

Use of Performance Evaluations in Prequalification Program & Dispute Resolution

Guidelines

- Consultant “competency” based on data collected through performance evaluations will be considered for remaining prequalified in the applicable work types.
- A minimum of three consecutive final evaluations within the same work type must be completed to form the basis of prequalification decisions.
- If, after the minimum number of final evaluations are completed, the average of three consecutive scores is 10 or below, the consultant is required to prepare a performance improvement plan including actions such as mentoring and training. Performance improvement plans will be reviewed and accepted by the Prequalification Work Type Owner Committee.
- If on the next project measured performance does not elevate above previously measured performance in that particular work type or evaluation criteria the consultant will be suspended from the prequalified list for that work type.
- If measured performance averaged over the next three projects does not exceed the threshold stated above in that particular work type or evaluation criteria the consultant will be suspended from the prequalified list for that work type.
- At MnDOT’s sole discretion and in an extreme case of poor performance on a particular project, MnDOT may suspend a consultant immediately from the prequalified list for that work type.
- These guidelines apply to the prime consultant only. Sub consultants are the responsibility of the prime consultant and as such their performance is evaluated as a member of the consultant team.
- Reinstatement is at MnDOT’s discretion and will include, but not be limited to, MnDOT’s acceptance of a performance improvement plan and submittal by consultant of replacement personnel for prequalification consideration.

Dispute Resolution

The following guidelines for dispute resolution are applicable to performance evaluations for a specific project and/or prequalification decisions based on evaluations. The goal will always be to resolve any disagreements at the project manager level whenever possible. If unable to do so, a dispute resolution “ladder” as described below would then be used to elevate the dispute:

- If following the completion and discussion of a performance evaluation, the MnDOT and/or consultant project managers do not concur with the results, written notification to the other party must be made within ten business days.
- If a dispute cannot be resolved at the project manager/district level it will be elevated to the consultant services unit in Central Office.
- If a dispute cannot be resolved within the Central Office consultant services unit it will be elevated to the Division Director and/or Contract Management.
- Final decisions are at the discretion of MnDOT.