .2 points from the score determined by section 2.

- **3.** For contracts that did not have an Apprentice Utilization or an On-the-Job Training requirement:
 - a. (Standard Score = 5) to be given.

C. Compliance with Laws, Ordinances, Regulations, and Rules (C3)

This section applies to regulations, rules and conditions such as those described in permits (e.g., Noise Ordinances, Right-of-Way use permit, etc.).

- 1. A standard rating of 5 requires that only few, minor, dissimilar, and infrequent infractions have occurred throughout the life of the project. Any infractions must have been immediately corrected. No above standard or superior rating is available for this category.
- 2. The failure to obey ordinances, laws, and regulations cannot be condoned and would result in a below standard rating. For each occurrence that the Project Office or regulatory agency sent written notification to the contractor of infractions, .5 points will be removed from the standard score of 5, down to the minimum score of zero.
- 3. For each infraction resulting in a fine, 1 point will be removed from the standard score, or the score as calculated from section b, down to the minimum score.

00000	on I Cou	ntractor	Data		Se	ection I	l Pro	oject Da	ita	
Report Type Interim Final Special	Contractor	No. (HQ Us	e Only)	Region		contract No. ederal-Aid N	0.	County		SR
Company Name				Project Title						
Address			Phone No.	Auth. Working Days	Worki	ng Days Jed	Work Date	Starting	Contract Con	pletion Dat
Superintendent Fore		Foreman		Contract Award Amount Contr		act Completion Amount				
Work Class Performed by Contractor:				Contract Award Amount			and compil			
Description of Work:										
Section III	lumeric	al Ratin	g							
A Administration			-		* Inadequ	ate [*] Below Std	Standa	rd Above Std	* Superior	Rating
A1. Supervision/Decis	ion Making/Co	ordination wit	h Subcontractors and	suppliers	3	4	6	8	10	
A2. Submission of Do	cuments and F	Reports			3	4	6	8	10	
A3. Coordination and	Cooperation w	ith Departme	nt Personnel on Proje	ct Matters	3	4	6	8	10	
A4. Relations with General Public, Other Agencies and Adjacent Contract			ctors	2	4	5	6	7		
A5. Maintenance of Er	mployee Safet	y Standards			1	1.5	2	2.5	3	
Section A Total						17.5	25	32.5	40	
					12	17.5		02.0		
Q Quality of Work	(12	17.5		02.0		
Q Quality of Work Q1. Adherence to Plan		cations			9	12.5	15	18	21	
	ns and Specific	cations								
Q1. Adherence to Plan	ns and Specific kmanship				9	12.5	15	18	21	
Q1. Adherence to Plan Q2. Standards of Work	ns and Specific kmanship Traffic Control				9	12.5 8	15 10	18 12.5	21 15	
Q1. Adherence to PlanQ2. Standards of WorkQ3. Public Safety and	ns and Specific kmanship Traffic Control				9 6 2	12.5 8 3	15 10 4	18 12.5 5	21 15 6	
 Q1. Adherence to Plar Q2. Standards of Worl Q3. Public Safety and Q4. Environmental Cor Section Q Total P Progress of World 	ns and Specific kmanship Traffic Control mpliance				9 6 2 4 21	12.5 8 3 5 28.5	15 10 4 6 35	18 12.5 5 7 42.5	21 15 6 8 50	
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A General Elements Enter comments that descri	ibe the contractor's overall performance and provide bac	kground data on the project.
B Below Standard Elements Enter comments	here to substantiate below standard ratings. (See Instru-	ctions)
C Superior Elements Enter comments here to s	substantiate superior ratings. (See Instructions)	
Section V Authentication and Revi	ew	
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Prime Contractor Performance Report Instructions

The Prime Contractor Performance Report, DOT Form 421-010, consists of two parts — page 1 and page 2. Page 1 consists of Sections I, II, and III. Page 2 consists of Sections IV and V. The electronic form is optimized for use with Adobe Acrobat. Do not use AdobeSign to complete or route the form for signature.

- 1. PE completes Sections I IV in strict conformance with the Prime Contractor Performance Report Manual (M41-40)
- 2. PE Send to Contractor and discuss.
- 3. PE sign electronically and transmit to Region. It is recommended to use Adobe Acrobat for signing. Do not lock the form when signing.
- 4. Region Operations Engineer review, sign electronically. Do not lock the form when signing. Print and mail to Contractor via Certified Mail. Retain electronic copy for further processing.
- 5. Wait 20 days. Respond to protests, as necessary. Make adjustments.

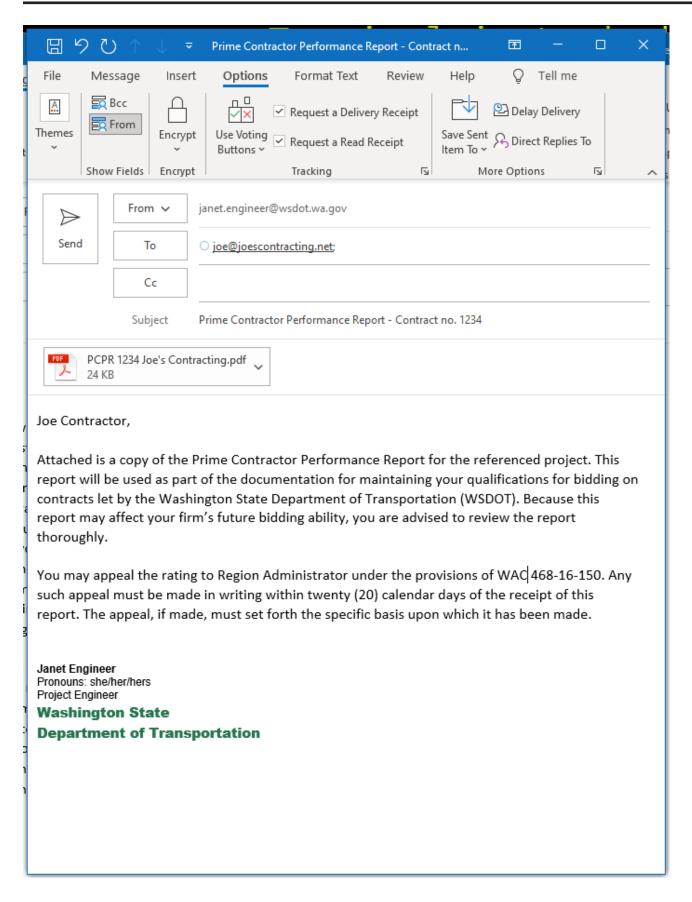
a. Adjustments made with strikethrough, adding new text and initials of individual making change.

- 6. Regional Administrator Sign electronically. Do not lock the form when signing. The form must be unlocked for headquarters use.
- 7. Transmit to Contract Ad and Award electronically. Distribute copies to PE, RA, and Contractor.

DOT Form 421-010 Revised 12/2021 Distribution: Original - Prequalification Branch Copy - Region Administrator Copy - Project Engineer Copy - Contractor

Appendix C

Sample Letter



 Production and placing crushed surfacing materials and gravel. Class 3 Bituminous surface treatment Placing of crushed materials with asphaltic application. Class 4 Asphalt concrete paving Production and placing Asphalt Concrete Plant Mix Pavement. Class 5 Cement concrete paving Production and placing cement concrete pavement. Class 6 Bridges and structures Construction of bridges and other major structures of timber, steel, and concrete. Class 7 Buildings Construction of buildings and related structures and major reconstruction and remodeling of such buildings. Class 8 Painting Painting bridges, buildings, and related structures. Class 9 Traffic signals Installation of traffic signal and control systems. Class 10 Structural tile cleaning Cleaning tunnels, large buildings and structures and storage tanks. Class 11 Guardrail Construction of a rail secured to uprights and erected as a barrier between, or beside lanes of a highway. Class 12 Pavement marking (excluding painting) Thermoplastic markings, stripes, bars, symbols, etc. Traffic buttons, lane markers, guide posts. 	Class 1	Clearing, grubbing, grading and draining Removal of tree stumps, shrubs, modification of the ground surface by cuts and fills, excavating of earth materials, placement of drainage structures, and construction of structural earth walls.
 Placing of crushed materials with asphaltic application. Class 4 Asphalt concrete paving Production and placing Asphalt Concrete Plant Mix Pavement. Class 5 Cement concrete paving Production and placing cement concrete pavement. Class 6 Bridges and structures Construction of bridges and other major structures of timber, steel, and concrete. Class 7 Buildings Construction of buildings and related structures and major reconstruction and remodeling of such buildings. Class 8 Painting Painting bridges, buildings, and related structures. Class 9 Traffic signals Installation of traffic signal and control systems. Class 10 Structural tile cleaning Cleaning tunnels, large buildings and structures and storage tanks. Class 12 Pavement marking (excluding painting) Thermoplastic markings, stripes, bars, symbols, etc. Traffic buttons, lane markers, guide posts. Class 13 Demolition Removal of timber, steel, and concrete structures and obstructions. Class 14 Drilling and blasting Controlled blasting of rock and obstructions by means of explosives. Class 15 Sewers and water mains Draining, pipe jacking, water systems, pumping stations, storm drainage 	Class 2	
 Production and placing Asphalt Concrete Plant Mix Pavement. Class 5 Cement concrete paving Production and placing cement concrete pavement. Class 6 Bridges and structures Construction of bridges and other major structures of timber, steel, and concrete. Class 7 Buildings Construction of buildings and related structures and major reconstruction and remodeling of such buildings. Class 8 Painting Painting bridges, buildings, and related structures. Class 9 Traffic signals Installation of traffic signal and control systems. Class 10 Structural tile cleaning Cleaning tunnels, large buildings and structures and storage tanks. Class 12 Pavement marking (excluding painting) Thermoplastic markings, stripes, bars, symbols, etc. Traffic buttons, lane markers, guide posts. Class 13 Demolition Removal of timber, steel, and concrete structures and obstructions. Class 14 Drilling and blasting Controlled blasting of rock and obstructions by means of explosives. Class 15 Sewers and water mains Draining, pipe jacking, water systems, pumping stations, storm drainage 	Class 3	
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	Class 15	Draining, pipe jacking, water systems, pumping stations, storm drainage

Class 16 Illumination and general electrical

Highway illumination, navigational lighting, wiring, junction boxes, conduit installation.

Class 17 Cement concrete curb and gutter Sidewalks, spillways, driveways, monument cases and covers, right of way markers, traffic curbs, and gutters.

Class 18 Asphalt concrete curb and gutter Sidewalks, spillways, driveways, monument cases and covers, right of way markers, traffic curbs, and gutters.

Class 19 Riprap and rock walls

Mortar, rubble, and masonry walls; rock retaining walls, and placing of large broken stone on earth surfaces for protection against the action of water.

Class 20 Concrete structures except bridges

Cast-in-place median barrier, prestressing, post-tensioned structures, footings, prefabricated panels and walls, retaining walls, and ramps, foundations, rock bolts, and concrete slope protection.

- Class 21 Tunnels and shaft excavation Tunnel excavation, rock tunneling, and soft bore tunneling.
- Class 22 Piledriving

Driving concrete, steel, and timber piles.

Class 23 Concrete surface finishes

Architectural concrete surface finishes (fractured fin, random board, exposed aggregate, etc.). Waterproofing concrete surfaces (clear or pigmented sealer).

Class 24 Fencing

Wire and metal fencing, glare screens.

Class 25 Bridge deck repair

Bridge expansion joint repair and modification, bridge deck resurfacing and repair, deck seal.

Class 26 Not used

Class 27 Signing

Sign structures and sign foundations.

Class 28 Drilled large diameter slurry shafts

Drilled shafts 4' diameter or larger and greater than 15' deep when excavation is performed utilizing the wet method and concrete is placed by tremie methods under slurry.

Class 29 Slurry diaphragm and cut-off walls Slurry excavation and the construction of structural concrete walls and slurry cut-off walls.

Class 30 Surveying

Highway construction surveying.

Class 31 Water distribution and irrigation

Irrigation systems and heavy duty water distribution.

Class 32 Landscaping

Landscape irrigation, planting, sodding, seeding, fertilizing, mulching, herbicide application, insecticide application, weed control, mowing, liming, soil binder, topsoil.

Class 33 Engineering

Work other than surveying, including engineering calculations, drawing and other related work for highway construction.

Class 34 Erosion control

Seeding, fertilizing, mulching, slope protection, topsoil application, hydroseeding, soil stabilization, soil sampling.

Class 35 Precast median barrier

A concrete barrier that is cast and cured in other than its final position used to divide the median of two adjacent highways or temporarily placed to divert traffic in construction zones.

Class 36 Earth retention and anchoring

Installation of permanent soil nails, soldier piles, timber lagging and micropiles. Soldier pile tie-back anchor wall construction.

Class 37 Impact attenuators

Installation of approved protective systems filled with sand, water, foam, or other substances which prevent errant vehicles from impacting roadside hazards.

Class 38 Paint striping

Painted bars, letters, symbols, and striping.

Class 39 Slope protection

The installation of a zinc coated steel wire mesh anchored by wire rope and reinforced concrete posts or anchor rods. Used for dampening the effects of rolling rocks onto the highway. Slope scaling, horizontal drains, rock dowels, and rock bolts for slope stabilization.

Class 40 Gabion and gabion construction Construction of walls made with containers of galvanized steel hexagonal wire mesh and filled with stone.

Class 41 Intelligent transportation systems (ITS)

Traffic sensors systems, highway advisory radios, environmental sensing stations, variable message signs, nonfiber optic based closed circuit television, and video systems.

Class 42 Electronics - Fiber optic based communications systems Design and installation of fiber optic based communication systems.

Class 43 Mechanical

Plumbing work and the installation of heating or air conditioning units.

Class 44 Asbestos abatement

Asbestos abatement (L & I certified workers).

Class 45 Hazardous waste removal

The containment, cleanup, and disposal of toxic materials. Companies seeking this classification shall have full-time personnel with current hazardous waste training (certifications).

Class 46 Concrete restoration

Pavement subseal, cement concrete repair, epoxy coatings, epoxy repair, masonry repair, masonry cleaning, special coatings, epoxy injection, gunite, shotcrete grouting, pavement jacking, gunite repair, and pressure grouting.

Class 47 Concrete sawing, coring, and grooving

Concrete sawing, concrete planing, grinding, grooving, bump grinding, joint repair, concrete coring and rumble strips.

Class 48 Dredging

Excavating underwater materials.

Class 49 Marine work

Underwater surveillance, testing, repair, subaquatic construction, anchors, and cable replacement, floating concrete pontoon repairs and modifications, disassembly and assembly of floating concrete pontoons.

Class 50 Ground modification

Pressure grouting, blast densification, stone column, jet grouting, compaction, dynamic compaction, soil mixing, gravel drain.

Class 51 Well drilling

Drilling wells, installing pipe casing and pumping stations.

Class 52 Sewage disposal

Hauling and disposing liquid and solid wastes.

Class 53 Traffic control

Providing piloted traffic control, traffic control labor, and maintenance and protection of traffic.

Class 54 Railroad construction

Construction of railroad subgrade, placing of ballast, ties, and track and other items related to railroad work.

Class 55 Steel fabrication

Welding of steel members, heat straightening steel.

Class 56 Street cleaning

Street sweeping with self-propelled sweeping equipment.

Class 57 Materials transporting Truck hauling.

Class 58 Sand blasting and steam cleaning Steam cleaning, sand blasting, shot blasting, and water blasting.