Contractor Evaluation

Contractor Evaluation
Presented by:
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• Agenda

- Why we need to monitor performance?
- Who should be monitoring performance?
- Elements of successful monitoring
- When should monitoring begin?
- How should a Contractor be monitored
- Common methods of monitoring
- Expectations for our Contractors
- Procurement Responsibilities
- Dealing with Poor Performance
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• Why do we need to monitor performance?
  - For adequate performance to ensure protection of the University’s interest.
  - To avoid misunderstandings and prevent small difficulties from becoming major problems.
  - To ensure legal obligations are fulfilled and acceptable levels of service are provided such as performance standards, efficiency and effectiveness.
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– As the Campus is growing, future contracts are becoming more complicated.
– Contracts have become very sophisticated and there is more legislation from Albany making it more complex.
– Less eyes are looking at more projects
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• **Who should be monitoring the Contractors Performance?**

  - The field or line manager. This individual knows the service or project better than the contracting officials.
  - Think of Contractor evaluation the same as employee evaluation.
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• **What are the elements of successful monitoring?**
  - Know your Contract
  - User Relationships
  - Contractor Relations
  - Contractor Reports
  - Keep thorough documentation
  - Checklist [Checklist Example.pdf](#)
  - Contractor example.pdf
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- **When should monitoring begin?**
  - Before the contract is awarded
  - The Bid Spec
  - [Temp Bid Spec.pdf](#)
  - Discuss how disputes should be settled before the project begins
  - During the course of delivery of services
  - Inspections and Observations
  - Complaints
  - Contractor Reports
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• How should a contractor be monitored?
  ➢ Inspect the Work
    ➢ Do weekly or monthly inspections with the Contractor
    ➢ Ensure required permits are obtained
    ➢ Review Contractor invoices
  ➢ Ensure the work performed under the contract is measured against the specifications in the contract.
  ➢ Checklist
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➢ Communication with the Contractor
  ➢ Check for understanding
  ➢ Give timely feedback
  ➢ Keep a paper trail on your discussions with the contractor

➢ Signage system S:\Main Campus Contracts Performance\Sign In Sheet.pdf

➢ Require weekly or monthly reports from the contractor on status and progress
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• Common Methods of Monitoring

  ➢ Consulting Services
    ➢ Review draft and final reports
    ➢ Interview with University team using services
    ➢ Monitor throughout
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- Custodial Services
  - Follow up just after work performed
  - Unannounced site visits during cleaning hours
  - Enforce liquidated damages
  - Solicit comments-bldg residents
  - Define levels of cleanliness
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- Security Services
  - Screening of potential guards
  - Direct observation
  - Security logs
  - Retain right to remove personnel
  - Liquidated damages
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• **Contractor should:**
  
  ➢ Perform in accordance with the contract
  ➢ Understand our needs and the requirements of the contract
  ➢ Be courteous and respectful to deal with
  ➢ Follow the procedures
  ➢ Provide product and services and comply with laws and regulations
  ➢ Deliver on time or communicate if there are issues
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- Provide staff that are sufficient, reliable and knowledgeable
- Respond
- Communicate!!!!!!
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• Procurement
  - Participating as necessary in writing the specifications
  - Performance Standards –
    - Performance Penalty Clauses.pdf
  - Pre-Award Meetings
    - Temp.Award Meeting.Agenda.doc
  - Monitoring Contractors-
    - Performance Standards Evaluation.pdf
  - Exercising State remedies
  - Resolving disputes between End user and Contractor
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Procurement
- Documenting Significant events
- Maintaining appropriate records
- Monitor Contracts Performance
- Final Performance Evaluation
  ✓ Final Evaluation for Contractors Performance.pdf

- Debriefings
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- **Procurement**
  - **Dealing with Poor Performance**
    - Identify problems and take action
    - Address with on-site supervisor/contractor
    - Send letter to contractor advising issues, cures and timeframes for corrective action.
    - In-person meeting with all parties
    - Follow ups
    - Accept consideration for reduced service
    - Withhold payments
    - Apply liquidated damages
    - Take action to terminate Contractor
    - Do nothing
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- **Department User Needs to:**
  - Report performance issues to Procurement as they happen

**Dealing with Poor Performance**

- **S:\Main Campus Contracts Performance\Performance Standards\Dealing With Poor Performance.doc**
  - Provide Documentation
  - Do not take matters into your own hands.
  - Performance evaluations
  - **Vendor Evaluation.pdf**
  - Do not let personalities get in the way
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• Dealing With Poor Performance

The key to rectifying poor performance is keeping thorough documentation. Each contract contains provisions for dealing with poor performance. Such provisions are usually cited under the Default clause in the contract. Under the standard Default clause, the bidder has a specified number of working hours/days to correct, or provide a corrective action plan for any non-conformance identified by the contract administrator. While the contract administrator may initially deal with minor issues verbally, a written record off all these occasions become increasingly important when the bidder’s performance deteriorates to the point where it is necessary to cancel the entire contract or parts thereof. If the contractor is clearly at fault, and we have documentation to prove it, we can cancel the contract for default and hold the bidder liable for the increased costs of obtaining substitute goods or services elsewhere.
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Summary

- Know your Contract Agreement
- Be aware of the Contractors Responsibilities
- Monitor Performance
- Report
- Document
- Communicate with your Contractor and Procurement Office
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Thank You

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