

ORDINANCE NO. 04-97

ROLL CALL

VOTING	YES	NO
MAYOR MARIE W. HUFF <i>(votes only in case of tie)</i>		
SHERMAN E. HUFF <i>Councilmember</i>	X	
MATTHEW D. BARBER <i>Councilmember</i>	X	
THORA L. SHAW <i>Councilmember</i>	X	
CLYDE A. SWENSON <i>Councilmember</i>	X	
REX WOODHOUSE <i>Councilmember</i>	X	

I MOVE this ordinance be adopted: Councilmember Huff

I SECOND the foregoing motion: Councilmember Barber

ORDINANCE 04-97

AN ORDINANCE RATING CONTRACTORS

WHEREAS, Spanish Fork City is involved in numerous constructions projects on an annual basis which require the City to bid out work and be involved with independent contractors; and

WHEREAS, some contractors are difficult to work with, or do poor work, or have numerous cost overruns, or other problems, or some combination of problems; and

WHEREAS, the City is obligated to let contracts to the lowest responsible bidder; and

WHEREAS, determining who is or is not a responsible bidder is a difficult task; and

WHEREAS, the Utah Department of Transportation has developed a contractor rating system which has proved effective in determining a responsible bidder; and

WHEREAS, the City has modified the UDOT formula into a workable plan for the City; and

WHEREAS, using such a plan will eliminate prospective contractors who are not responsible bidders; and

WHEREAS, eliminating irresponsible bidders saves the City both time and tax dollars and makes for higher quality products; and

WHEREAS, it is a benefit to the City and to contractors to have an evaluation, fairly performed, to rate contractors;

NOW THEREFORE, be it ordained and enacted by the Spanish Fork City Council as follows:

SECTION I.

Chapter 14.28 of the Spanish Fork City Municipal Code entitled "Rating of Contractors" is hereby created as follows:

14.28.010 Rating System-Created.

Each contractor performing work on behalf of Spanish Fork City will be rated, at the conclusion of each project, based on its organization, management, and performance of the work. The rating will be based upon a "contractor performance report," in the form attached hereto.

14.28.020 Ratings System-Scoring.

When each contractor is rated, he/she shall be awarded points in fifteen categories totaling one hundred (100) points. An acceptable score shall be deemed to be seventy-five (75) points. Each contractor will be evaluated by two employees or agents of the City: the Public Works Director or Assistant Public Works Director; and the public works inspector, building inspector, or project inspector, depending on the project. The average of the two evaluations shall be the contractors score.

14.28.030 Failure to obtain acceptable score.

A. A contractor who fails to obtain a score of seventy (70) on any two projects over any consecutive five year period will not be considered a responsible bidder.

B. A contractor who is not a responsible bidder, as established herein, will not be allowed to bid on a City project until such time that there are not two consecutive scores under seventy points within the last consecutive five year period.

14.28.040 Time Periods.

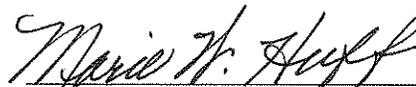
A. For purposes of this chapter, the consecutive five year period shall be within five years from the date of the notice to bid as prepared by the City or the City's agent.

B. The date of the contractors score shall be the date the Public Works Director, or Assistant Public Works Director, reviews the evaluation with the contractor, at the conclusion of each project. The Public Works Department is responsible to document the date of the review and to keep records of the same in order for the City to comply with the requirements of this chapter.

SECTION II.

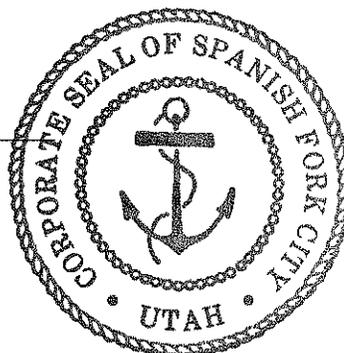
WHEREFORE, to protect the safety and welfare of citizens of Spanish Fork City, this ordinance shall take effect immediately upon publication.

DATED this 11th day of March, 1997.


MARIE W. HUFF, Mayor

ATTEST:


KENT R. CLARK, City Recorder



SPANISH FORK CITY

FINAL EVALUATION

CONTRACTOR PERFORMANCE REPORT

Date:

Project:	Location:
Contractor:	Project Engineer:

ORGANIZATION AND MANAGEMENT OF WORK

MAX Eval. Eval. Avg.
VALUE #1 #2 VALUE

#	Description	MAX VALUE	Eval. #1	Eval. #2	Avg. VALUE
1	Effectiveness of contractor's general management support to the contract supervision.	5			
2	Effectiveness of on-site supervision of work.	5			
3	Cooperation in negotiation of contract modifications, change orders and disputed claims.	8			
4	Demonstrated interest in controlling construction operations as to achieve the specified level of quality.	7			
5	Cooperation with City personnel responsible for administration of contract requirements and/or inspection of the work.	7			
6	Demonstrated interest in minimizing the adverse effect of construction activities on the public (control of traffic through construction zones, maintaining access to impact on the public, dust control, clean-up, etc).	10			

WORK PERFORMANCE

#	Description	MAX VALUE	Eval. #1	Eval. #2	Avg. VALUE
1	Diligent and systematic prosecution of work including modifications and change orders.	10			
2	Adequate personnel (number and skill level).	10			
3	Sufficiency of appropriate type of equipment.	10			
4	Effectiveness of operation of equipment (including sufficient maintenance so to maximize availability).	3			
5	Response of prompt payment of justified amounts due for labor, materials, equipment, & subcontractor work.	5			
6	Compliance with labor and safety requirements.	5			
7	Cooperation with utility companies adjusting facilities concurrent with construction.	3			
8	Prompt furnishing of necessary documents, material certification and reports.	5			
9	Final clean-up of work.	7			

TOTAL	100			
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I have reviewed this evaluation with the contractor.

Contractor's score for this project :

City Representative

Title

Date

I have reviewed this evaluation with a city representative.

Contractor

Company

Date

SPANISH FORK CITY

EVALUATION #1

CONTRACTOR PERFORMANCE REPORT

Date:

Project:	Location:
Contractor:	Project Engineer:

ORGANIZATION AND MANAGEMENT OF WORK

		MAX VALUE	RATE VALUE
1	Effectiveness of contractor's general management support to the contract supervision.	5	
2	Effectiveness of on-site supervision of work.	5	
3	Cooperation in negotiation of contract modifications, change orders and disputed claims.	8	
4	Demonstrated interest in controlling construction operations as to achieve the specified level of quality.	7	
5	Cooperation with City personnel responsible for administration of contract requirements and/or inspection of the work.	7	
6	Demonstrated interest in minimizing the adverse effect of construction activities on the public (control of traffic through construction zones, maintaining access to impact on the public, dust control, clean-up, etc).	10	

WORK PERFORMANCE

1	Diligent and systematic prosecution of work including modifications and change orders.	10	
2	Adequate personnel (number and skill level).	10	
3	Sufficiency of appropriate type of equipment.	10	
4	Effectiveness of operation of equipment (including sufficient maintenance so to maximize availability).	3	
5	Response of prompt payment of justified amounts due for labor, materials, equipment, & subcontractor work.	5	
6	Compliance with labor and safety requirements.	5	
7	Cooperation with utility companies adjusting facilities concurrent with construction.	3	
8	Prompt furnishing of necessary documents, material certification and reports.	5	
9	Final clean-up of work.	7	

COMMENTS:

TOTAL	100	
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Spanish Fork City Representative _____

Title _____

SPANISH FORK CITY

EVALUATION #2

CONTRACTOR PERFORMANCE REPORT

Date: _____

Project:	Location:
Contractor:	Project Engineer:

ORGANIZATION AND MANAGEMENT OF WORK

**MAX
VALUE RATE
VALUE**

1	Effectiveness of contractor's general management support to the contract supervision.	5	
2	Effectiveness of on-site supervision of work.	5	
3	Cooperation in negotiation of contract modifications, change orders and disputed claims.	8	
4	Demonstrated interest in controlling construction operations as to achieve the specified level of quality.	7	
5	Cooperation with City personnel responsible for administration of contract requirements and/or inspection of the work.	7	
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COMMENTS:

TOTAL	100	
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Spanish Fork City Representative _____

Title _____

Proof of Publication

J. Lane Henderson being first duly sworn according to law, disposes and says that he is the *Publisher* of *THE SPANISH FORK PRESS*, a weekly newspaper, printed and published at Spanish Fork, Utah County, Utah, and of general circulation, was printed and published in said paper.

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14.28.030 to obtain accreditation.

A contractor who fails to obtain accreditation of seventy-five (75) percent or more

shall be prohibited from bidding on any project until such time that there are not two consecutive scores under seventy points within the last consecutive five year period.

14.28.040 Time Periods.

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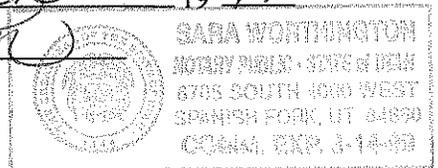
Published in the Spanish Fork Press March 20, 1997.

for One consecutive weeks, the first publication on the 20 day of March 19 97

and the last on the 20 day of March 19 97
Jane Henderson

Subscribed and sworn to before me this 20 day of March 19 97

Sara Worthington
Notary Public



Residing at Spanish Fork, Utah

My Commission expires 3-14-99