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Department of Transportation

PROFESSIONAL SERVICES CONSULTANT WORK PERFORMANCE EVALUATION

AUTHORITY:

Sections 20.23(3)(a) and 334.048(3), Florida Statutes (F.S.)

REFERENCES:

- (a) Rule 14-75.003, Florida Administrative Code (F.A.C.)
- (b) Rule 14-75.0051, F.A.C.
- (c) Rule 14-75.0052, F.A.C.
- (d) Section 287.017, F.S.
- (e) Section 287.055(3)(d), F.S.
- (f) Section 337.105, F.S.
- (g) Section 337.1075, F.S.

PURPOSE:

The Department contracts with professional services consultants to provide a variety of services to the Department. This procedure provides the Department with a means of evaluating the work performance of those consultants. For all professional services contracts, the consultant's work performance for each advertised major type of work must be evaluated by the PM. Consultants may also be evaluated on minor types of work if that work is considered significant by the PM. Contracts which do not exceed Category Two thresholds, as established by **Section 287.017, F.S.**, are exempt and do not require evaluation.

SCOPE:

This procedure applies to all professional services contracts and Design-Build contracts. Principal users of this procedure are project managers.

DEFINITIONS:

Construction Engineering and Inspection (CEI): Personnel, whether consultant or Department employee, providing construction engineering and inspection services.

Construction Project Manager (CPM): The Department employee whose duties include managing CEI consultant contracts.

Consultant Evaluation (CE) Application: Department's enterprise application for evaluating consultant performance.

Design Project Manager (DPM): The Department employee whose duties include managing design consultant contracts.

District Construction Consultant Manager: The Department representative working for the District Construction Engineer, who administers the Consultant CEI work program.

District Construction Engineer (DCE): The engineer appointed by the District Secretary to hold the title of District Construction Engineer and who serves to manage all District functions pertaining to construction of Department projects.

District Design Engineer (DDE): The engineer appointed by the District Secretary to hold the title of District Design Engineer and who serves to manage all District functions pertaining to design of Department projects.

Notice to Proceed (NTP): Notification given by the Project Manager to the consultant to begin work on the contract Scope of Services, or part thereof, on which date the timing of periodic evaluations of the consultant begins.

On-Demand Evaluation: Consultant evaluation that is not a scheduled task but is instead created on an as needed basis in the CE Application. There are no email notifications sent to prompt users to create an on-demand evaluation. There is no limit to the number of on-demand evaluations that may be created.

Project Manager (PM): A Department employee whose duties include managing professional service contracts between consultants and the Department.

Technical Reviewer: A designated technical expert for a specific type of work who has reviewed the consultant's work product.

Work Type (Type of Work): The Department has categorized the types of professional services it generally requires into a Type of Work listing in **Rule 14-75.003, F.A.C.** These types of work are the basis for qualification of consultants.

PROCEDURE:

1. ALL PERFORMANCE EVALUATIONS

1.1 Processing Evaluations

For each major type of work advertised, evaluations on contracts are entered by the PM into the CE Application. Upon completion of all prescribed Department approvals, the CE Application automatically emails evaluations to designated recipients.

To assure all parties' understanding, the PM must discuss the evaluation rating criteria with the consultant before the start of any work. Evaluation criteria can be found in the CE Application, under the *Print Blank Evaluation Form* link. Additional guidance and more information on performance expectations for some work types may be found in the *FDOT Consultant Evaluation Guidelines* located on the Production Support Office web page:

<https://www.fdot.gov/designsupport/pm/consultant-evaluation>.

The PM is responsible for completing interim and final performance evaluations. The PM must discuss the evaluations with consultant before entry into the CE Application to provide an opportunity for discussion and feedback on the level of performance.

If a particular evaluation item is not applicable to an evaluation it should be left blank and not evaluated. Skipped evaluation items that are left blank are not used in the calculation of the weighted average score.

1.2 Performance Rating Scale

The general performance rating scale is as follows:

- 5 = Outstanding performance
- 4 = Above Satisfactory performance
- 3 = Satisfactory performance
- 2 = Below Satisfactory performance
- 1 = Unacceptable performance

Ratings in ½-point (0.5) increments between 1 and 5 are permitted. Comments are required for all rating scores less than 3 and greater than 4, but comments are encouraged for all evaluation items rated.

2. CEI CONSULTANT PERFORMANCE EVALUATIONS

The CEI Consultant performance evaluation is a summary record of the CPM's in-depth reports of the CEI Consultant, the Quality Assurance Reviews prepared by the Specialty Engineer from the Office of Construction, and the Federal Highway Administration (FHWA) Monthly Field Reports. These source documents should be used as the basis for preparation of this performance evaluation and serve as the in-depth, back-up data needed to substantiate the numerical evaluation given.

The CPM comments must include documentation to fully explain the intent of the evaluation and the field conditions encountered. Input provided by appropriate Department and construction contractor personnel should be considered.

2.1 Evaluation Types

Consultant Engineering and Inspection (CEI): CEI Consultant performance evaluation is completed using either the project specific CEI evaluation criteria or the CEI Hybrid evaluation criteria, as applicable.

2.2 Evaluation Schedule

The evaluation of a CEI Consultant is performed by the CPM, and must adhere to the following schedule:

- (A) During construction, interim CEI Consultant evaluations must be performed every 6 months.
- (B) The final evaluation must be completed within 30 days after final acceptance of the construction contract.
- (C) The overall evaluation score for a type of work is the average of all interim evaluation scores and the final evaluation score.

2.3 Evaluation Distribution

The CPM must distribute the performance evaluation and any follow up correspondence as follows:

- (A) When evaluation score is 3.0 or greater: CEI Consultant and District Construction Consultant Manager receive a copy.
- (B) When evaluation score is less than 3.0 (with concurrence of the DCE):
 - (1) The CEI Consultant receives a copy. The transmittal letter indicates what corrective actions are necessary and the related time frame. The letter

should also request a response for complying with requested corrective actions.

- (2) The District Construction Consultant Manager receives a copy.
- (3) The Director of the Office of Construction receives a copy from the DCE.

2.4 Evaluation Meeting

The CPM may offer the CEI Consultant the opportunity to request a meeting to discuss an evaluation with the DCE within ten calendar days of receipt of the evaluation. The DCE should consider any information submitted by the consultant and determine if the evaluation should be revised. The DCE's decision is final.

3. NON-CEI CONSULTANT PERFORMANCE EVALUATIONS

The PM for the consultant contract must complete an evaluation of the prime consultant's performance in the following evaluation types:

- Schedule
- Management
- Quality
- Constructability (completed by CPM for contracts that produce construction plans)

Additional guidance and worksheets for select evaluation types and work groups can be found on the ***Production Support Office Webpage***:

<https://www.fdot.gov/designsupport/pm/consultant-evaluation>

3.1 Evaluation Types

- (A) **Schedule:** Prepared by the PM for the contract, this evaluation reflects the consultant's performance in meeting the contract schedule.
- (B) **Management:** Prepared by the PM for the contract, this evaluation reflects the consultant's performance in managing the contract. The following areas are considered when performing this evaluation:
 - Administration of Contract
 - Management of Issues and Resources
 - Communication, Documentation and Coordination
 - Post Design Services (for design consultants performing Post Design Services)

The Management Evaluation for Post Design Services (performed during and following construction) consists of two parts:

- **Post Design Management Activities** - evaluation and comments prepared by the DPM, and
- **Design Consultant Responsiveness** - evaluation and comments prepared by the CPM and then reviewed and approved by the DPM prior to distribution to the design consultant. Additional criteria for responsiveness can be found in the [Construction Project Administration Manual \(CPAM\)](#).

- (C) **Quality:** Prepared by the PM or the technical reviewer for each major type of work included in the advertisement for the services, this evaluation reflects the consultant's attention and concern to the established quality assurance plan and delivering a quality service and product.

The quality evaluation includes specific criteria regarding the evaluation responsibility of the PM, the technical reviewer, and any additional concurrence requirements for the specific quality evaluation.

For non-standard professional services work activities advertised under Category 99 the PM must develop and add appropriate criteria for evaluating quality.

Subconsultant: A quality evaluation may be assigned to any subconsultant named in the contract who performs services in an advertised work type for which the subconsultant is pre-qualified with the Department, including subs who sign and seal design plans.

- (D) **Constructability (Post Construction):** The constructability evaluation reflects the design consultant's ability to develop constructible (practical, accurate, complete, and cost effective) construction plans. For all professional services contracts resulting in construction plans, the DPM (in consultation with the CPM) must prepare a constructability evaluation of the design consultant's plans. The CPM must solicit input from the construction contractor and the consultant's project administrator prior to providing feedback to the DPM. After the DPM reviews and concurs with the comments provided by the CPM, appropriate comments must be entered on the evaluation by the DPM.

3.2 Evaluation Schedule

For professional services contracts resulting in the production of construction plans, an evaluation is required according to the matrix below, but not to exceed 12 months since the last evaluation or **Notice to Proceed** during design.

	Schedule	Management	Quality	Constructability
Phase 2 Plans Review	√	√	√	
Final Design	√	√	√	
During Construction		√		
Final Construction		√		√

During construction, an on-demand management evaluation for post design services must be performed on the design consultant every 6 months within 30 days after the end of each period of contract performance, (during January and July). **System notifications are not provided for on-demand management evaluations.** Periods are defined as follows:

- 1st Period: January – June
- 2nd Period: July – December

A constructability evaluation and a management evaluation for post design services must be performed within 30 days after final acceptance of the construction contract.

For contracts that do not produce construction plans (including planning and PD&E studies), an evaluation is required for each 12 months of contract period from the NTP, or the date of execution if NTP does not exist. A final evaluation must be made within 30 days after completion and acceptance of basic services. An evaluation for these contracts is required in accordance with the following matrix:

	Schedule	Management	Quality
Interim Evaluations	√	√	√
Final Evaluation	√	√	√

For all professional services contracts, additional (on-demand) evaluations may be created by the evaluator upon completion of critical phases of work, such as preliminary design, submittal of draft environmental documents, phase submittals, reports, and completion of Task Work Orders (TWO). Reasons to be considered for submitting additional evaluations include:

- Recognition of outstanding performance
- Notification of unacceptable performance
- Requests from the consultant based on possible improved performance

3.3 Composite Evaluation

A composite evaluation by work type is available at any point during the contract through Procurement reports. The composite evaluation includes all evaluations completed up to that

point in time for the particular work type. All evaluations associated with the contract are included in the calculation to determine the Final Composite Evaluation Score for the work type. The composite evaluation score is calculated as follows:

(A) Contracts that Produce Construction Plans:

- (1) During Design:** The score for a composite evaluation (per work type) calculated during the design phase of the project is calculated as follows:

$$\text{Composite Evaluation Score (per work type)} = (0.25 \times S) + (0.25 \times M) + (0.50 \times Q)$$

Schedule (S): Average of all scores from schedule evaluations completed during the design phase. This average score is 25% of the composite evaluation score calculated during the design phase.

Management (M): Average of all scores from management evaluations completed during the design phase. This average score is 25% of the composite evaluation score calculated during the design phase.

Quality (Q): Average of all scores from quality evaluations completed during the design phase. This average score per work type is 50% of the composite evaluation score calculated during the design phase.

- (2) During Construction:** The score for a composite evaluation score (per work type) calculated during the construction phase of the project is calculated as follows:

$$\text{The Composite Evaluation Score (per work type)} = (0.25 \times S) + (0.25 \times M) + (0.50 \times Q)$$

Schedule (S): Average of all scores from schedule evaluations completed during the design phase. This average score is 25% of the composite evaluation score calculated during the design phase.

Management (M): A weighted average of all scores from the management evaluations completed during the design and construction phases. The management evaluations completed during design are 70% of the weighted average, while the management evaluations completed during construction (Post Design Services) are 30% of the weighted average. This weighted average score is 25% of the composite evaluation score calculated during the construction phase.

$$M = 0.70 \times (\text{average of design management evaluation scores}) + 0.30 \times (\text{average of Post Design management evaluation scores}).$$

Quality (Q): Average of all quality evaluation scores (per work type) completed during the design phase and the construction phase (when applicable). This average score per work type is 50% of the composite evaluation score calculated during the construction phase.

- (3) Final:** The Final Composite Evaluation Score per work type, determined at the end of the construction, is calculated as follows:

Final Composite Evaluation Score (per work type) =
 $(0.25 \times S) + (0.25 \times M) + (0.25 \times Q) + (0.25 \times C)$

Schedule (S): Average of all scores from schedule evaluations completed during the design phase. This average score is 25% of the composite evaluation score calculated during the construction phase.

Management (M): A weighted average score is calculated the same as during construction and is 25% of the composite evaluation score calculated during the construction phase.

$M = 0.70 \times (\text{average of design management evaluation scores}) + 0.30 \times (\text{average of Post Design management evaluation scores}).$

Quality (Q): Average of all quality evaluation scores (per work type) completed during the design phase and the construction phase (when applicable). This average score per work type is 25% of the composite evaluation score calculated during the construction phase.

Constructability (C): The Constructability evaluation is conducted once at completion of construction. This average shall be is 25% of the composite evaluation calculated during the construction phase.

(B) All other Contracts:

Composite Evaluation Score (per work type) =
 $(0.25 \times S) + (0.25 \times M) + (0.50 \times Q)$

Schedule (S) = Average of all schedule evaluations. This average score is 25% of the composite evaluation score.

Management (M) = Average of all management evaluations. This average score is 25% of the composite evaluation score.

Quality (Q) = Average of all quality evaluations (per work type). This average score is 50% of the composite evaluation score.

3.4 Evaluation Meeting

The PM may offer the consultant the opportunity to request a meeting to discuss an evaluation with the office head to whom the PM reports within ten calendar days of receipt of the evaluation. The office head must consider any information submitted by the consultant and determine if the evaluation should be revised. The office head's decision is final.

4. DESIGN-BUILD CONSULTANT PERFORMANCE EVALUATIONS

Design-Build performance evaluations must be entered into the CE Application.

The CPM for the Design-Build contract must coordinate with the DPM and complete an evaluation of the Design-Build consultant's performance in the following evaluation types:

- Quality
- Constructability

4.1 Evaluation Types

Design-Build Consultant Performance Evaluations include specific criteria regarding the evaluation responsibility of the PM and the technical reviewer and additional concurrence requirements for specific quality and constructability evaluations. Evaluations must be entered in the CE Application.

- (A) Quality (Q):** For each Professional Services Work Type included in the advertisement for the services, the CPM and DPM must conduct a quality evaluation. This evaluation reflects the consultant's attention and concern to the established quality assurance plan and delivering a quality service and product.

Subconsultant: A quality evaluation may be assigned to any professional services subconsultant named in the contract who performs services in an advertised work type for which the subconsultant is pre-qualified with the Department, including subs who sign and seal design plans.

- (B) Constructability (C):** The constructability evaluation reflects the design consultant's ability to develop constructible (practical, accurate, and complete) construction plans. For all contracts resulting in construction plans, the CPM must prepare a constructability evaluation of the design consultant's plans. Appropriate comments must be entered on the evaluation by the CPM and DPM. The evaluation must be reviewed and signed by the DDE and DCE for concurrence prior to distribution to the design consultant.

4.2 Evaluation Schedule

Evaluation is required according to the matrix below.

	Quality	Constructability
Final Acceptance	√	√

Quality evaluations: Additional (interim) evaluations may be conducted. Reasons to be considered for submitting additional evaluations include:

- Recognition of outstanding performance
- Notification of unacceptable performance
- Requests from the consultant based on possible improved performance

Additional interim evaluations may be created using the on-demand functionality in the CE Application.

The Design-Build constructability evaluation must be performed within 30 days after final acceptance of the construction project.

4.3 Composite Evaluation

During Construction:

A composite quality evaluation score (per work type) is the average of all interim quality evaluations (per work type).

Composite Evaluation score (per work type) = (1.00 x Q)

After Final Acceptance:

A composite quality evaluation score (per work type) is the average of all interim quality evaluations (per work type), including the final quality evaluation. This average score is 50% of the composite evaluation score.

The constructability score is 50% of the composite evaluation score.

A composite overall evaluation score (per work type) is calculated as follows:

Composite overall evaluation score (per work type) = (0.50 x Q) + (0.50 x C)

4.4 Evaluation Meeting

The PM may offer the Design-Build consultant the opportunity to request a meeting to discuss an evaluation with the DDE and DCE within ten calendar days of receipt of the evaluation. The

DDE and DCE should consider any information submitted by the consultant and determine if the evaluation should be revised. The decision of the DDE and DCE is final.

TRAINING:

The Production Support Office will develop and deliver training in the use of this procedure on an as-needed basis.

FORMS:

This procedure requires use of the online CE Application in lieu of forms:
<https://psice.dot.state.fl.us/>