

PERFORMANCE EVALUATION GUIDELINES

1 INTRODUCTION

- 1.1 This document outlines the Contractor / Consultant Performance Evaluation Review Process that will be followed on all NAC construction and consultant contracts.

2 IMPORTANCE OF PERFORMING EVALUATIONS

- 2.1 The Performance Evaluation phase for a contract is an important means of motivating quality Contractors and Consultants. The overriding principle of the process is not to penalize Contractors / Consultants but to encourage them to meet the expectations of NAC. Poor performers will either alter their means of management or be eliminated from further eligibility to participate in the solicitation process.
- 2.2 The performance evaluation form used is the Contractor/Consultant Performance Evaluation Review Form, referred to as the CPERF. Bidding / Opportunity privileges of any Contractor or Consultant will be suspended if they have been identified as unsatisfactory by means of the Performance Evaluation.
- 2.3 The objectives of Performance Evaluations are as follows:
- 2.3.1 to improve the performance of Contractors / Consultants on NAC contracts;
 - 2.3.2 to ensure to the fullest extent possible, the use of qualified Contractors / Consultants;
 - 2.3.3 to improve the effectiveness of the project delivery at reasonable costs, thereby acting in the larger public interest; and
 - 2.3.4 to create a continuous record of the performance of Contractors / Consultants on NAC contracts to identify:
 - 2.3.4.1 Contractors / Consultants who are rated with less than satisfactory performance will be informed of the need to improve their performance in order to avoid being suspended from NAC's tendering / selection process;
 - 2.3.4.2 Contractors / Consultants who, by virtue of a record of unacceptable performance have their opportunity to submit tender / be selected, suspended.
 - 2.3.5 to have a system that will permit the achievement of the foregoing objectives and will:
 - 2.3.5.1 be fair to Contractors / Consultants and include suitable checks and balances; and
 - 2.3.5.2 lead to consistent evaluations of Contractors and Consultants.

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3 PERFORMANCE EVALUATION CRITERIA

3.1 The overall point rating is the summation of the point ratings given for the following evaluation criteria:

CONTRACTORS	0 to 5	6 to 10	11 to 16	17 to 20	CONSULTANTS
Administration / Contract Management	Unacceptable	Not satisfactory	Satisfactory	Superior	Administration / Management
Execution / Project Management	Unacceptable	Not satisfactory	Satisfactory	Superior	Cost Control
Quality of Workmanship	Unacceptable	Not satisfactory	Satisfactory	Superior	Quality of Work / Design / Study
Timelines	Unacceptable	Not satisfactory	Satisfactory	Superior	Time
Health & Safety	Unacceptable	Not satisfactory	Satisfactory	Superior	Quality of TPS / CPS / Quality of Result

3.2 Actions resulting from an evaluation can be seen in the following table:

CONTRACTORS	Any Points	Total % Rating 30 to 50	Total % Rating 51 to 84	Total % Rating 85 to 100	CONSULTANTS
Administration / Contract Management	If 5 points or less				Administration / Management
Execution / Project Management	If 5 points or less				Cost Control
Quality of Workmanship	If 5 points or less				Quality of Work / Design / Study
Timelines	If 5 points or less				Time
Health & Safety	If 5 points or less				Quality of TPS / CPS / Quality of Result
ACTION	Suspend	1st time – Issue “Warning” letter 2nd time – Issue “Suspension” letter	No Action	No Action	

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4 GUIDING PRINCIPLES

- 4.1 CPERFs must be identified as either “Interim” or “Final”. NAC will complete a Final CPERF for all construction and Consultant contracts within seven (7) calendar days of final completion, or when a job is withdrawn as a result of a default. A copy will be provided to the Contractor / Consultant once complete.
- 4.2 Interim CPERFs will be issued throughout the contract to promote improved performance, if required. At minimum on design Consultant contracts, an Interim CPERF shall be issued at the end of the Design Phase, when Construction Phase Services are included in the contract.
- 4.3 CPERFs of 51% to 100% are accepted without any action being required.
- 4.4 CPERFs 50% and less will result in the issuance of:
 - 4.4.1 a Warning Letter indicating that if another unsatisfactory rating is received a Suspension letter will be issued; or
 - 4.4.2 suspension of Bidding Privileges Letter (Unacceptable score on any 1 category or 2nd occurrence).
- 4.5 The Contractor / Consultant has the option of appealing (in writing), any, and only, “Warning” or “Suspension” letter(s). The appeal must be submitted to the NAC Representative (in writing), within ten (10) calendar days of receiving an unsatisfactory CPERF.
- 4.6 Within fourteen (14) calendar days of receiving an appeal letter from the Contractor/Consultant, the NAC Representative will communicate with the Contractor/Consultant to determine whether an agreement can be reached. If an agreement is not reached within fourteen (14) calendar days, an agreed upon alternate dispute mechanism will be implemented.
- 4.7 While an appeal of a “Suspension” letter is under review, the suspension of bidding / opportunity privileges is upheld.

5 SUSPENSION OF BIDDING/OPPORTUNITY PRIVILEGES FORMAT

- 5.1 The “Suspension” letter will include the provisions of the suspension term and the requirements for reinstatement. Depending on the category(ies) of poor performance, the suspension may include a specific timeframe, or the suspension may be indefinite. For bidding / opportunity privileges to be reinstated, the Contractor / Consultant must demonstrate (in writing) that they have addressed the category(ies) of poor performance, or the suspension timeframe must expire.

The details of written proof that the Contractor/Consultant has addressed the category(ies) of poor performance may be agreed upon by the Contractor/Consultant and the NAC Representative.