

CONTRACT PERFORMANCE EVALUATION



Town of Cottesloe

Contract Details

Contract No:

Contract Title	<input type="text"/>		
Description	<input type="text"/>		
Original Contract Price	\$	<input type="text"/>	
Date of Contract	/ /20 .	Original Date for Completion	/ /20 .

Contractor Details

Contractor's Company / Organisation name	<input type="text"/>		
Contractor's Representative	Name	<input type="text"/>	
	Position	<input type="text"/>	
	Tel	<input type="text"/>	Mobile <input type="text"/>
	Email	<input type="text"/>	

Reporting Period

This report to be delivered in 1st week Feb, May, Aug, Nov & as required in guidelines below

Report Date (date at end of reporting period)	/ /20 .	Percentage of total contract completed (at the Report Date)	%
Report Reason	<input type="checkbox"/> Yearly Review	<input type="checkbox"/> Unsatisfactory performance	
	<input type="checkbox"/> Completion	<input type="checkbox"/> Extension	

Cost

Final Contract Price	\$ <input type="text"/>
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Time

Total extensions of time approved	days <input type="text"/>	Extended Contractual Completion Date	/ /20 .
Predicted Date for Completion	/ /20 .	Actual Date of Completion	/ /20 .

Contractor Performance Report

Evaluation Criteria	N/A	Unsat	Marginal	Acceptable	Good	Superior
Time Management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Standard of Work	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Quality Mgmt Systems	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Contractor's Personnel	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Subcontractor Mgmt	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Contract Administration	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Co-operative Relations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Work Health and Safety	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Industrial Relations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Environmental Mgmt	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Training Management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Contractor's Design	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Aboriginal Participation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Overall Comments on Performance

In my opinion:

I have attached further information

Consultation with Contractor

I confirm that I have consulted with the Contractor in the preparation of this report and that a copy of this completed report was sent to the Contractor on/ / 20.....

The Contractor has advised that this report is: Accepted Not Accepted

Where the Contractor has not responded within 10 days, the report is to be deemed as accepted

When the Contractor and Reporting Officer are unable to resolve a disagreement as to the content of this report, the report is to be forwarded to the Contract Executive (for resolution). Please refer to details in the guidelines below.

Reporting Officer

I have completed the contract evaluation and deem the contract to be:

Satisfactory / Unsatisfactory

It is recommended that this contract be

extended / not further extended

If extended, the period shall be _____ months

Name _____	Signature _____	/	/20....
Title _____	_____		

Recommending Officer (Executive Manager)

The reporting Officer's recommendation is:

Supported / Not Supported

Name _____	Signature _____	/	/20....
Title _____	_____		

Approving Officer (Chief Executive Officer)

The contract extension is:

Approved / Not Approved

Name _____	Signature _____	/	/20....
Title _____	_____		

CONTRACT PERFORMANCE EVALUATION



Town of Cottesloe

Unsatisfactory	Marginal	Acceptable	Good	Superior
ANY ONE of the following occurred:	ANY ONE of the following applied	ALL of the following applied	In addition to the requirements for an 'Acceptable' grading ALL of the following applied:	In addition to the requirements for a 'Good' grading ALL of the following applied:
Time Management				
<ul style="list-style-type: none"> <input type="checkbox"/> The required program has not been submitted <input type="checkbox"/> The program was not updated within 10 business days after a request from the Principal <input type="checkbox"/> Work is not meeting scheduled progress AND it is unlikely that completion will be achieved by the approved completion date(s) <input type="checkbox"/> There was little or no activity on site in the last two weeks & the Contractor has not provided a reasonable explanation <input type="checkbox"/> The Contractor made no attempt to manage delays to mitigate their effects 	<ul style="list-style-type: none"> <input type="checkbox"/> The Contractor failed to meet one of the criteria required for an 'Acceptable' grading, but the failure did not attract an 'Unsatisfactory' grading 	<ul style="list-style-type: none"> <input type="checkbox"/> The program (including any updates submitted during the period) met contract requirements <input type="checkbox"/> The Contractor reviewed progress regularly, rescheduled work activities to meet the program and updated the program <input type="checkbox"/> Updated programs were submitted within the time specified or requested <input type="checkbox"/> Any updated programs accurately reflected actual progress <input type="checkbox"/> Work was managed in accordance with the program 	<ul style="list-style-type: none"> <input type="checkbox"/> The program (including any updates submitted during the period) met all contract requirements, including showing when action is required by the Principal <input type="checkbox"/> The Contractor submitted program updates when any milestone completion date changed, without waiting for a request from the Principal <input type="checkbox"/> Updated programs provided early warning of potential delays (if applicable) <input type="checkbox"/> The program(s) consistently demonstrated that approved completion date(s) would be met <input type="checkbox"/> The Contractor allocated resources based on project needs <input type="checkbox"/> The Contractor mitigated the effects of delays by 	<ul style="list-style-type: none"> <input type="checkbox"/> The Contractor strictly adhered to the program, updating & resubmitting it whenever the sequencing of tasks changed <input type="checkbox"/> The Contractor made outstanding efforts to maintain progress & avoid delays <input type="checkbox"/> The Contractor mitigated the effects of anticipated delays by rescheduling & reallocating resources

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ANY ONE of the following occurred:	ANY ONE of the following applied	ALL of the following applied	In addition to the requirements for an 'Acceptable' grading ALL of the following applied:	In addition to the requirements for a 'Good' grading ALL of the following applied:
			rescheduling & reallocating resources	

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ANY ONE of the following occurred:	ANY ONE of the following applied	ALL of the following applied	In addition to the requirements for an 'Acceptable' grading ALL of the following applied:	In addition to the requirements for a 'Good' grading ALL of the following applied:
Standard of Work				
<ul style="list-style-type: none"> <input type="checkbox"/> There was no evidence that the Contractor has a system for identifying & rectifying defects; the Contractor relied on the Principal to identify defects <input type="checkbox"/> At every site inspection the Principal identified defects that were not being addressed <input type="checkbox"/> The number of defects continued to increase as work progressed, with many outstanding for more than a month <input type="checkbox"/> The Contractor refused to acknowledge & rectify defects identified by the Principal 	<ul style="list-style-type: none"> <input type="checkbox"/> The Contractor failed to meet one of the criteria required for an 'Acceptable' grading, but the failure did not attract an 'Unsatisfactory' grading 	<ul style="list-style-type: none"> <input type="checkbox"/> The Contractor adhered to contract specifications <input type="checkbox"/> The Contractor consistently identified & rectified defects progressively as work proceeded <input type="checkbox"/> Whenever inspected, the work had only a few minor defects & rectifying them did not affect the progress of the work <input type="checkbox"/> The Contractor rectified defects identified by the Principal within the agreed timetable for rectification (unless prevented by circumstances beyond the Contractor's control) 	<ul style="list-style-type: none"> <input type="checkbox"/> The Contractor achieved better than specified tolerances & consistent high standards of workmanship <input type="checkbox"/> The Contractor provided detailed records of defect identification & rectification <input type="checkbox"/> The Contractor rectified defects identified by the Principal within 10 working days (unless prevented by circumstances beyond the Contractor's control) 	<ul style="list-style-type: none"> <input type="checkbox"/> The Contractor demonstrated that it considered defects to be unacceptable <input type="checkbox"/> During inspections, the Principal did not identify any defects that were not already being actioned <input type="checkbox"/> Defect-free Completion was achieved (or appears likely to be achieved) by the approved completion date(s)

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ANY ONE of the following occurred:	ANY ONE of the following applied	ALL of the following applied	In addition to the requirements for an 'Acceptable' grading ALL of the following applied:	In addition to the requirements for a 'Good' grading ALL of the following applied:
Quality Management System				
<ul style="list-style-type: none"> <input type="checkbox"/> The Contractor submitted a QMP that failed to meet many of the requirements in Appendix D of the Guidelines & required major amendments & additions <input type="checkbox"/> Work commenced on an activity before the required ITP was submitted <input type="checkbox"/> The work was not ready for inspection at the notified time & as a result, the Principal had to re-visit the site <input type="checkbox"/> Overall audit assessment was Unsatisfactory, OR <input type="checkbox"/> Overall audit assessment was Marginal & the Contractor did not address all non-conformances <input type="checkbox"/> The Contractor did not carry out its own inspections & audits but relied on the Principal to identify non-conformances <input type="checkbox"/> The same non-conformance occurred two or more times 	<ul style="list-style-type: none"> <input type="checkbox"/> The Contractor failed to meet one of the criteria required for an 'Acceptable' grading, but the failure did not attract an 'Unsatisfactory' grading 	<ul style="list-style-type: none"> <input type="checkbox"/> The QMP complied with Appendix D of the Guidelines. <input type="checkbox"/> The Contractor implemented the QMP <input type="checkbox"/> All ITPs were submitted on time <input type="checkbox"/> ITPs & checklists were used while activities were being carried out <input type="checkbox"/> Work was ready for inspection at notified times for witness points and hold points <input type="checkbox"/> If a 2nd or 3rd party quality audit was carried out, the overall audit assessment was Acceptable & the Contractor addressed all non-conformances <input type="checkbox"/> The Contractor carried out its own site quality audits & regular inspections and provided evidence, within 14 days after the date of the audit, of both the immediate response and any system improvements proposed to close out all audit non-conformances <input type="checkbox"/> The Contractor's quality system identified & dealt with most non-conformances without the Principal's input 	<ul style="list-style-type: none"> <input type="checkbox"/> The Contractor provided an internal audit schedule early in the contract period, updated it as necessary & adhered to the dates stated <input type="checkbox"/> If a 2nd or 3rd party quality audit was carried out, the overall audit assessment was Good and the Contractor addressed all non-conformances within 14 days 	<ul style="list-style-type: none"> <input type="checkbox"/> If a 2nd or 3rd party quality audit was carried out, the overall audit assessment was Superior & no non-conformances were identified <input type="checkbox"/> The Contractor demonstrated a quality-oriented culture through routine involvement by senior managers in quality management on site, independent of any request from the Principal

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ANY ONE of the following occurred:	ANY ONE of the following applied	ALL of the following applied	In addition to the requirements for an 'Acceptable' grading ALL of the following applied:	In addition to the requirements for a 'Good' grading ALL of the following applied:
Contractor's Personnel				
<ul style="list-style-type: none"> <input type="checkbox"/> Key personnel were not appropriately skilled <input type="checkbox"/> There was no supervisor on site and the Principal had to deal directly with workers on more than two (2) occasions <input type="checkbox"/> There were insufficient resources to manage the work <input type="checkbox"/> On more than one occasion, the Principal found it difficult to contact appropriate personnel to discuss matters of concern <input type="checkbox"/> Personnel were unfamiliar with the contract & rarely referred to it <input type="checkbox"/> The Contractor submitted RFIs when the information was in the contract; more than 3 times, the Principal's responses simply identified relevant contract requirements <input type="checkbox"/> Site rules and procedures have not been established <input type="checkbox"/> Workers provided statutory evidence of not being paid 	<ul style="list-style-type: none"> <input type="checkbox"/> The Contractor failed to meet one of the criteria required for an 'Acceptable' grading, but the failure did not attract an 'Unsatisfactory' grading 	<ul style="list-style-type: none"> <input type="checkbox"/> All personnel had appropriate skills for their tasks <input type="checkbox"/> The Contractor's personnel ensured that workers followed contract requirements, with minimal intervention required from the Principal <input type="checkbox"/> The level of resources was adequate for the work activities <input type="checkbox"/> The Contractor established & maintained effective lines of communication with the Principal, minimising delays & re-work <input type="checkbox"/> Key management personnel showed a good knowledge of contract requirements & followed specified procedures on most occasions <input type="checkbox"/> Site rules and procedures were established, together with measures to ensure they were followed <input type="checkbox"/> The Contractor did not rely on the Principal's expertise to inspect & verify specialist work <input type="checkbox"/> There was an appropriately skilled supervisor on site at all times 	<ul style="list-style-type: none"> <input type="checkbox"/> All the Contractor's personnel demonstrated knowledge and understanding of the parts of the contract relevant to their areas of responsibility requiring no intervention from the Principal <input type="checkbox"/> Site rules and procedures were in place & were followed without exception <input type="checkbox"/> The Contractor arranged for appropriate experts to inspect & verify specialist work, where the Contractor did not have the necessary expertise 	<ul style="list-style-type: none"> <input type="checkbox"/> All the Contractor's personnel demonstrated superior skills, more than adequate experience and a high level of professional courtesy when dealing with the Principal and the Client <input type="checkbox"/> The contract & the site were exceptionally well managed & the work proceeded efficiently, without any intervention from the Principal

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ANY ONE of the following occurred:	ANY ONE of the following applied	ALL of the following applied	In addition to the requirements for an 'Acceptable' grading ALL of the following applied:	In addition to the requirements for a 'Good' grading ALL of the following applied:
Subcontractor Management				
<ul style="list-style-type: none"> <input type="checkbox"/> Subcontractors & consultants were not competent to undertake the work, causing re-work & delays <input type="checkbox"/> There was no supervisor on site and the Principal had to deal directly with Subcontractors on more than two (2) occasions <input type="checkbox"/> The Contractor entered into subcontracts that did not include the specified provisions (eg for payment, dispute resolution, insurance) <input type="checkbox"/> The Contractor relied on the Principal to review documents prepared by Subcontractors <input type="checkbox"/> Poor Subcontractor coordination/ supervision caused delays or significant re-work or poor quality completed work <input type="checkbox"/> The quality systems of Subcontractors & the Contractor were inconsistent, causing poor work quality <input type="checkbox"/> Subcontractor(s) were unaware of the WHS, environmental, IR, Aboriginal participation & training objectives in the contract <input type="checkbox"/> A Subcontractor provided statutory evidence of not being paid entitlements 	<ul style="list-style-type: none"> <input type="checkbox"/> The Contractor failed to meet one of the criteria required for an 'Acceptable' grading, but the failure did not attract an 'Unsatisfactory' grading 	<ul style="list-style-type: none"> <input type="checkbox"/> All Subcontractors & consultants were suitably competent & experienced <input type="checkbox"/> All subcontracts reviewed by the Principal included the required provisions <input type="checkbox"/> Design & fabrication activities were well managed, with minimal non-conformances required to be resolved by the Principal except for faults in the Principal's documents <input type="checkbox"/> The quality systems of the Subcontractors & the Contractor were integrated to achieve satisfactory work quality <input type="checkbox"/> Subcontractor coordination issues caused only minor re-work, with no impact on contract time or the quality of the completed work <input type="checkbox"/> The Contractor reviewed all claims from Subcontractors & established that there was an entitlement & that the amounts claimed were reasonable before passing them on to the Principal <input type="checkbox"/> The Contractor ensured that Subcontractors complied with the WHS, environmental, IR, Aboriginal participation & training objectives 	<ul style="list-style-type: none"> <input type="checkbox"/> All activities carried out by Subcontractors were well managed, with no coordination problems apparent to the Principal <input type="checkbox"/> The quality, safety and environmental management systems of the Contractor & all Subcontractors were seamlessly integrated <input type="checkbox"/> The Contractor ensured all Subcontractor claims were reviewed by people with relevant expertise; those passed on to the Principal were presented clearly & included all information required for assessment <input type="checkbox"/> Subcontractors demonstrated commitment to the quality, WHS, environmental, IR, Aboriginal participation & training objectives in the contract 	<ul style="list-style-type: none"> <input type="checkbox"/> All subcontracts reviewed included 'back to back' provisions with those in the contract <input type="checkbox"/> Subcontractor relationships were exceptionally harmonious & the Principal observed an open collaborative relationship and communication between Subcontractors, consultants & the Contractor

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ANY ONE of the following occurred:	ANY ONE of the following applied	ALL of the following applied	In addition to the requirements for an 'Acceptable' grading ALL of the following applied:	In addition to the requirements for a 'Good' grading ALL of the following applied:
Contract Administration				
<ul style="list-style-type: none"> <input type="checkbox"/> The Contractor did not notify a change to its authorised person for more than 2 days after the change occurred <input type="checkbox"/> Key contact personnel were changed without notifying the Principal <input type="checkbox"/> More than 2 RFIs notifying ambiguities were submitted too late to avoid delays <input type="checkbox"/> More than 2 claims for price or time adjustments were submitted more than a month after the related work was completed <input type="checkbox"/> More than 2 claims for adjustment did not include the required information, eg: <ul style="list-style-type: none"> <input type="checkbox"/> correct identification of the entitlement <input type="checkbox"/> updated program <input type="checkbox"/> evidence of costs <input type="checkbox"/> More than one payment claim did not include all the required information, including records of compliance <input type="checkbox"/> More than one progress report was received late or did not provide the required information 	<ul style="list-style-type: none"> <input type="checkbox"/> The Contractor failed to meet one of the criteria required for an 'Acceptable' grading, but the failure did not attract an 'Unsatisfactory' grading 	<ul style="list-style-type: none"> <input type="checkbox"/> The Contractor advised changes in contract personnel before they occurred (on the day they occurred if unforeseeable) <input type="checkbox"/> The Contractor provided proposals for variations by the specified time <input type="checkbox"/> 80% of RFIs notifying ambiguities were submitted within the specified time <input type="checkbox"/> The Contractor gave all notices (eg for adverse Site Conditions) within the specified times <input type="checkbox"/> All claims for adjustments were submitted by the specified times, identified the entitlement (by reference to applicable contract provisions) & included relevant information <input type="checkbox"/> Payment claims were made in accordance with the contract, supported by the required information <input type="checkbox"/> The Contractor provided the required compliance documents on time, with only minor omissions that were readily corrected <input type="checkbox"/> Progress reports included adequate information & were received on time 	<ul style="list-style-type: none"> <input type="checkbox"/> The Contractor consistently provided proposals for variations before the specified time <input type="checkbox"/> All RFIs notifying ambiguities were submitted within the specified time <input type="checkbox"/> Claims for adjustments were submitted within the specified time, correctly identified the source of the entitlement & included all the information required for assessment <input type="checkbox"/> Payment claims did not include claims for adjustments that had not been agreed 	<ul style="list-style-type: none"> <input type="checkbox"/> The Contractor did not submit any documentation later than the specified time <input type="checkbox"/> The Principal has not requested the Contractor to provide any additional information for any claim, including payment claims <input type="checkbox"/> All compliance documents were accurate & correct & none required amendment or resubmission

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<p>ANY ONE of the following occurred:</p>	<p>ANY ONE of the following applied</p>	<p>ALL of the following applied</p>	<p>In addition to the requirements for an 'Acceptable' grading ALL of the following applied:</p>	<p>In addition to the requirements for a 'Good' grading ALL of the following applied:</p>
Co-operative Relationships				
<ul style="list-style-type: none"> <input type="checkbox"/> The Contractor demonstrated an adversarial approach & was unwilling to cooperate or communicate openly <input type="checkbox"/> The Contractor communicated only at specified meetings & through formal RFIs & claims <input type="checkbox"/> The Contractor cancelled or deferred more than 2 scheduled meetings without a reasonable explanation OR refused to attend for sufficient time to discuss critical matters <input type="checkbox"/> The Contractor refused to comply with a direction of the Principal, including: <ul style="list-style-type: none"> <input type="checkbox"/> refusing to remove a person from the site when instructed, due to their inappropriate behaviour <input type="checkbox"/> The Contractor's senior executive refused to meet to discuss formal issues OR was unavailable to meet within the specified time without good reason <input type="checkbox"/> More than one payment claim was more than 20% above the value of work assessed by the Principal <input type="checkbox"/> 50% or more of the Contractor's claims for adjustment were more than 25% above an independent estimate <input type="checkbox"/> For more than one claim for 	<ul style="list-style-type: none"> <input type="checkbox"/> The Contractor failed to meet one of the criteria required for an 'Acceptable' grading, but the failure did not attract an 'Unsatisfactory' grading 	<ul style="list-style-type: none"> <input type="checkbox"/> The Contractor cooperated in all matters relating to the contract, eg accommodating the needs of the Principal, including those occupying the site <input type="checkbox"/> The Contractor acted within 1 day after any request to remove from the site a person who behaved inappropriately <input type="checkbox"/> Communication between Contractor & Principal was open & effective <input type="checkbox"/> The Contractor gave early warning of events significantly affecting the contract & worked with the Principal to achieve resolution <input type="checkbox"/> All payment claims were discussed with the Principal and a reasonable value agreed for the completed work <input type="checkbox"/> 80% of claims for adjustment were approved within 10% of the initial claim <input type="checkbox"/> The Contractor demonstrated commitment to informal dispute resolution processes, including a willingness of the senior executive to meet promptly to resolve issues 	<ul style="list-style-type: none"> <input type="checkbox"/> The Contractor notified the Principal as soon as practicable, of all events that could affect the contract or the work & worked with the Principal to resolve the matter with minimal effects on contract time & price <input type="checkbox"/> All payment claims were reasonable & were paid in full <input type="checkbox"/> All claims for price & time adjustments were reasonable; 90% were paid in full, as initially claimed, AND agreement was reached on the quantum of the remainder by negotiation within 3 months after receipt <input type="checkbox"/> The Contractor's senior executive took a pro-active approach to preventing formal issues from arising, including attending meetings as necessary & maintaining a good relationship with the Principal's senior executive <input type="checkbox"/> The Contractor showed commitment to informal dispute resolution processes; all issues & disputes were resolved within 3 months 	<ul style="list-style-type: none"> <input type="checkbox"/> The Contractor's cooperation with the Principal & the Client has been outstanding & the Client has not notified the Principal of a single complaint <input type="checkbox"/> The Contractor managed the work, including all changes & delays, to minimise additional costs to the Client <input type="checkbox"/> The Contractor's senior executive showed exemplary leadership by: <ul style="list-style-type: none"> <input type="checkbox"/> attending start up workshop and close out workshop (if applicable) <input type="checkbox"/> attending sufficient monitoring & contract administration meetings to maintain a good working relationship, <input type="checkbox"/> regularly visiting the site <input type="checkbox"/> maintaining frequent contact with the Principal's senior executive, & <input type="checkbox"/> initiating discussions to resolve emerging

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ANY ONE of the following occurred:	ANY ONE of the following applied	ALL of the following applied	In addition to the requirements for an 'Acceptable' grading ALL of the following applied:	In addition to the requirements for a 'Good' grading ALL of the following applied:
adjustment, the Contractor refused to provide additional justification OR refused to participate in negotiations <input type="checkbox"/> The Contractor initiated court action before specified issue resolution processes were implemented				issues

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Work Health and Safety (WHS)				
<ul style="list-style-type: none"> <input type="checkbox"/> Site work started before the WHS Management Plan was submitted <input type="checkbox"/> The Contractor submitted an WHS Management Plan with major omissions &/ or without site-specific risks or late <input type="checkbox"/> The Contractor failed to comply with WHS regulations <input type="checkbox"/> 2nd party site reviews identified a breach that put workers at serious risk <input type="checkbox"/> 2nd or 3rd party audit reports &/or reviews showed major non-conformance(s) <input type="checkbox"/> The Contractor did not carry out its own audits & site safety reviews but relied on the Principal to identify non-conformances <input type="checkbox"/> A notifiable WHS incident occurred <input type="checkbox"/> A Prohibition Notice was imposed by regulatory authorities <input type="checkbox"/> WHS monthly reports were not provided 	<ul style="list-style-type: none"> <input type="checkbox"/> The Contractor submitted an WHS Management Plan with a few omissions that were readily rectified without causing delays <input type="checkbox"/> 2nd party site reviews showed minor breaches <input type="checkbox"/> 2nd or 3rd party audit reports showed minor non-conformances <input type="checkbox"/> WHS monthly reports were submitted late &/or included incomplete information <input type="checkbox"/> An WHS incident was not reported to the Principal within 24 hrs after it occurred <input type="checkbox"/> An Improvement Notice was issued by a regulatory authority 	<ul style="list-style-type: none"> <input type="checkbox"/> The WHS Management Plan met all contract requirements <input type="checkbox"/> WHS management complied with the contract, including the relevant NSW Government Management Systems guidelines & legislative requirements <input type="checkbox"/> The site was kept clean & tidy & free of uncontrolled safety hazards <input type="checkbox"/> No non-conformances were identified during 2nd party site reviews <input type="checkbox"/> If a 2nd or 3rd party WHS audit was carried out the audit report showed satisfactory performance <input type="checkbox"/> There was no notifiable incident <input type="checkbox"/> WHS monthly reports were submitted on time & met contract requirements 	<ul style="list-style-type: none"> <input type="checkbox"/> There has been no lost time injury <input type="checkbox"/> The Contractor demonstrated commitment to the highest WHS standards & the safety of everyone on the site <input type="checkbox"/> The Contractor implemented a regular internal review process <input type="checkbox"/> The Contractor's project manager regularly conducts safety walks and was involved in safety events such as tool box talks, safety meetings 	<p>The Contractor has demonstrated safety leadership through:</p> <ul style="list-style-type: none"> <input type="checkbox"/> adopting a partnering approach with clients, Subcontractors & WorkCover <input type="checkbox"/> the Contractor's executive involvement in safety management on site <input type="checkbox"/> 2nd or 3rd party audits were conducted and there were no non-conformances identified <input type="checkbox"/> comprehensive WHS management reporting demonstrating a safety culture (nil harm)

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ANY ONE of the following occurred:	ANY ONE of the following applied	ALL of the following applied	In addition to the requirements for an 'Acceptable' grading ALL of the following applied:	In addition to the requirements for a 'Good' grading ALL of the following applied:
Industrial Relations				
<ul style="list-style-type: none"> <input type="checkbox"/> The Contractor has not submitted the required IR information / IR Plan <input type="checkbox"/> The Contractor submitted IR information / an IR Plan with major omissions OR that did not comply when resubmitted after the Principal's review <input type="checkbox"/> The Contractor did not comply with the IR Plan (if applicable) <input type="checkbox"/> The Contractor breached the Code of Practice for Procurement or the National Code of Practice (where applicable) <input type="checkbox"/> Non-compliance with employment law obligations was identified (including a non-compliance by a Subcontractor) <input type="checkbox"/> An IR incident, which could have been avoided if the Contractor had taken reasonable, timely action, caused delays 	<ul style="list-style-type: none"> <input type="checkbox"/> The Contractor failed to meet one of the criteria required for an 'Acceptable' grading <input type="checkbox"/> A minor IR incident occurred, which could have been avoided if the Contractor had taken reasonable, timely action 	<ul style="list-style-type: none"> <input type="checkbox"/> The required IR information / IR Plan was submitted on time <input type="checkbox"/> The IR information / IR Plan complied with the contract, including the IR Management Guidelines <input type="checkbox"/> The Contractor complied with the IR Plan (if required by the contract) & legal IR obligations <input type="checkbox"/> The Contractor maintained a cooperative workplace environment <input type="checkbox"/> The Contractor identified & resolved any IR issues within the Contractor's control 	<ul style="list-style-type: none"> <input type="checkbox"/> The Contractor promptly identified & resolved any IR issues, minimising delays to the work <input type="checkbox"/> The Contractor demonstrated an understanding & took practical steps towards building a productive workplace culture with cooperative relations, effective communication & consultation <input type="checkbox"/> No non-conformances were identified during 2nd and 3rd party audits (if applicable) 	<ul style="list-style-type: none"> <input type="checkbox"/> There have been no industrial relations issues <input type="checkbox"/> The Contractor has demonstrated leadership in industrial relations management through: <ul style="list-style-type: none"> <input type="checkbox"/> Senior management involvement on site for IR matters <input type="checkbox"/> a productive workplace culture with cooperative relations, effective communication and consultation <input type="checkbox"/> implementing a documented IR Management System demonstrating innovative functions & capability <input type="checkbox"/> maintaining a strong internal review process

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ANY ONE of the following occurred:	ANY ONE of the following applied	ALL of the following applied	In addition to the requirements for an 'Acceptable' grading ALL of the following applied:	In addition to the requirements for a 'Good' grading ALL of the following applied:
Environmental Management				
<ul style="list-style-type: none"> <input type="checkbox"/> The EMP was submitted late <input type="checkbox"/> The Contractor submitted an EMP with major omissions &/ or without site-specific risks <input type="checkbox"/> The Contractor failed to comply with environmental regulations <input type="checkbox"/> The Contractor did not carry out its own inspections & audits but relied on the Principal to identify non-conformances <input type="checkbox"/> Site reviews identified non-conformances with potential for regulatory intervention or Penalty Infringement Notices <input type="checkbox"/> 2nd or 3rd party audit reports &/ or reviews showed major non-conformance(s) <input type="checkbox"/> A serious pollution incident occurred <input type="checkbox"/> A Penalty Infringement Notice was imposed by regulatory authorities <input type="checkbox"/> Monthly reports were not provided (if required) 	<ul style="list-style-type: none"> <input type="checkbox"/> The Contractor submitted an EMP with a few omissions that were readily rectified without causing delays <input type="checkbox"/> 2nd party site reviews showed minor infringements & /or room for improvements <input type="checkbox"/> 2nd or 3rd party audit reports showed minor non conformances <input type="checkbox"/> Monthly reports were submitted late &/or included incomplete information 	<ul style="list-style-type: none"> <input type="checkbox"/> The EMP met the requirements of the contract <input type="checkbox"/> The Contractor complied fully with the EMP & legislative requirements <input type="checkbox"/> The site was kept clean & tidy, with appropriate environmental controls, regularly maintained <input type="checkbox"/> No non-conformances were identified during 2nd party site reviews <input type="checkbox"/> If a 2nd or 3rd party Environmental audit was carried out the audit report showed satisfactory performance <input type="checkbox"/> There was no notifiable environmental incident <input type="checkbox"/> Monthly reports (if required) were provided on time & met contract requirements 	<ul style="list-style-type: none"> <input type="checkbox"/> There have been no environmental incidents <input type="checkbox"/> The Contractor demonstrated an understanding & took practical steps towards sustainability <input type="checkbox"/> The Contractor implemented a regular internal review process <input type="checkbox"/> The Contractor's project manager regularly conducts environmental inspections and was involved in increasing environmental awareness through tool box talks and meetings 	<ul style="list-style-type: none"> <input type="checkbox"/> The Contractor has demonstrated leadership in environmental management through: <ul style="list-style-type: none"> <input type="checkbox"/> a clear commitment to reaching new goals for environmental practices <input type="checkbox"/> achieving new levels of sustainability <input type="checkbox"/> senior management involvement in environmental matters on site <input type="checkbox"/> implementing innovative environmental controls <input type="checkbox"/> comprehensive environmental management reporting demonstrating an environmentally aware culture <input type="checkbox"/> 2nd or 3rd party audits were conducted and did not identify any non-conformances

Unsatisfactory	Marginal	Acceptable	Good	Superior
ANY ONE of the following occurred:	ANY ONE of the following applied	ALL of the following applied	In addition to the requirements for an 'Acceptable' grading ALL of the following applied:	In addition to the requirements for a 'Good' grading ALL of the following applied:
Training Management (if required by the contract)				
<ul style="list-style-type: none"> <input type="checkbox"/> The TMP was submitted late <input type="checkbox"/> The Contractor submitted a TMP that did not comply with the Guidelines <input type="checkbox"/> The TMP was not implemented <input type="checkbox"/> By a quarter of the way through the contract: <ul style="list-style-type: none"> <input type="checkbox"/> the training target was not achieved OR <input type="checkbox"/> the apprentice target was not achieved <input type="checkbox"/> For more than 25% of the part of the reporting period that fell between 25% & 90% completion, the Contractor did not achieve: <ul style="list-style-type: none"> <input type="checkbox"/> the training target OR <input type="checkbox"/> the apprentice target <input type="checkbox"/> The Contractor did not propose corrective action to remedy its failure to achieve the targets <input type="checkbox"/> The Contractor did not implement measures to monitor Subcontractor compliance with training & apprentice targets 	<ul style="list-style-type: none"> <input type="checkbox"/> The Contractor submitted a TMP with a few omissions that were rectified without delaying the work <input type="checkbox"/> The TMP was not implemented in a consistent or sustained manner <input type="checkbox"/> For up to 25% of the part of the reporting period that fell between 25% & 90% completion, the Contractor did not achieve: <ul style="list-style-type: none"> <input type="checkbox"/> the training target OR <input type="checkbox"/> the apprentice target was not achieved <input type="checkbox"/> The Contractor did not submit specified reports on training <input type="checkbox"/> The Contractor did not take corrective action to remedy its failure to achieve the training or apprentice targets <input type="checkbox"/> The Contractor did not consistently monitor & assess Subcontractor compliance with training & apprenticeship targets 	<ul style="list-style-type: none"> <input type="checkbox"/> The TMP complied with the Guidelines & specific contract requirements <input type="checkbox"/> The Contractor implemented the TMP in a consistent & sustained manner <input type="checkbox"/> For the part of the reporting period that fell between 25% & 90% completion: <ul style="list-style-type: none"> <input type="checkbox"/> no less than 20% of the total project workforce participated in structured training <input type="checkbox"/> apprentices undertook 20% of the trade work involved <input type="checkbox"/> The Contractor submitted the specified reports on training targets & outcomes <input type="checkbox"/> The Contractor implemented consistent & effective measures to monitor & assess Subcontractor compliance with training & apprentice targets 	<ul style="list-style-type: none"> <input type="checkbox"/> The Contractor has established a cooperative relationship with training providers, Subcontractors & employer organisations <input type="checkbox"/> The Contractor's senior management actively supported, training programs <input type="checkbox"/> For the part of the reporting period that fell between 25% & 90% completion: <ul style="list-style-type: none"> <input type="checkbox"/> More than 20% of the total project workforce participated in structured training <input type="checkbox"/> Apprentices undertook more than 20% of the trade work involved <input type="checkbox"/> The Contractor reported regularly on training outcomes & proposed improvements <input type="checkbox"/> The Contractor worked with Subcontractors to ensure they prepared & implemented their own effective TMPs 	<ul style="list-style-type: none"> <input type="checkbox"/> The Contractor's achievements in implementing training management initiatives are recognised by the community <input type="checkbox"/> For the part of the reporting period that fell between 25% & 90% completion: <ul style="list-style-type: none"> <input type="checkbox"/> More than 25% of the total project workforce participated in structured training <input type="checkbox"/> Apprentices undertook more than 25% of the trade work involved <input type="checkbox"/> The Subcontractors delivered training & apprenticeship employment exceeding their TMP targets

Unsatisfactory	Marginal	Acceptable	Good	Superior
ANY ONE of the following occurred:	ANY ONE of the following applied	ALL of the following applied	In addition to the requirements for an 'Acceptable' grading ALL of the following applied:	In addition to the requirements for a 'Good' grading ALL of the following applied:
Contractor's Design (if required by the contract)				
<ul style="list-style-type: none"> <input type="checkbox"/> The Contractor's design was submitted late & delayed the work <input type="checkbox"/> The Contractor submitted a design that had major non-compliances with the contract requirements, requiring significant input from the Principal <input type="checkbox"/> Revision of the submitted design after review by the Principal delayed the work <input type="checkbox"/> User groups were dissatisfied with the Contractor's consultation process, which did not identify their needs The Contractor's design did not take into account the identified needs of user groups <input type="checkbox"/> Constructability issues in the Contractor's design required redesign and caused delay during construction <input type="checkbox"/> The Contractor did not eliminate or minimise risk in the design, so far as practicable, for those who construct, use, maintain or demolish the structure 	<ul style="list-style-type: none"> <input type="checkbox"/> The Contractor failed to meet one of the criteria required for an 'Acceptable' grading, but the failure did not attract an 'Unsatisfactory' grading 	<ul style="list-style-type: none"> <input type="checkbox"/> The Contractor's design was submitted within the specified time <input type="checkbox"/> The Contractor's design was submitted in packages that facilitated review & minimised the risk of delay <input type="checkbox"/> The Contractor's design generally complied with the contract; only minor amendments were required following review by the Principal & these did not delay the work <input type="checkbox"/> No part of the Contractor's design needed to be revised after the Contractor responded to the Principal's initial review <input type="checkbox"/> The Contractor consulted sufficiently with user groups (where required) to ascertain their needs and minimise safety risks, so these groups requested only minor enhancements to the design initially submitted to the Principal <input type="checkbox"/> The Contractor provided evidence of the application of the principles of safe design and eliminated or minimised, so far as is reasonably practicable, the risk arising from the design 	<ul style="list-style-type: none"> <input type="checkbox"/> The Contractor's design was submitted in sufficient time to allow for review, comment & revision before it was required for construction <input type="checkbox"/> The Contractor engaged in an effective consultation & review process with user groups (where required), ensuring that they were satisfied that the Contractor's design met the Principal's design brief and safety risks were eliminated or minimised <input type="checkbox"/> The Contractor provided comprehensive documentation to communicate information on hazards and controls to everyone involved in the life cycle of the asset <input type="checkbox"/> Innovative design technology e.g BIM was used to ensure: <ul style="list-style-type: none"> <input type="checkbox"/> Constructability <input type="checkbox"/> Compliance with the Principal's design, and <input type="checkbox"/> Value for money <input type="checkbox"/> Safe design 	<ul style="list-style-type: none"> <input type="checkbox"/> The Principal's review of the design initially submitted by the Contractor identified no amendments necessary for compliance with the contract <input type="checkbox"/> The Contractor's design improved on the Principal's design, with the agreement of the Principal, for the Client's benefit (eg providing capital cost savings, operational efficiency or improved safety) <input type="checkbox"/> The Contractor showed initiative in identifying key user groups & developing an effective consultation process <input type="checkbox"/> User groups were very complimentary about the Contractor's consultation process

Unsatisfactory	Marginal	Acceptable	Good	Superior
ANY ONE of the following occurred:	ANY ONE of the following applied	ALL of the following applied	In addition to the requirements for an 'Acceptable' grading ALL of the following applied:	In addition to the requirements for a 'Good' grading ALL of the following applied:
Aboriginal Participation (if required by the contract)				
<ul style="list-style-type: none"> <input type="checkbox"/> The Contractor made no effort to implement Aboriginal participation <input type="checkbox"/> The local Aboriginal community complained about the Contractor's attitude <input type="checkbox"/> The Contractor submitted an Aboriginal Participation Plan that did not propose reasonable strategies or targets <input type="checkbox"/> The Contractor did not develop appropriate KPIs to measure Aboriginal participation <input type="checkbox"/> The Contractor achieved less than 50% of the proposed/ required targets for Aboriginal participation OR provided less than 50% of the proposed/ required training <input type="checkbox"/> The Contractor did not propose any corrective action, despite repeated requests to do so <input type="checkbox"/> The Contractor did not report on Aboriginal participation 	<ul style="list-style-type: none"> <input type="checkbox"/> The Contractor did not engage with the local Aboriginal community in seeking to develop strategies & meet Aboriginal participation targets <input type="checkbox"/> The Contractor submitted an Aboriginal Participation Plan that did not <ul style="list-style-type: none"> <input type="checkbox"/> meet the specific contract requirements OR <input type="checkbox"/> propose strategies likely to be effective OR <input type="checkbox"/> establish targets likely to be achieved <input type="checkbox"/> The Contractor established reasonable KPIs, but did not achieve more than 80% of the target participation levels or provide more than 80% of the proposed training <input type="checkbox"/> The Contractor did not implement corrective action to remedy its failure to achieve the targets for Aboriginal participation or training <input type="checkbox"/> The measures proposed by the Contractor to retain Aboriginal workers were not effective <input type="checkbox"/> The Contractor provided limited reporting, based only on the achievement of KPIs 	<ul style="list-style-type: none"> <input type="checkbox"/> The Contractor implemented Aboriginal participation requirements in a culturally sensitive manner <input type="checkbox"/> The Aboriginal Participation Plan met specific contract requirements, complied with the Guidelines & proposed reasonable strategies & targets for Aboriginal participation <input type="checkbox"/> The Contractor established reasonable KPIs to monitor Aboriginal participation & training <input type="checkbox"/> The Contractor achieved at least 90% of its commitments for Aboriginal participation & training OR provided a reasonable explanation & proposed corrective action that is likely to be effective <input type="checkbox"/> The Contractor established & implemented measures to retain Aboriginal workers <input type="checkbox"/> The Contractor reported against the KPIs & on the outcomes achieved & the measures undertaken to retain Aboriginal workers 	<ul style="list-style-type: none"> <input type="checkbox"/> The Contractor established a comprehensive set of KPIs & targets for Aboriginal participation & consistently met or exceeded those targets <input type="checkbox"/> The Contractor has established a cooperative relationship with Aboriginal community representatives <input type="checkbox"/> The Contractor has established demonstrably effective measures to retain Aboriginal workers & increase Aboriginal participation 	<ul style="list-style-type: none"> <input type="checkbox"/> The Contractor always exceeded the targets for Aboriginal participation & training <input type="checkbox"/> The Contractor is actively developing more effective measures for increasing Aboriginal participation <input type="checkbox"/> The Contractor's achievements in ensuring Aboriginal participation are recognised by the community <input type="checkbox"/> The Contractor is committed to Aboriginal participation & extends implementation of these initiatives to contracts for other Clients when their contracts do not require it

END OF DOCUMENT



To: MANAGER **<Name of Directorate>** SERVICES / CHIEF EXECUTIVE OFFICE
(Select and Delete Accordingly)

From: **<Position Title of Requesting Officer>**

Date: **<Day> <Month> <Year>**

Subject: REQUEST FOR VARIATION APPROVAL – **<Contractor Name>** – **<Contract Number and Description>** - **<Account Number and Description>**

File Number: SUB/**XXXX** TRIM DXX / **XXXXXX**

RECOMMENDATION

That **<Position Title of Approving Officer>** approves the:

- (1) Approves Variation of **\$(xxxxxx)** exc. GST for **<Description of Works e.g Marine Parade Resurfacing>** for the following reasons:
 - a. VO1 **<Description of Variation (\$xxxx) e.g Additional 200m2 of profiling and 10 tonnes of asphalt to resurface over existing service trenches(\$5000)>**
 - b. VO2 **<Description of Variation (\$xxxx)>**
 - c. VO3 **<Description of Variation (\$xxxx)>**
- (2) Approves a New Contract Value of **\$(xxxxxx)** exc GST increased from **\$(xxxxxx)** ;
- (3) Notes that other project cost savings or from reserves;
- (4) Notes that subjected to (3) Account 40.1136.2 Napier Street (Curtin Avenue to Broome Street) will be **-\$12,089.29** in deficit and would need to be funded from either other project cost savings or from reserves;
- (5) Notes that the over spend is within the limits of the Town's approved material variance of 15% or \$25,000, whichever is less;

BACKGROUND

In January 2019, the Federal Government's Roads to Recovery Program after completing an audit on the Town's roads and drainage expenditure, informed us that we qualified for the 2015-2019 funding allocation. This was valued at \$443,164 that had to be spent by 30 June 2019. The Council would need to meet a benchmark expenditure from municipal budgets to qualify for this grant.

We have since completed all the grant funded projects and will be completing the last Town funded Clarendon Street Project, by close of business 28 June 2019 to conclude this program.

Roads2000 were awarded the 3 year asphalt contract by Council in December 2018 and have provided quotes for the works.

SUMMARY OF VARIATIONS

VO01 Additional 200m2 of profiling and 10 tonnes of asphalt to resurface over existing service trenches

This additional work costing \$2884 was required to avoid continued rutting at the trench

VO02 Additional asphalt by Handworks required (\$2743)

As a result of variation VO1, additional manual asphalt works costing \$2743 were required around additional kerb length joints.

VO03 Contractor profiling quantities error (532m2) between actual and estimated quantities

During quotation, Roads 2000 had estimated quantities electronically to expedite the quotation process. This resulted in a discrepancy of 532m2 and additional cost of \$3338.84. This was only noted when their profiling sub contractors had submitted invoices and supporting dockets to Roads2000.

VO04 Napier Street between Curtin Avenue and Broome Street for the supply of variable message signs providing advanced notification of road closures

Variable message boards costing \$5444.22 not included in the original quote were ordered by the Town to provide advanced notification to residents of road closures for the works.

FINANCIAL IMPLICATIONS

Contract Summary 40.1126.2 Marine Parade (Vera Slow Point to North Street)

Original Contract Value	\$63,985.00
Variations Previously Approved	\$0
New Contract Value	\$63,985.00
Variations Pending Approval (VO1 to VO3)	\$8965.84

Revised Contract Value \$72,950.84

Contract Summary 40.1136.2 Napier Street (Curtin Avenue to Broome Street)

Original Contract Value \$167,901.12

Variations Previously Approved \$0

New Contract Value \$167,901.12

Variations Pending Approval (VO4) \$ 5444.22

Revised Contract Value \$173,345.34

Budget Summary (40.1126.2 – Marine Parade)

Municipal Budget \$11,485.00

Roads to Recovery Grant \$55,000.00

Total Approved Budget \$66,485.00

Expenditure to Date (Including Commitments) \$66,709.36

Available Budget **-\$ 224.36**

Variation Pending Approval \$ 8965.84

Budget Remaining **-\$ 9190.20**

Budget Summary (40.1136.2 – Napier Street)

Municipal Budget \$ 13,901.12

Roads to Recovery Grant \$ 154,000.00

Total Approved Budget \$167,901.12

Expenditure to Date (Including Commitments) \$174,546.19

Available Budget **-\$ 6645.07**

Variation Pending Approval \$ 5444.22

Budget Remaining **-\$ 12,089.29**

The above includes some depot staff time for the reinstatement of verge reticulation following the completion of kerb works associated with the project. This will be transferred to the appropriate accounts in liaison with the Town's Finance section.

CERTIFICATION

The above variations are recommended for approval. I have examined the reasons provided by Roads 2000 (the Contractor). I am satisfied that:

- (1) Works identified within the variations are true under the terms and conditions of the executed contract
- (2) Additional scope of works are necessary and appropriate
- (3) Charges levied are reasonable and in accordance with the contract rates, where rates have been provided in the contract

Recommended for Approval

Shaun Kan
Manager Engineering Services

Date:

Approval

Mat Humfrey
Chief Executive Officer

Date:

Approved

Not Approved