

<input checked="" type="checkbox"/> Information	<input type="checkbox"/> Administrative	<input type="checkbox"/> Procedural	<input type="checkbox"/> Technical <input type="checkbox"/> CCR Title 24 <input type="checkbox"/> Design <input checked="" type="checkbox"/> Construction <input type="checkbox"/> Inspection
Bulletin: General Contractor Evaluations			
Effective Date:	June 28, 2023		
From:	Construction Services		
Item No.	Information		

I. Overview

In an effort to streamline the policy requirement for contractor evaluations, Capital Planning Design and Construction, (CPDC), has created a tool for universities to quickly and easily submit their reviews for all Major Capital projects and for Minor Capital projects on which the contractor has failed to responsibly fulfill the contract. Evaluations will include the Design and Preconstruction phase for DB, CDB, and CMAR. The new Contractor Evaluation for General Contractors Smart Sheet is effective June 28, 2023. For the proper applicability of the Contractor Evaluation template please see below:

- 1) For projects that are in the Pre-construction Phase, interim evaluations are recommended before entering into the Construction Phase, and/or at 6-month intervals for a period of performance longer than 12 months.
- 2) For projects that are in the Construction Phase, 6-month interim evaluations are recommended for a period of performance longer than 12 months.
- 3) For Projects greater than \$10M, annual evaluations are required. Interim evaluations, as mentioned above, are still recommended.
- 4) For projects that are complete, final evaluations are required.

Collecting contractor performance information assists CPDC with the Prequalification process and Certification Review Board, (CRB), evaluations of projects. CPDC and universities rely on clear and timely evaluations of contractor performance to make informed business decisions when awarding California State University, (CSU), contracts and task orders. This information is critical to ensuring that the CSU only does business with companies that provide quality products and services in support of the universities and our students. In addition, the performance information gathered will allow the CSU to look for trends across university projects.

Finally, the performance information provided by each university will allow CPDC to create a library of past project evaluations to supplement university selection process.

Contractor Evaluation for General Contractors

Communication between the university and contractor during the performance period is encouraged. The contractor performance evaluation is a method of recording contractor performance and is not the primary method for reporting performance information to the contractor. Evaluations should be an objective report of the performance during a period against the contract/order requirements.

When a university provides the Notice of Completions, (NOC), for any project, the university Project Manager prepares the contractor evaluation, using the information gathered and notated throughout the life of the project, and sends it to the Executive Facilities Officers, (EFO), for their review, before submitting to CPDC.

Information in the evaluation represents the contractor's performance appraisal; therefore, the information to support the evaluation, (including the rating and narrative to explain the rating), should accurately depict and correspond to the contractor's performance. Usage of the automated performance collection capability is aimed at reducing reliance on paper, improving the business process, and increasing efficiency.

Quarterly, CPDC will gather metrics from Metabim to determine if any completed projects have not had a contractor evaluation submitted. Those metrics will be shared with the EFO in an effort to gather the overdue performance information.

For additional assistance, contact the Principal Construction Program Manager, Brittain Moreau, at bskinner@calstate.edu.

Contractor Evaluation for General Contractors

Attachments: Exhibit A – CSU-Contractor Performance Evaluation Form
Exhibit B – Contractor Performance Evaluation Example
Exhibit C – Policy Stat Excerpts with changes highlighted

Weblinks: [Contractor Performance Evaluation \(smartsheet.com\)](#)
[Viewing Construction Management for Public Works Contracts \(policystat.com\)](#)
[CSYou](#) Website

Applicability: Procurement, Construction Services, Capital Outlay, Public Works. All new construction projects advertised after the publish date of this bulletin as well as all projects currently under contract.

End of Bulletin

Exhibit A

Contractor Performance Evaluation

Per Public Contract Code Section 10763, contractor evaluations are NOT public record and therefore are NOT open to Public Inspection.

(Added by Stats. 1984, Ch. 1128, Sec. 4.)

Evaluation Type *

- Interim - Preconstruction Interim- Construction Phase
 Final- Project Complete

Campus *

Project Name *

Campus Project No. *

Contract No. *

Delivery Method *

- Collaborative DB DB CMAR DBB Major
 DBB Minor JOC TOCA- CDB TOCA-CMAR

Contractor Name *

Contractor- Project Team *

Please list the names of the General Contractor's Project Executive, PM, and Superintendent.

Notice to Proceed Date- Construction *

Comments - Phasing and Packaging

Describe any phased packaging, long lead, or early procurement packaging, as applicable.

Original Contract Completion Date- Construction *

Building Occupancy Date *

Notice of Completion Date *

Comments- Schedule

Please describe any unusual factors or performance issues that created delay in BOD or NOC.

Contract Award Amount *

Total Number of Change Order Requests

Final Contract Value

The final contract value includes all change orders and will be used to determine the percent cost growth of the overall contract. The FCV here shall match the FCV in Metabim. *Please note some projects less than \$929K do not get loaded into Metabim.*

Comments- Cost

Please describe any unusual factors that affected construction cost.

Do you want to evaluate any of the subcontractors?

Select ▼

General Contractor Evaluation

Exceptional (5)- Performance meets contractual requirements and **EXCEEDS MANY** to the state's benefit. The contractual performance of the element being evaluated was accomplished with **FEW MINOR PROBLEMS** for which **CORRECTIVE ACTIONS** taken by the contractor were **HIGHLY EFFECTIVE**.

Good (4) - Performance meets contractual requirements and **EXCEEDS SOME** to the state's benefit. The contractual performance of the element being evaluated was accomplished with **SOME MINOR PROBLEMS** for which **CORRECTIVE ACTIONS** taken by the contractor were **EFFECTIVE**.

Satisfactory (3) - Performance **MEETS** contractual requirements and **EXCEEDS SOME** to the state's benefit. The contractual performance of the element being evaluated was accomplished with **SOME MINOR PROBLEMS** for which **CORRECTIVE ACTIONS** taken by the contractor were **SATISFACTORY**.

Marginal (2) - Performance **DOES NOT MEET SOME** contractual requirements. The contractual performance of the element being evaluated reflects a **SERIOUS PROBLEM** for which the contractor **HAS NOT YET IDENTIFIED CORRECTIVE ACTIONS**. The contractor's **PROPOSED ACTIONS** appear only **MARGINALLY EFFECTIVE** or were **NOT FULLY IMPLEMENTED**.

Unsatisfactory (1) - Performance **DOES NOT MEET MOST** contractual requirements and **RECOVERY IS NOT LIKELY** in a timely manner. The contractual performance of the element being evaluated reflects a **SERIOUS PROBLEM(S)** for which the contractor **HAS NOT YET IDENTIFIED CORRECTIVE ACTIONS**. The contractor's **CORRECTIVE ACTIONS** appear or were **INEFFECTIVE**.

Quality *

Consider the contractor's performance of quality control on all phases of the project, were their quality control plans accurate and provided ahead of schedule, did their QC plans require minimal or no revisions, were materials stored adequately, were the materials used specified and approved, are the as-builts satisfactory, if any work was deficient was it identified and corrected in a timely manner, was testing and commissioning on schedule and satisfactory, is the end user satisfied with the final product, etc.

- Exceptional Good Satisfactory Marginal
 Unsatisfactory

Schedule *

Consider accuracy of the baseline schedule, whether critical milestones were met, if they were not, were measures to notify and mitigate taken and communicated to the campus, how well subcontractor work was coordinated, timely completion of punch list, and if the project was completed on time.

- Exceptional Good Satisfactory Marginal
 Unsatisfactory

Cost Control *

Consider merit and fairness in pricing changes, and/or completing the project within budget.

- Exceptional Good Satisfactory Marginal
 Unsatisfactory

Management *

Consider coordination of subcontractor work, proactive performance (diligence), timely payment/ stop notices/ complaints, professional conduct, effectiveness of job-site supervision, quality and timeliness of change order proposals, and proactive resolution of problems.

- Exceptional Good Satisfactory Marginal
 Unsatisfactory

Safety *

Consider any safety mishaps, daily safety meetings, whether on-site designated Safety Manager demonstrated technical competence, safety permits were properly coordinated prior to start of work, activity hazard analyses and/or hazard control plans were on schedule and required little to no revisions, project site cleanliness, PPE worn at all times by all workers, noted deficiencies were minor and were addressed, etc.

- Exceptional Good Satisfactory Marginal
 Unsatisfactory

Administration *

Consider how well they completed paperwork (was it timely, complete, accurate) and how well the contract is administered (were all requirements fulfilled) with the campus, i.e., submittal packages, change order packages, compliance documents, closeout documents, etc.

- Exceptional Good Satisfactory Marginal
 Unsatisfactory

Staffing *

Consider competence, stability, and effectiveness of contractor team over the entire duration of the project. Consider staff turnover and whether required by the contractor or the campus. Were key staff commitments in the proposal honored?

- Exceptional Good Satisfactory Marginal
 Unsatisfactory
-

Overall Rating *

Consider the lowest/highest sub-factor rating. There are no formulas governing the number of elements on a performance evaluation that must be unsatisfactory before an overall unsatisfactory rating can be issued. In other words, one unsatisfactory rated element could result in an overall unsatisfactory rating. Similarly, one exceptional rated element could result in an overall exceptional rating.

- Exceptional Good Satisfactory Marginal
 Unsatisfactory
-

Completed Project Within Original Contract Time? ***10843 Issued to Contractor?**

Public Contract Code Section 10843-a notice to the contractor, reference Section 9826 FAILURE TO PROSECUTE WORK (FAILURE TO PERFORM).

If a contractor fails to perform work and/or complete punch list items within two months of its issuance or failed to provide an adequate working force or material of proper quality, as specified in the contracts, the construction administrator may provide a notice to the contractor.

Claims Filed?**Evaluator Name and Project Role *****Evaluator Email *****Evaluator Phone Number**

▼ +1 (____) ____-____

Recommend Renewal of Prequalification? *

- Yes
- No
- Reduced Aggregate Contract Value

Additional Comments

Send me a copy of my responses

Submit

Exhibit B

Contractor Performance Evaluation

Per Public Contract Code Section 10763, contractor evaluations are NOT public record and therefore are NOT open to Public Inspection.

(Added by Stats. 1984, Ch. 1128, Sec. 4.)

Contract Details

Evaluation Type: Final- Project Complete
Campus: CSU Chico
Project Name: Student Housing Leaky Roofs and Renovation
Campus Project No.: C-050768
Contract No.: C-0507628 d 1920
Delivery Method: Collaborative DB
Contractor Name: Amazing Grace Corp.
Contractor- Project Team: Joe Exec, Jane PM, Jill Super
Notice to Proceed Date- Construction: 10/04/23
Notice to Proceed Date- Design & Preconstruction:
Comments - Phasing and Packaging: The general contractor had to work closely with their roofing sub, and the PM and Safety Rep, both had to manage multiple roofing teams at once, due to delay in materials shipping. They did very well.
Original Contract Completion Date- Construction: 10/04/23
Building Occupancy Date: 10/01/23
Notice of Completion Date: 10/04/23

CDPC Contractor Evaluation

Comments- Schedule: Base Line schedule was incomplete and not logical. After three iterations, we were able to accept it. Once the roofing materials were delayed and then the rain storms came in, the base line schedule was impacted several weeks. The contractor and his subs did well ensuring the BOD was still met and the CCD pushed to the right by less than a week.
Contract Award Amount: \$20,427,473.00
Total Number of Change Order Requests: 1
Final Contract Value: 21,000,000.00
Comments- Cost: Percent of cost growth was less than 20 and due to unforeseen issues. Asbestos in the glue had to be remediated.
DVBE/SBE Participation: Exceeded
Do you want to evaluate any of the subcontractors? yes
Subcontractor Name and Trades: Chief Plumbing- they were excellent with their time management and very professional. Tacky Tar Roofing- materials were delayed but the Owner of Tacky Tar did his best to remedy any schedule impacts by using multiple teams for the multiple roofs once the materials did come in. Harnesses for fall protection were tear free and all other PPE was checked daily and swapped out if any safety issues were identified.

General Contractor Evaluation Key

Exceptional (5) - Performance meets contractual requirements and **EXCEEDS MANY** to the state's benefit. The contractual performance of the element being evaluated was accomplished with **FEW MINOR PROBLEMS** for which **CORRECTIVE ACTIONS** taken by the contractor were **HIGHLY EFFECTIVE**.

Good (4) - Performance meets contractual requirements and **EXCEEDS SOME** to the state's benefit. The contractual performance of the element being evaluated was accomplished with **SOME MINOR PROBLEMS** for which **CORRECTIVE ACTIONS** taken by the contractor were **EFFECTIVE**.

Satisfactory (3) - Performance **MEETS** contractual requirements and **EXCEEDS SOME** to the state's benefit. The contractual performance of the element being evaluated was accomplished with **SOME MINOR PROBLEMS** for which **CORRECTIVE ACTIONS** taken by the contractor were **SATISFACTORY**.

Marginal (2) - Performance **DOES NOT MEET SOME** contractual requirements. The

CDPC Contractor Evaluation

contractual performance of the element being evaluated reflects a **SERIOUS PROBLEM** for which the contractor **HAS NOT YET IDENTIFIED CORRECTIVE ACTIONS**. The contractor's **PROPOSED ACTIONS** appear only **MARGINALLY EFFECTIVE** or were **NOT FULLY IMPLEMENTED**.

Unsatisfactory_{1}- Performance **DOES NOT MEET MOST** contractual requirements and **RECOVERY IS NOT LIKELY** in a timely manner. The contractual performance of the element being evaluated reflects a **SERIOUS PROBLEM(S)** for which the contractor **HAS NOT YET IDENTIFIED CORRECTIVE ACTIONS**. The contractor's **CORRECTIVE ACTIONS** appear or were **INEFFECTIVE**.

General Contractor Evaluation

Pre-Construction: Exceptional
Quality: Good
Schedule: Good
Cost Control: Satisfactory
Management: Good
Safety: Good
Administration: Satisfactory
Staffing: Exceptional
Overall Rating: Good
Completed Project Within Original Contract Time? No
Liquidated Damages Assessed? Contractor was not at fault for pushing the Original Contract Date to the right.
10843 Issued to Contractor? No
Claims Filed? Yes

CDPC Contractor Evaluation

Type of Claim:	Stop Notices
Comments- Claims:	Asbestos testing and remediation from an outside contractor resulted in a stop notice to the general contractor. Schedule impact was minimal and was made up very quickly.
Evaluator Name and Project Role:	Jimmy John, PM.
Evaluator Phone Number:	+1 (949) 533-6153
Recommend Renewal of Prequalification?	Reduced Aggregate Contract Value
Recommended Future Project Size \$ Range:	No more than \$50M

Additional Comments:

Exhibit C - Policy Updates

All changes are highlighted in GREEN:

9835 EVALUATION OF CONTRACTOR PERFORMANCE

University administrators will provide a valuable service to the CSU system by filing the Contractor Performance Evaluation form (for major projects and for job order contracts) and the Non-Responsible Contractor Evaluation form (for minor projects) when appropriate. This information will aid the Trustees in improving the bidder pool and eliminating the non-responsible contractors from continuing to bid CSU work. The construction administrator shall establish a written record of contractor performance on each major capital outlay contract at time of completion, and additionally, annually for contracts greater than \$10M. For minor capital outlay projects on which the contractor has failed to responsibly fulfill the contract, the

construction administrator shall provide written documentation. The documentation for minor projects and record of performance for major projects must be sufficiently detailed to inform the contractor of the precise nature of the poor performance and enable the CSU to establish the substantiated activity in a hearing against the objection of the contractor.

9835.01 EVALUATION OF CONTRACTOR ON A MAJOR PROJECT

A Contractor Performance Evaluation Form (see Appendix D) must be prepared on all contracts where the total cost exceeds the value of a minor capital outlay project pursuant to Public Contract Code section 10108. The person preparing the report (the evaluator) should be an individual with direct knowledge of the contractor's performance, likely the construction administrator. The report shall be submitted to the prequalification administrator in CPDC for filing with the contractor's prequalification records for future reference. This information shall be used by the prequalification administrator in determining whether a current prequalification should be reduced or rescinded and when reviewing the contractor's application for renewal of prequalification. It may be the basis for reduction of prequalification, disqualification, or non-renewal, or it may be used as a reference for an increase in prequalification rating. Also, a summary of the data provided on this evaluation form shall become part of an annual report presented to the Trustees.