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Innovation in Transportation

Improving Contract Management by End Users

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7500 Pan American Freeway NE
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IMPROVING CONTRACT MANAGEMENT BY END USERS

Final Report

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PREFACE

This Report presents findings of the research project entitled Improving Contract Management by End Users conducted by the New Mexico Institute of Mining and Technology for the New Mexico Department of Transportation (NMDOT). The research project supports NMDOT efforts to ensure personnel draft and administer contracts efficiently and thereby improve the use of public funds in managing contract work. The focus here is on the development and administration of non architectural and engineering (non-A&E) professional services contracts. In addition to this Final Report, a Recommendations Handbook, a Training Program and an Implementation Plan have been developed to present recommendations for contract development and management strategies.

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DISCLAIMER

This report presents the results of research conducted by the authors and does not necessarily reflect the views of the New Mexico Department of Transportation. This report does not constitute a standard or specification.

ABSTRACT

Improving Contract Management by End Users focuses on improving the development and administration of New Mexico Department of Transportation (NMDOT) non architectural and engineering (non-A&E) professional services contracts. In supporting these efforts the research team examined a sample of NMDOT contracts and interviewed key personnel involved in contract development and administration. Furthermore the research team surveyed economic principles for improving contract management, as well as administrative practices and procedures applied in other States. This research provided practical insights for assessing the current strengths and weaknesses of the NMDOT contracting process, and a basis for recommending a list of „best practices“ for developing and managing non-A&E professional services contracts. These recommendations are compiled in a supplementary Handbook, which takes a step-by-step approach in guiding project managers and contract administrators in formulating, awarding and monitoring contracts. The Handbook provides flowcharts detailing administrative procedures, required contract documentation, and relevant state and federal procurement statutes and regulations. Ethical considerations are also identified for various stages in the contract administration lifecycle. Based on this work, a training program for Improving Contract Management by End Users was conducted for selected NMDOT contract personnel on March 7, 2012.

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INTRODUCTION

The New Mexico Department of Transportation (NMDOT) recognizes the need to improve quality and consistency in managing contracts. Therefore, the objectives of this report are to (1) examine the NMDOT contracting process, (2) determine aspects that could be improved, and (3) provide recommendations that improve the cost-effectiveness of developing and administering NMDOT contracts. The focus here is on non-architectural and engineering (non-A&E) professional services contracts. To understand the strengths and weaknesses of current NMDOT practices the research team interviewed selected personnel (Task 1) and studied a sample of non-A&E professional service contracts (Task 2). To propose a list of recommended practices the research team surveyed principles in the economics literature and administrative procedures followed in other states (Task 3). Administrative procedures, guidelines and recommendations from these tasks were then compiled in a contract management Handbook (Task 4). This Handbook served as the basis for developing a training program for improving contract management by end users. The research team conducted an initial training session for selected NMDOT personnel on March 7, 2012 (Task 5). Finally, the research team developed an Implementation Plan for the various contract management recommendations and proposed a few measures of their cost-effectiveness (Task 6). This Report describes the work performed in the various tasks listed above.

TASK 1 – INTERVIEW OF KEY DEPARTMENT PERSONNEL

The Contractor shall interview key Department personnel, as identified in consultation with the Technical Panel, to gain a broad understanding of current contracting processes and to conduct a thorough analysis identifying strengths and weaknesses. The Contractor shall initially meet with the Technical Panel for orientation in Department-specific practices before branching out to other Department personnel. The Technical Panel will provide the Contractor guidance during the personnel selection process, and the Technical Panel will assist the Contractor in securing Department personnel participation in the process.

Task 1 of this research project consisted in interviewing key Department personnel identified by the Technical Panel to gain a broad understanding of current contracting processes and to conduct a thorough analysis of the process, identifying strengths and weaknesses. To this end, the New Mexico Institute of Mining and Technology (NMT) research team requested the Technical Panel provide a sample of current and/or recently completed NMDOT contracts as well as a list of NMDOT personnel associated with the contracts to be interviewed. In accordance with the request the Technical Panel provided a set of 19 contracts for review and a list of NMDOT personnel to be interviewed by the research team.

In preparation for the interviews, the research team developed a survey questionnaire which considered the contract being administered, the contracting process followed in the interviewee's Bureau, the role of each individual involved in the development, management, and administration of the contract, and the interviewee's perception of the contract's success or failure. The survey questionnaire was forwarded to all interviewees prior to the meetings, to ease their concerns and assure them that the results of this project would not be used to evaluate their performance within NMDOT.

Interviews were conducted on the following days: October 06, 20, 27, and November 03, and 10, 2010. Each interview started with a member of the NMT research team explaining the goals of the project, the manner in which the interview results would be used, and assuring the interviewee that his or her name would not appear in the response sheets submitted to the NMDOT. Although the interviewers made sure that all items on the list of questions were addressed, the interviews usually took the form of a relaxed and friendly conversation. All interviewees appeared comfortable during the meetings.

While the list of questions used during the interviews is presented below, responses related to each contract are presented in Appendix A. In an attempt to protect the identity of the interviewees, a set of random three-digit numbers was used to refer to the person being interviewed, while another set was used to refer to the contract being discussed.

QUESTIONS USED IN THE INTERVIEW OF NMDOT PERSONNEL

1. What position does the person who wrote the Request for Proposal (RFP) hold?
2. How well did the contract address the issues listed on the RFP? (Scale of 0-5)
3. Was the contract (project) completed? (Yes, No)

4. Was the contract (project) completed on time? Or: do you expect the contract to be completed on time? (Yes, No)
5. Did the contractor provide the services according to the contract? (Yes, No)
6. How well did the contractor meet your expectations? (Scale of 0-5)
7. Was the contract completed without cost overruns? Or, if the contract has not yet been completed, do you expect the contract to be completed without cost overruns? If No, explain unforeseen issues.
8. What proportion of the cost overrun will the government pay?
9. Were amendments made to the original contract? If yes, explain unforeseen issues.
10. Please describe the amendment process.
11. What position does the person who wrote the amendments to the contract hold?
12. Are you satisfied with the amendment process? (Scale of 0-5)
13. Could the amendments have been avoided?
14. Were similar amendments observed in other projects?
15. What position does the person who monitored the contract during the work phase hold?
16. Does the contract specify a procedure to handle substandard performance?
17. Did the contractor renege on commitments made in the original contract? (Yes, No)
18. Is there a dispute resolution process to settle contract ambiguities or performance? (Yes, No)
19. How well did the dispute resolution process work if disagreements arose over contractor performance? (Scale of 0-5)
20. How well are current contracts functioning? (Scale of 0-5)
21. Are there any parts of the contracting process that could be improved?

INTERVIEWER'S GENERAL IMPRESSIONS OF THE RESPONSES OBTAINED

The set of questions used during the interviews was developed to address every stage of the contracting process, from the writing of the RFP to the conclusion of the project and the evaluation of the contractor's performance. A summary of the main findings is presented below, while the researchers' impressions on the responses obtained for each question listed are presented in Appendix B.

The following observations were made after concluding the interview process:

- Most employees are confused about the contracting process, particularly with respect to the forms and documents required for the different types of contract;
- Employees who are currently experienced in the contracting process expressed their frustration with having to learn the process on their own, without formal training or orientation;
- Program management and contract administration duties are often conducted by the same person, usually the person "who knows the most about this type of work". Unfortunately, this person does not always have experience or training in program management and/or contract administration;
- Filing procedures for contract-related documents vary from Bureau to Bureau. In most instances, documents related to each contract are kept by a single individual, usually the person in charge of managing the contract. No procedure is currently in place to assure that: (1) all necessary documents are filed and organized, and (2) all documentation is transferred

to the appropriate personnel should the individual in charge of the contract leave the Bureau or the NMDOT;

- Responsibilities of persons holding the same job title in different Bureaus vary tremendously. These responsibilities are often not clear to the individuals when they initially start working in these positions;
- Bureaus that delegate contract administration duties to a single individual tend to have a better understanding and a more positive view of the contracting process;
- The position held by the person in charge of writing the RFP varies from Bureau to Bureau. It is often delegated to the Bureau/Division Chief or to usually the person “who knows the most about this type of work”;
- Since the scope of work from the RFP is usually copied into the contract, it is imperative that it properly reflects the needs of the Department. In some instances, the scope of work presented in the RFP is slightly modified to incorporate suggestions and/or new ideas presented in the winning proposal;
- Personnel interviewed do not feel that scope creep is a problem;
- Most interviewees are satisfied with the contractors’ performances and mentioned that problems related to poor performance are usually resolved by simply notifying the contractor before an invoice is submitted;
- Amendments are often viewed as unavoidable;
- The amendment process is often considered lengthy, burdensome, and sometimes confusing;
- Most amendments add personnel, grant time extensions or additional compensation. Changes in scope are not common.

FINDINGS

Responses to question 20 (How well are current contracts functioning?) provided insights on how well NMDOT personnel believe current contracts are functioning relative to the RFP process (question 2) and the contract amendment process (question 12). Interviewee responses to questions 2, asking how well the contracts address the issues identified on the RFP showed a relatively strong-positive correlation with how well current contracts are functioning; and question 12, asking whether interviewees are satisfied with the contract amendment process showed a relatively weaker-positive correlation with how well current contracts are functioning. These findings underscore the perceived importance of the RFP and amendment processes in managing successful contract performance.

INTERVIEWEES’ SUGGESTIONS

Suggestions made by the interviewees are presented in the individual interview sheets presented in Appendix A and summarized below:

- Streamlining and simplification of the contracting process;
- Creation of an easy-to follow chart, flowchart, checklist, or handbook describing the contracting process, the required documentation, and signatures;
- Introduction of formal training addressing the following items:

- procedures and documentation required for each type of contract: sole source, competitive proposals, and small purchases;
 - writing of the scope of work;
 - development of performance measures;
 - basic ethics guidelines;
 - contract administration;
 - project management;
 - risk mitigation;
 - clarification on the procurement process.
- Inclusion of at least one contract manager per Division or Bureau. This would not only help project managers better administer their programs, but it would also prevent employees from the Contracting Office from having to explain the process to a person in charge of managing a project;
- The use of electronic signatures, if secure.

TASK 2 – EVALUATION OF A RANDOM SAMPLE OF CONTRACTS

The Contractor shall perform an independent review of sample contracts to determine whether contracts are being properly and consistently monitored and scopes of work, deliverables, and performance measures have been included, and are specific and meaningful. Other parameters such as the number of amendments for additional funding without additional tasks and deliverables shall be measured. The Contractor shall coordinate with the Project Technical Panel to identify specific parameters to be analyzed. The results of this task shall be used to identify the areas in which contracts are problematic, both by problem type and by contract type. Specific recommendations for improvement shall be made. The Contractor shall develop evaluation methods to formulate a baseline standard by which improvement in contract management may be defined and measured.

The objective of this task was for the New Mexico Tech research team to conduct an independent review of a sample of non-A&E contracts. Accordingly the research team requested the Technical Panel provide a sample of contracts for study. Responding to the request the Technical Panel selected 19 professional service contracts (agreements) for review. They included the following six categories: Legal and Financial, Information Technology, Research, Traffic Safety, and Transportation. For confidentiality, the contracts numbers and the names of the contractors are not be provided for public dissemination. The values of these contracts range between \$50,000 and \$2 million. The research team focused on determining the adequacy of the scopes of work, deliverables, budget and performance measures.

To support the task the research team coordinated with the Technical Panel in proposing independent regression analyses of two key parameters governing contract performance: the sensitivity of average contract expenditures to the monthly price-of-services procured, and the sensitivity of average contract expenditures to the contract life. The findings indicate average contract expenditures increases by 8.2 percent given a 10 percent increase in the monthly price of services, and by 7.5 percent given a 10 percent increase in contract life. The regression analyses are described below, followed by an overview of findings concerning the adequacy of the scopes of work, deliverables and budget performance. Items of special concern to NMDOT managers are also identified, and used in developing Recommendations discussed later in this report, the Handbook, the Training Program and the Implementation Plan.

REGRESSION ANALYSES OF CONTRACT DATA

First Regression Analysis

The first regression analysis studied average contract expenditures across the sample of NMDOT contracts listed in Table 1. The analysis assumes NMDOT contracts provide public-good services and that the demand for these services can be represented by a constant-elasticity demand curve:

(1)

Here Q can be viewed as the quantity of contract services demanded per unit of time, P can be viewed as price of services procured under contract, and ϵ denotes the price elasticity of demand for contract service. The constant-elasticity demand curve provides a convenient way of estimating average contract expenditures, as defined by

(2)

The key parameter of interest is the price elasticity of demand, which describes the sensitivity of average contract expenditures to the monthly price of services procured. This parameter is easily estimated using a logarithmic regression model:

$$\ln(Q) = \alpha + \beta \ln(P) + \epsilon \quad (3)$$

The dependent variable is the natural log of contract cost, $\ln(Q)$ and the independent variable is the natural log of the price of contract services, $\ln(P)$. Because the price variable is not directly observable we use the proxy measure monthly contract cost (contract cost divided by contract life). The last term is the stochastic error ϵ which plays a critical role in our interpretation of the regression results.

Table 1 reports the regression results for the sample of NMDOT contracts. The diagnostic statistics indicate the regression model is statistically significant (R-sq. stat.= 0.50; t-stats. = 2.52, 4.13). The beta-parameter (β) indicates the mean value of contract cost increases by 8.2 percent given a 10 percent increase in the monthly price of services. Accordingly, the demand for contracted services is inelastic ($\beta < -1$). The residual terms (in the last column) represent the difference between the actual and predicted contract costs. Note that the residual terms for observations 16 and 18 are significantly positive, indicating actual costs are higher than their predicted values. Conversely, the residual terms for observations 2 and 3 are significantly negative, indicating actual costs are lower than their predicted values.

Second Regression Analysis

The second logarithmic regression model studies the effect of contract life (L) on average contract cost

$$\ln(Q) = \alpha + \beta \ln(L) + \epsilon \quad (4)$$

The dependent variable is the natural log of contract cost, $\ln(Q)$ and the independent variable is the natural log of contract life, $\ln(L)$. The last term represents the stochastic error ϵ which again is used to interpret results.

Table 2 reports the regression results for the second model. The statistical parameters are less significant than in the first model (R-sq. stat.= 0.29; t-stats. = 11.41, 2.64). Nonetheless, the beta-parameter is statistically significant ($\beta < -1$), indicating the mean value of contract cost increases by 7.5 percent given a 10 percent increase in contract life. The estimated residuals for model 2 indicate observations 5, 10, and 12 are significantly lower than their predicted values, while observations 4, 7, 8, and 16 are significantly higher than their predicted values.

TABLE 1 Regression 1 Statistics

<i>R –Square</i>	0.501386			
<i>Observations</i>	19			
	<i>Coefficients</i>	<i>Standard Error</i>	<i>t –Stat.</i>	<i>P-value</i>
A	4.734462	1.881056	2.516917	0.022166
B	0.821439	0.198677	4.134548	0.000693

<i>Contract</i>	<i>actual contract cost (natural log)</i>	<i>Price/month (natural log)</i>	<i>Predicted contract cost (natural log)</i>	<i>Residuals: actual - predicted cost</i>
1 Competitive/legal	12.64423	10.1593209	13.07972	-0.43549
2 Sm. Purchase/legal	10.89848	9.51218419	12.54814	-1.64966
3 Sm. purchase/legal	10.81978	10.1266311	13.05287	-2.23309
4 Sole source/legal	14.06315	10.8850978	13.6759	0.387251
5 Sole source/legal	11.51293	7.92940653	11.24798	0.264944
6 Sole source/legal	12.61154	9.02801882	12.15042	0.461113
7 Competitive/hybrid (IT)	14.50866	11.3306039	14.04186	0.466801
8 Sole source/IT	14.06887	11.0243505	13.79029	0.278585
9 Unknown brief/IT	11.58769	9.102783	12.21184	-0.62415
10 Exempt procurement/research	11.28978	8.29404964	11.54751	-0.25773
11 Exempt procurement/research	11.91749	8.65939363	11.84762	0.069869
12 Exempt procurement/research	11.40756	8.41183268	11.64427	-0.2367
13 Exempt procurement/research	11.91839	9.02801882	12.15042	-0.23203
14 Competitive/traffic safety	12.38814	8.51694316	11.73061	0.657537
15 Competitive/traffic safety	12.42922	8.55801519	11.76435	0.664871
16 Competitive/traffic safety	14.44678	10.5755813	13.42165	1.025131
17 Unknown brief/traffic safety	12.27839	9.10033948	12.20983	0.068562
18 Competitive/traffic safety	13.38222	9.5110235	12.54718	0.835042
19 Unknown brief/Transportation	12.76854	9.18502256	12.27939	0.489148

TABLE 2 Regression 2 Statistics

<i>R- Square</i>	0.290649			
<i>Observations</i>	19			

	<i>Coefficients</i>	<i>Standard Error</i>	<i>t –Stat.</i>	<i>P-value</i>
A	10.19332	0.893122	11.41314	2.16E-09
B	0.74597	0.282647	2.639233	0.017221

<i>Contract</i>	<i>Actual contract cost (in natural log)</i>	<i>Price/month (in natural log)</i>	<i>Predicted contract cost (in natural log)</i>	<i>Residuals: Actual – predicted values</i>
1 Competitive/legal	12.64423	2.484907	12.04699	0.597237
2 Sm. Purchase/legal	10.89848	1.386294	11.22746	-0.32898
3 Sm. purchase/legal	10.81978	0.693147	10.71039	0.109387
4 Sole source/legal	14.06315	3.178054	12.56406	1.499094
5 Sole source/legal	11.51293	3.583519	12.86652	-1.3536
6 Sole source/legal	12.61154	3.583519	12.86652	-0.25499
7 Competitive/hybrid (IT)	14.50866	3.178054	12.56406	1.9446
8 Sole source/IT	14.06887	3.044522	12.46445	1.604425
9 Unknown brief/IT	11.58769	2.484907	12.04699	-0.4593
10 Exempt procurement/research	11.28978	2.995732	12.42805	-1.13827
11 Exempt procurement/research	11.91749	3.258097	12.62377	-0.70628
12 Exempt procurement/research	11.40756	2.995732	12.42805	-1.02049
13 Exempt procurement/research	11.91839	2.890372	12.34946	-0.43107
14 Competitive/traffic safety	12.38814	3.871201	13.08113	-0.69298
15 Competitive/traffic safety	12.42922	3.871201	13.08113	-0.65191
16 Competitive/traffic safety	14.44678	3.871201	13.08113	1.365657
17 Unknown brief/traffic safety	12.27839	3.178054	12.56406	-0.28566
18 Competitive/traffic safety	13.38222	3.871201	13.08113	0.301099
19 Unknown brief/Transportation	12.76854	3.583519	12.86652	-0.09798

OVERVIEW OF CONTRACT SAMPLE

Most contracts received presented specific and detailed scopes of work, lists of deliverables, and performance measures. Some concerns were found in reporting timelines, budgets and milestones. One contract in particular exhibited several serious deficiencies, namely: (1) lack of details in the scope of work, (2) vague performance requirements, (3) absence of milestones, and (4) lack of a detailed budget (only a maximum agreed upon hourly rate was included). Of the nineteen contracts supplied by the Technical Panel, five presented amendments. Justifications were presented in all cases and consisted in the addition of information to the scope of work, corrections to the original contract, inclusion of new budget line items, funds reallocation, time extensions, and increased compensation. Time extensions and increased compensation were seen as essential to the completion of the contract and circumstances leading to the need for these amendments were deemed unforeseeable.

During the interviews, the research team learned that the scope of work of the contracts is usually copied from the RFPs. Since most of the people interviewed were the ones responsible for drafting the scopes of work, they evidently felt that these were appropriate for the projects and met the needs of the NMDOT. In general, contracts appeared to be properly monitored; however, the research team noticed a lack of consistency between procedures followed by different project managers and contract administrators. In some cases, the monitoring process was quite informal and not documented. Responsibilities of contract administration and monitoring were unclear. In most cases, the person who knew the most about the subject of the project was responsible for its monitoring and for managing the contract, regardless of whether this person had experience or training in contract administration and project management.

Since most of the projects were still ongoing at the time of the interviews, success could not yet be determined. Nonetheless, interviewees felt that the contractors were performing satisfactorily and services provided fulfilled the contracts' terms. Although some contracts had amendments to increase compensation, project managers felt satisfied with the justifications provided by the contractors. In some instances, due to the nature of the work being conducted, not enough information was available at the time the contract was drafted to allow for an accurate estimate, explaining the need for amendments. While amendments granting time extensions and additional compensation were the most common, changes in the scope of work were rare.

The general overview of findings associated with the research Task provide insight on several items of concern to NMDOT management staff, such as:

1. absence of one or more of the following
 - a. specific scopes of work;
 - b. clearly defined deliverables;
 - c. quantifiable performance measures;
2. invoices not linked to contract scope or deliverables;
3. payment of invoices when vendor had made inadequate progress; and
4. inconsistent monitoring of contracts.

Recommendations for addressing these items of concern are described later in this Report, and outlined in greater detail in the Handbook, the Training Program, and the Implementation Plan.

TASK 3 – LITERATURE REVIEW AND SURVEY OF CONTRACT MANAGEMENT PRINCIPLES

The Contractor shall perform a complete literature review to determine best practices in contract development/management to include those practices used by other state DOTs. This review shall include a survey of contract management practices and training programs appropriate for government employees. This task shall include obtaining and evaluating best practice standards for entities issuing contracts similar to those let by the Department. This shall involve a survey of published literature on non-A&E, PSA contracts let by state departments of transportation documented in relevant professional journals and texts (contemporary with current relevant contract law, as defined with the assistance of NMDOT General Counsel), and best practice/lessons learned documents published by the entities themselves. The Contractor shall work closely with Technical Panel members to develop questions and identify key individuals from other state DOTs to be interviewed.

The objective of Task 3 was to survey the literature in search of contract development and management best practices. To this end, the New Mexico Tech research team reviewed basic contract principles from the economics literature and visited websites of other state DOTs and other entities that issue contracts similar to the ones let by the NMDOT. Several documents were obtained regarding contract management best practices, lessons learned, and recommendations. Main findings are presented in the following and a summary is presented at the end of this section. These recommendations were carefully considered in the development of the Contract Management Recommendations Handbook as well the Training Program. In addition, the research team reviewed contract management principles concerning competitive bidding and contract design. Recommendations based on these principles were also reviewed in developing the Contract Management Recommendations Handbook and the Training Program.

BASIC ECONOMIC PRINCIPLES

The research team considers two basic contract management principles from the economics literature, which taken together can potentially reduce NMDOT contract inefficiencies: managing adverse selection risk and moral hazard risk. Managing adverse selection risk and moral hazard risk can yield cost-savings through increased competition (for example contract bidding) and specific provisions for cost-control. Adverse selection risk arises when contractors are chosen on a non-competitive basis, which can potentially escalate (initial) project costs. Adverse selection risk can be managed by choosing project contractors through a competitive selection process. The potential savings from contractor competition is illustrated below using principles from a first-price sealed bid auction. Contract inefficiencies can also be reduced by managing moral hazard risk. Moral hazard risk occurs when contracts have no built-in incentives for efficient contractor performance over the life of a project. The potential savings from performance incentives and contractor competition are illustrated by comparing contract costs under cost-plus non-competitive conditions with contract costs under fixed-price competitive conditions. The primary finding from the comparison is the potential for reducing contract costs by approximately 25 percent when contracts are let competitively using a fixed fee negotiation with the winning contractor.

Managing Adverse Selection Risk

Adverse selection risk arises in selecting an inefficient contractor due to a lack of information about the contractor's true costs of performing contract tasks. This problem becomes endemic when projects are awarded on a no-bid basis without the benefit of competition, and can result in pervasive cost overruns (*I*). To manage adverse selection risk the government bureau can rely on the "discipline of the market" to reveal cost-efficient contractors. Following McMillan (2) the policy implications for managing adverse selection risk are described for a first-price sealed-bid auction with *N* rival bidders. We focus on the bidding behavior of the least-cost contractor denoted as firm *i*.

Each bidder submits his bid conditional on his expected project cost. We assume all contract bidders are risk-neutral and submit bids which aim to maximize expected profits from undertaking the project. Rational bidding behavior assumes each contractor conjectures his rivals will apply the following logic in submitting bids: if the project cost is C_j , then a bid will be placed in the amount:

$$K_1 + K_2 \times C_j \quad (4)$$

where K_1 and K_2 are model parameters and constant terms. The winning bidder (firm *i*) submits the lowest bid b_i :

$$b_i < \alpha + \beta \times C_j \quad (5)$$

where α and β are model parameters and constant terms. The project costs of the bidders are assumed to be uniformly distributed $[0,1]$. Accordingly, the probability of firm *i* winning the award is defined by:

$$P = [1 - (b_i - \alpha) / \beta]^{(N-1)} \quad (6)$$

where *N* is the number of contractors bidders for public project. Firm *i*'s expected profit (π_i) is:

$$\pi_i = (b_i - C_i) [1 - (b_i - \alpha) / \beta]^{(N-1)} \quad (7)$$

The profit-maximizing bid of firm *i* is defined by:

$$b_i = [(N-1)/N] \times C_i + 1/N \quad (8)$$

which depends on its project cost (C_i) and the number of bidders competing for the project (*N*). Note how the winning bid decreases with increased bidding competition, the key argument in managing adverse selection risk.

Managing Moral Hazard Risk

Moral hazard risk arises following the award of a contract due to a lack of information about the contractors' effort to perform contract tasks efficiently. To manage moral hazard risk requires

improving contract oversight, e.g. better monitoring of contractor performance, specifying contract terms which limit the burden of cost overruns. Following McMillan (2) the policy implications for managing moral hazard risk are described using a two-stage game between a principal (NMDOT) and an agent (the contractor).

The initial stage has NMDOT choosing between a fixed-price, cost-plus, or cost-sharing contract. The potential payment to the contractor (GPMT) is:

$$GPMT = v(C_{\max} - b_i(N|v)) + b_i(N|v) \quad (9)$$

where v is the contract type: cost-plus ($v=1$), fixed-price ($v=0$), equal sharing of cost-overruns ($v=0.5$), C_{\max} is the maximum possible cost, $b_i(N|v)$ is the least-cost winning bid and $C_{\max} - b_i(N|v)$ is the possible cost overrun. The second stage has the contractor choosing efficiency effort (E_i) in completing the project. The realized cost of the project (C_R) is the difference between the maximum possible cost and efficiency effort, as defined by:

$$C_R = C_{\max} - E_i \quad (10)$$

where E_i is the level of contractor effort to improve efficiency-performance. The contractor considers any costs in promoting efficiency, as defined by $E_i^2/2D$. Accordingly, the contractor's costs (C_i) and profits (π_i) are:

$$C_i = C_R + E_i^2/2D \quad (11)$$

$$\text{and } \pi_i = [v(C_R - b_i(N|v)) + b_i(N|v)] - [C_R + E_i^2/2D] \quad (12)$$

The profit-maximizing effort choice is:

$$E_i^* = D(1-v) \quad (13)$$

where D is the maximum range of realized cost ($C_{\max} - C_{\min}$). The two-stage game model offers straightforward policy implications for managing moral hazard risk. Choosing a cost-plus specification ($v=1$) gives weak incentives for contractor efficiency ($E_i=0$), resulting in Government paying the maximum realized cost, $GPMT = C_{\max}$. Choosing a fixed-price specification ($v=0$) gives strong incentives for contractor efficiency ($E_i=D$), resulting in Government paying the least-cost winning bid for the project, $GPMT = b_i(N|v)$.

Table 3 describes the policy implications of using the first-price sealed bid auction to award fixed-price ($v=0$), cost-plus ($v=1$) and cost-sharing contracts ($v=1/2$). Cost-risk is defined by the maximum range of realized cost ($C_{\max} - C_{\min} = 1 - 0.5 = 0.5$). The realized project costs and winning bid are highest under a cost-plus contract and lowest under a fixed-price contract. Under the fixed-price contract the least-cost winning bid tends to approximate the project's minimum cost. Under the cost-plus contract the least-cost winning bid approximates the maximum project cost. Increased bidding competition could attract more efficient contractors, thus reducing the least-cost winning bid and lowering the Government payment under each contract type. The primary finding from the comparison is the potential for reducing the

government payment from 1 to .75 (a 25 percent reduction), when contracts are let competitively using a fixed-price agreement with the winning contractor.

TABLE 3 Managing Cost-Risks through Contract Auctions

	Contract-Type		
	v=0: fixed-price	v=.5: cost-sharing	v=1: cost-plus
Contractor Efficiency Effort E_i	.50	.25	0
Realized Cost C_R	.50	.75	1
Government Pmt	.75	.94	1
Least-cost bid $b_i(N=2 v)$.75	.88	1

BEST MANAGEMENT PRACTICES

Arizona

The Arizona Department of Transportation (ADOT) developed the “Consultant Construction Administration Manual” (3) to determine the guidelines for coordinating and monitoring contracts funded by the Department. In Arizona, administration and management of consulting contracts is shared between a Project Monitor within the Engineering Consultant Services (ECS) Section and the Consultant Construction Administration (CCA) Department, which is part of the Intermodal Transportation Division (ITD) Operations Construction Group within the ADOT. Flowcharts are used to describe the process used in the selection of a consultant and in the monitoring of the contract, describing not only the sequence of activities, but also each party’s responsibilities. In addition, tables are used to describe key actions required by each activity mentioned in the flowcharts. The procedure for contract modifications is also addressed in this document.

While the main responsibility of the CCA is “to develop and negotiate all outside service construction contracts,” the Project Monitor is responsible for:

- Scheduling the initial meeting with the selected consultant;
- Introducing the consultant to all ADOT Groups;
- Encouraging communication between the consultant and the necessary ADOT sections;
- Coordinating distribution of reports and documents;
- Receiving weekly reports from the consultant;
- Conducting inspections, among others.

Modifications to the contract may be necessary if changes in the scope of work, the duration of the project, or in the cost negotiated occur. Detailed instructions are presented for each case.

California

Chapter 11 of Volume 2 of the State Contracting Manual developed by the California Department of General Services (4) addresses contract administration principles and recommended practices. These are essential to ensure delivery of products and/or services according to contractual requirements. The contract administrator is expected to understand the contracting principles, communicate with the parties involved in the contract, carefully document the process, and maintain control over performance at all times. Good communication is an essential part of contract administration, and a post-award orientation meeting is highly recommended so that all procedures and policies are reviewed and key personnel are identified. Other recommendations include:

- Formal notification that work is to begin;
- Monitoring of work progress to ensure quality, quantity, schedule, and scope of work are in compliance with the contract requirements;
- Formal acceptance of deliverables;
- Monitoring of expenditures and accuracy of invoices;
- Maintaining full and accurate records.

The importance of record keeping is further stressed by the dedication of an entire section to recommended procedures which include the development of:

- an effective and user-friendly filing system;
- a log sheet for the contract activities;
- a spreadsheet to track expenditures;
- a spreadsheet to track activities on time.

Connecticut

The objectives of the Connecticut Department of Transportation (CONNDOT) related to contract administration are presented below (5):

- To standardize documentation;
- To standardize the reporting process;
- To promote collaboration between CONNDOT personnel and contractor;
- To enhance communication;
- To effectively manage changes in real time;
- To reduce claims and litigation.

Measures taken to address these issues include:

- Implementation of a web-based contract management system that centralizes documentation storage and facilitates participants' instantaneous access to the necessary documents;
- Introduction of changes in a slow manner;
- Standardization of templates and reports;
- Conduction of staff training sessions;

- Use of financial incentives and conduction of training sessions to demonstrate benefits of the new system and ensure contractors' commitment;
- Promotion of collaboration;
- Increased accountability.

Georgia

In 2003, the Department of Audits and Accounts of the State of Georgia published the following document: "Best Practices in Government – Components of an Effective Contract Monitoring System" (6) to stress the importance of contract monitoring as well as provide guidance in the subject. It was intended as a guide for agencies evaluating or reviewing their contracting process.

The Department of Administrative Services (DOAS) of the State of Georgia may assist state agencies in the solicitation of bids, selection of vendors and negotiation of contracts. In addition, the DOAS provides guidelines for contract administration, but since Georgia law does not address contract management, state agencies are only required to follow "minimal contract monitoring requirements."

The most commonly encountered problems associated with contract management result from:

- Inadequate criteria for performance evaluation;
- Misunderstanding of contract managers' duty to enforce contract provisions;
- Shift in focus from deliverables to regulations;
- Lack of inspection after corrective actions are taken;
- Lack of risk assessment.

The previously cited document states that effective contract monitoring systems should include the components described below:

- Staff should be trained in contract management techniques. Personnel involved in contract administration should be familiar with:
 - Applicable rules and regulations;
 - Duties and responsibilities of all parties involved;
 - Liability;
 - Standard contract clauses;
- Policies and procedures should be clearly stated in a written document to ensure a consistent process;
- Contingency plans to address common issues that would lead to service interruption should be made;
- Because detailed description and clear communication of expectations and performance measures are essential to the completion of a successful project, scope of work should be carefully drafted to promote consultant's creativity while protecting the agency's interests;
- An administration plan that clearly describes the monitoring process and the individuals (or departments) responsible for each task should be developed;
- An organizational plan should be created to assure that all files necessary to understanding the contract history are efficiently filed;
- Satisfactory performance should be assured before progress payments are made;

- Certain types of contracts may require random visits or inspections of records to compare actual performance to what was scheduled or reported;
- Financial incentives for superior performance and penalties for poor performance often ensure a quality product and should be used when necessary;
- Contract should include clauses ensuring the right to access contractor's records and the right to audit these records;
- Surveys, forums and complaint/compliment forms should be used to evaluate customer satisfaction, no matter who the customer is: the government agency itself, private organizations, or the general public. Results should be used to determine aspects of the contract that were satisfied;
- Dispute resolution procedures should be developed and clearly understood by monitoring officials;
- A checklist of closeout procedures should be developed to prevent overlooking important actions;
- Evaluation of the performance of the consultant's work and of the contract monitoring process should be performed at the end of each contract.

Project complexity, contract amount, risk associated with inadequate performance will dictate which components will be required.

Illinois

The Illinois Department of Transportation (IDOT) produced a comprehensive checklist (7) for use by inspectors administering construction contracts. Although the contract monitoring process does not require administrators to fill out this document, it is very useful and encompasses all IDOT requirements which are thoroughly described in the Standard Specifications, the Construction Manual, and the Policy Memorandums. The series of questions included in this checklist assure that:

- Documentation and permits required in each phase of the contract are obtained at the appropriate time;
- Necessary forms are completed and submitted on time to the pertinent offices;
- Required contract files are created and include all essential documents, reports, and plans;
- Pre-construction conferences are held in an effective manner;
- Personnel requirements are met;
- Essential equipment and supplies are provided;
- Progress is measured and evaluations are conducted as needed.

Where relevant, the checklist refers to the applicable sections of the Standard Specifications or the Construction Manual.

Kansas

The Kansas Department of Transportation (KDOT) prepared two documents that address the procedures related to the award, execution, and administration of contracts by this organization: the Construction Manual (8) and the Standard Specifications for State Road and Bridge Construction (9). These documents describe the following:

- The bidding process, an "A+B Bidding Method" that consists in the work price as well as the number of working days which are multiplied by set daily value stipulated by KDOT;

- The contract award and execution processes;
- The control methods to be used.

Although procedures are included to describe how changes in item quantities or pricing should be handled, no recommendations are provided to improve the administration process or to indicate the best practices in the field of contract management.

The Standard Specifications (9) describe the responsibilities and duties of the State Transportation Engineer as having “final authority over issues concerning:

- Materials” inspection, testing and acceptance;
- Quality of the work performed;
- Payment for the work performed;
- Suspension of work;
- Acceleration of work;
- Sequence of work;
- Work progress;
- Contract interpretation;
- Contractor’s acceptable fulfillment of the contract.”

In addition: “The State Transportation Engineer has the authority over all agency personnel (other than the Secretary of Transportation) and the authority to delegate contract administration and construction matters to agency personnel.”

Duties of the Field Engineer include administration of the contract, in fact, the Field Engineer is said to have “immediate charge of the engineering details of the contract” including the authority to suspend, accelerate or postpone any portion of the work if necessary, and reject and request repair or replacement of unacceptable deliverables (9). Although not listed as best practices, the following conferences are believed to be procedures that assure the success of the projects:

- Project Personnel Conference – semi-formal meeting to inform personnel of work to be conducted and of their functions and responsibilities. Scope of work should be discussed as should procedures regarding unacceptable work, documentation, and regulations.
- Preconstruction Conference – formal meeting to discuss, among other topics, the following: progress work schedule, designation of supervisors, subcontractors, procedures, and quality control.

Louisiana

Chapter 2 of the Louisiana “Department of Transportation and Development (DOTD) Project Delivery Manual” (10) addresses Project Management Principles and was developed to assure that human and financial resources were utilized in an efficient manner. It provides detailed descriptions of project management process as well as its constituents: the project, the project manager, and the project team.

Furthermore, this document describes the most important characteristics of an efficient project management process as flexibility and robustness, allowing adjustment to different types of projects. This process has four main functions whose complexity will vary with the type and size of project in question:

- Project Planning – in this phase, the program manager should become familiar with every part of the project and develop a Project Plan to assure that the objectives are achieved in a satisfactory manner, on time and within budget. For this purpose, a schedule and a budget are developed, along with a detailed timeline showing the target completion dates for each task. The critical path method is usually employed in the development of the schedules to highlight critical activities and float available on all other tasks.
- Team Building – this aspect of the project consists in the selection of personnel (inside and outside of the organization) to be involved in the project. At this stage, the function of each team member should clearly be defined. Since multiple projects are usually conducted simultaneously, the program manager should coordinate the activities of its staff in each project. The project manager should also be familiar with all aspects of the contract, preferably be involved in the negotiation process, and be aware of project progress at all times.
- Directing Function – to ensure that all activities are completed on time and within budget, guidelines clearly defining each participant's responsibilities should be in place, as should performance goals, and a monitoring plan.
- Control Measures – also essential to the success of a project is the development and implementation of a control process that will monitor and evaluate performance throughout the project and allow the project manager to take corrective actions when needed.

Minnesota

In the State of Minnesota, guidelines related to professional and technical contracting were developed by the Department of Administration. However, in 2002, the Office of the Legislative Auditor of the State of Minnesota observed that these guidelines were not always followed by the different state agencies under review at that time: Departments of Administration; Children, Families, and Learning; Human Services; Natural Resources; Revenue; and Transportation (11). In addition, effective management principles were often disregarded by these organizations. The most common types of problems observed are listed below:

- Allowing contractors to begin work before contracts were fully signed;
- Allowing contractors to begin work before funds had been encumbered;
- Improper documentation related to the need for the contracts;
- No apparent consideration of alternatives such as the use of state employees to conduct the work;
- No procedures had been in place for holding contractors accountable;
- Lack of adequate supervising tools;
- Poorly written contracts;
- Lack of measurable performance standards related to work quality and timeliness;
- Absence of clear timetable and deliverables.

Finally, there was no evidence that the Department of Administration performed its role of overseeing the contracting process and ensuring compliance with the guidelines. This was attributed to limited staff, resources, and practical enforcement tools.

The problems observed during the review conducted by the Office of the Legislative Auditor of the State of Minnesota and cited above lead to a review of effective contract management practices and an evaluation of the practices followed by the six agencies mentioned above.

Therefore, Chapter 2 of the “Program Evaluation Report – Professional/Technical Contracting” (II) was dedicated to contract management principles and practices. The following principles were developed based on national public administration literature:

- Assess the need for the contract by:
 - Identifying services required;
 - Determining the reason for these needs;
 - Determining the benefits for the agency and the state;
 - Considering various alternatives while selecting the solution.
- To select the contractor consider the following:
 - Develop objective criteria to evaluate potential contractor’s contribution;
 - Select „best value“ for the state;
 - Ensure that no conflicts of interest exist.
- While writing the contract:
 - Clearly define roles and responsibilities of all parties;
 - Clearly state performance expectations for all parties;
 - Define the tools that will be used for monitoring the contract;
 - Define the tools that will be used to monitor contractor’s performance;
 - Assure satisfactory completion of tasks before payment is made;
 - Spread payment throughout the life of the project;
 - Determine extent of state ownership of final project.
- Before the work begins:
 - Ensure all required signatures have been obtained;
 - Ensure funds availability.
- To monitor the contract:
 - Ensure the presence of a contract manager with the required expertise throughout the life of the project;
 - Conduct periodic progress evaluations to determine whether work should continue;
 - Address all concerns from monitoring reviews, audits, and investigations.
- At the end of the contract:
 - Ensure satisfactory completion of all deliverables before final payment is made;
 - Conduct an evaluation of the contractor and make it available for other state agencies;
 - Ensure that final product is used as intended.

Finally, Vos and colleagues (II) provide the following recommendations for state agencies:

- Ensure that the services are needed;
- Ensure that the work cannot be performed in-house;
- Ensure that the contract being signed is “the most effective and cost-efficient way to obtain a needed service;”
- Ensure that a fair and objective selection process is used to choose a contractor;
- Ensure that the „best value“ for the state is obtained;
- Ensure that the contractor will provide the services at “acceptable quality levels and within the given timeframes;”
- Ensure final product delivered “serves the needs of the agency and the state.”

New York

Contract Administration Guidelines for construction contracts with the New York State Department of Transportation were compiled in the Manual for Uniform Record Keeping (12). According to this document, basic principles of contract administration should include the following:

- Advanced planning;
- Professional relationship among all parties;
- Good communication between the parties involved;
- Inclusion of provisions to address poor performance or lack of compliance with contract requirements;
- Performance monitoring, and when necessary, application of corrective measures adhering to the following guidelines:
 - Levels of action taken should be intensified after each recurring deficiency;
 - Consequences stipulated in the contract should always be enforced to stress the seriousness of the agreement;
 - Corrective measures should be constructive and focus on addressing deficiencies, not aim to punish the contractor;
 - Deficiencies encountered and corrective measures taken, including verbal instructions and recommendations to the contractor, should be fully documented;
 - Contractor's responses (or lack of response) should also be thoroughly documented;
 - Supervising personnel should be kept informed throughout the process to ensure that "actions taken are consistent and appropriate, and will be supported if the contractor objects."

Ohio

The Ohio Department of Transportation (ODOT) published the "Ohio Contract Administration Manual" (13) to provide its employees with a clear description of internal procedures used for administering contractual agreements. It was developed to ensure that:

- Contracts were completed on schedule;
- Quality products were delivered;
- Technical or contractual issues were identified in a timely manner;
- Accurate records were kept;
- ODOT upheld all contractual obligations.

Additionally, this document stressed the importance of maintaining uniformity in contract administration activities for all contracts, and the value of good documenting and filing practices. The roles of contract managers and project managers were presented in detail, along with a description of the following processes: consultant selection, negotiation, contract administration, and procedures to be adopted when contractual obligations are not met.

According to this document, selection of appropriate agreement form is essential to project's success. Although some types of contracts are easier to administer than others, they may be less flexible with respect to modifications such as change in material quantities, or work required. For this reason, the following agreement forms were described along with the conditions in which they should be selected: lump sum, cost plus a net fee, rate of pay, and unit of work.

Furthermore, the Ohio Department of Transportation (13) described the main role of the Project Manager as primary contact with the consultant. To avoid confusion, this person should be in charge of day-to-day communication regarding deliverables, compliance with scope of work, schedules, costs, work quality, revision of invoices, and record keeping. Also described in this document is the responsibility of the Contract Manager: to oversee the consultant selection process and the invoicing process. Although not directly responsible for each contract, the Contract Manager should be involved in contract modifications or in decisions related to breach of contract. It is also interesting to note that most problems encountered were not due to poor practice, but rather to a lack of understanding of ODOT's requirements.

Also vital to successful contract administration is proper filing and record keeping. It is recommended that a "Selection File" be created to document the activities prior to the work authorization. This file should contain documents related to all consultants responding to the invitation to propose. At this point, an "Agreement File" should be created and contain only information related to the Consultant selected. The following documents from the Selection File should be copied to the Agreement File: (1) selected consultant's Letter of Interest, (2) selected consultant's Technical Proposal, (3) Scope of Services, (4) selected consultant's price proposal, (5) negotiation records, (6) copy of the Agreement, authorization letter, Invoice and Project Schedule. A detailed list of documents expected to be filed in the Agreement File should also be provided along with a description of filing guidelines and procedures to be followed.

Effective communication between the parties involved should be assured by the holding of periodic progress review meetings. Modifications to the contract may be needed when a change in scope arises that requires an adjustment in price or when a request for additional services is made and adjustments in the compensation is required. In these cases the ODOT will determine whether additional services are needed to complete the work and that it is in the best interest of the State. If the need for such modification is justified, the Consultant will be required to prepare a new proposal.

South Carolina

Although no document could be obtained from the State of South Carolina specifically addressing the issues of best practices in contract management, a broader document describing 13 Best Management Practices for state agencies was developed by the State who requires each state agency to annually self-assess their use of such practices (14). A list of these practices is presented below:

- Integration of Planning and Budgeting;
- Internal Audit;
- Collaboration and Partnership;
- Outsourcing and Privatization;
- Process Analysis;
- Use of Automation and Technology;
- Energy and Other Resource Conservation and Management;
- Preventive and Deferred Maintenance;
- Alternative Revenue Source;

- External Annual Audit Findings;
- External Review Findings;
- Long Range Capital Plan;
- Risk Management.

South Dakota

According to Sinanian (5), the South Dakota Department of Transportation (SDDOT) overhauled their management system to coordinate planning and scheduling of a very large number of projects, minimize resource bottlenecks, and maximize productivity. Main changes included:

- The use of a new scheduling system able to provide views customized to specific functions and real-time status information and reporting capabilities;
- The adoption of a collaborative approach overseen by administrator;
- The creation of a reusable and customizable template for each new type of project;
- The use of standardized reporting practices for performance evaluation;
- The use of better resource management techniques to enhance productivity;
- Improved communication and collaboration with contractors;
- Maintaining good documentation to show funding agencies that projects well managed, and invested money is being spent sensibly.

Washington

The Washington State Department of Transportation (WSDOT) developed a Project Management Process Responsibility Matrix (15) as well as a Project Management Online Guide (16) to assist in the effective management of contracts and projects. These documents include tools, templates, step-by-step directions, guidelines, and examples for each phase of the project. The main categories of the Process Management Online Guide are as follows:

- Initiation and alignment of the project team, that is, determining project goals, milestones, performance measures, as well as assuring full understanding of the project tasks and of participants' roles and responsibilities;
- Planning of the work, that is, creation of a project management plan that includes deliverables, schedule, and budget plans that address the process to be used to manage changes, assess quality, relay necessary information to team members, as well as the public and the media if necessary;
- Endorsement of the plan, that is, obtain written confirmation of commitment from team members, sponsors, and management;
- Execution of the plan;
- Transition and closure, which includes review and acceptance of the work. At this stage, files should be assembled, organized and stored, and performance reviews should be conducted.

A training program is also available to assist WSDOT employees in the effective application of the WSDOT management process (<http://www.wsdot.wa.gov/Projects/ProjectMgmt/Training.htm>). A Project Management and Reporting System (<http://www.wsdot.wa.gov/Projects/ProjectMgmt/default.htm#PMRS>) was also developed to facilitate the reporting of project status,

“forecasting capabilities, proactive problem resolution, and improved communication.” This system is only available to WSDOT staff.

SUMMARY OF RECOMMENDATIONS

This section presents a practical compilation of the main recommendations obtained from the organizations above.

Arizona Department of Transportation (3)

Coordination and communication are crucial to contract management.

California Department of General Services (4)

Contract administrators should:

- Have a full understanding of contracting principles;
- Ensure good communication between all parties involved;
- Carefully document each portion of the contract;
- Maintain good record keeping practices;
- Control performance at all times;
- Conduct a post-award orientation meeting to review procedures and policies and identify key personnel;
- Formally notify contractor that work is to begin;
- Monitor work progress to ensure quality, quantity, schedule, and scope of work are in compliance with the contract requirements;
- Formally accept deliverables;
- Monitor expenditures and accuracy of invoices.

Connecticut Department of Transportation (5)

- A web-based contract management system that centralizes documentation storage and facilitates participants’ instantaneous access to the necessary documents should be implemented;
- All changes should be introduced in a slow manner;
- Templates and reports should be standardized;
- Staff training sessions should be conducted before changes are implemented;
- When implementing changes or a new system, financial incentives and training sessions for contractors should be used to demonstrate benefits and ensure commitment;
- Collaboration between all parties involved should be encouraged;
- Accountability is essential.

State of Georgia (6)

- Staff should be trained in contract management techniques. Personnel involved in contract administration should be familiar with:
 - Applicable rules and regulations;
 - Duties and responsibilities of all parties involved;
 - Liability;
 - Standard contract clauses;
- Policies and procedures should be clearly stated in a written document to ensure a consistent process;
- Contingency plans to address common issues that would lead to service interruption should be made;
- Because detailed description and clear communication of expectations and performance measures are essential to the completion of a successful project, scope of work should be carefully drafted to promote consultant's creativity while protecting the agency's interests;
- An administration plan that clearly describes the monitoring process and the individuals (or departments) responsible for each task should be developed;
- An organizational plan should be created to assure that all files necessary to understanding the contract history are efficiently filed;
- Satisfactory performance should be assured before progress payments are made;
- Certain types of contracts may require random visits or inspections of records to compare actual performance to what was scheduled or reported;
- Financial incentives for superior performance and penalties for poor performance often ensure a quality product and should be used when necessary;
- Contract should include clauses ensuring the right to access contractor's records and the right to audit these records;
- Surveys, forums and complaint/compliment forms should be used to evaluate customer satisfaction, no matter who the customer is: the government agency itself, private organizations, or the general public. Results should be used to determine aspects of the contract that were satisfied;
- Dispute resolution procedures should be developed and clearly understood by monitoring officials;
- A checklist of closeout procedures should be developed to prevent overlooking important actions;
- Evaluation of the performance of the consultant's work and of the contract monitoring process should be performed at the end of each contract.

Illinois Department of Transportation (7)

The Illinois Department of Transportation recommends the use of a comprehensive checklist that encompasses a summary of all IDOT requirements described in the Standard Specifications, the Construction Manual, and the Policy Memorandums.

Kansas Department of Transportation (8,9)

The Kansas Department of Transportation recommends that the following two conferences be held prior to starting the work:

- Project Personnel Conference – semi-formal meeting to inform personnel of work to be conducted and of their functions and responsibilities. Scope of work should be discussed as should procedures regarding unacceptable work, documentation, and regulations.
- Preconstruction Conference – formal meeting to discuss, among other topics, the following: progress work schedule, designation of supervisors, subcontractors, procedures, quality control.

Louisiana Department of Transportation and Development (10)

- A flexible and robust project management process that is adjustable to different types of projects should be developed;
- The program manager should be familiar with every part of the project and develop a detailed Project Plan;
- The project manager should be familiar with all aspects of the contract, preferably be involved in the negotiation process, and be aware of project progress;
- A control process that will monitor and evaluate performance throughout the project should be developed and implemented.

Minnesota Department of Administration (11)

- The need for the contract should be assessed by:
 - Identifying services required;
 - Determining the reason for these needs;
 - Determining the benefits for the agency and the state;
 - Considering various alternatives while selecting the solution.
- Objective criteria to evaluate potential contractor's contribution should be used in the selection process;
- Selection of the contractor should be based on „best value“ for the state;
- No conflicts of interest can exist during the selection process;
- The following should be clearly stated or defined in the contract:
 - Roles and responsibilities of all parties;
 - Performance expectations of all parties;
- The following should be clearly stated or described in the contract:
 - Tools that will be used for monitoring the contract;
 - Tools that will be used to monitor contractor's performance;
- Ensure satisfactory completion of tasks before payment is made;
- Spread payment throughout the life of the project;
- Determine extent of state ownership of final project;
- Do not initiate project before:
 - All required signatures have been obtained;
 - Funds have been made available;

- A contract manager with the required expertise should be available throughout the life of the project;
- Periodic progress evaluations should be performed to determine whether work should continue;
- Concerns from monitoring reviews, audits, and investigations should be addressed in a timely manner;
- Satisfactory completion of all deliverables should be assured before final payment is made;
- An evaluation of the contractor should be conducted at the end of the contract and made available for other state agencies;
- Final product should be used as intended.

New York Department of Transportation (12)

- Careful planning should be made in advance;
- Relationships between parties should be professional;
- Good communication between the parties involved should be kept at all times;
- Provisions to address poor performance or lack of compliance with contract requirements should be included in the contract;
- Performance should be monitored throughout the life of the project, and when necessary, corrective measures should be applied;
- Corrective measures should adhere to the following guidelines:
 - Levels of action taken should be intensified for recurring deficiencies;
 - Consequences stipulated in the contract should be enforced to stress the seriousness of the agreement;
 - Corrective measures should be constructive and focus on addressing deficiencies, not aim to punish the contractor;
 - Deficiencies encountered and corrective measures taken, including verbal instructions and recommendations to the contractor should be fully documented;
 - Contractor's responses (or lack of response) should also be thoroughly documented;
 - Supervising personnel should be kept informed throughout the process to ensure that "actions taken are consistent and appropriate, and will be supported if the contractor objects."

Ohio Department of Transportation (13)

- Uniform contract administration activities should be used for all contracts;
- It is essential to keep complete and accurate documentation and proper filing practices throughout the project;
- Selection of the best form of agreement for each project will significantly affect its success;
- To avoid confusion and conflicting directions, the Project Manager should be the primary contact with the consultant;
- Clearly defined roles and responsibilities should be provided for the Project Manager and the Contract Manager;
- Proper and full understanding of the ODOT's requirements is essential to avoid problems during the contract;

- Good communication between the Consultant and the ODOT is crucial to the successful and timely completion of a contract;
- Regular meetings should be conducted to assess progress and determine adjustments necessary.

South Dakota Department of Transportation (5)

- Adoption of a scheduling system capable of providing views customizable to each party's specific functions and real-time status information and reporting capabilities;
- Adoption of a collaborative approach overseen by administrator;
- Creation of a reusable and customizable template for each new type of project;
- Use of standardized reporting practices for performance evaluation;
- Use proper resource management techniques to enhance productivity;
- Good communication and collaboration with contractors is essential;
- Good documentation should be kept to show funding agencies that projects are well managed, and money is invested sensibly.

Washington Department of Transportation (16)

The main categories of the Process Management Online Guide are as follows:

- Initiation and alignment of the project team, that is determining project goals, milestones, performance measures, as well as assuring full understanding of the project tasks and of participants' roles and responsibilities;
- Planning of the work, that is, creation of a project management plan that includes deliverables, schedule, and budget plans that address the process to be used to manage changes, assess quality, relay necessary information to team members, as well as the public and the media if necessary;
- Endorsement of the plan, that is, obtain written confirmation of commitment from team members, sponsors, and management;
- Execution of the plan;
- Transition and closure, which includes review and acceptance of the work. At this stage, files should be assembled, organized and stored, and performance reviews should be conducted.

TASK 4 – DEVELOP CONTRACT MANAGEMENT RECOMMENDATIONS HANDBOOK

The Contractor shall incorporate recommendations into a handbook, organized on a chronological basis for a project's life, from the point at which the initial solicitation is developed, through monitoring of the ongoing project, and ending with closure and final evaluation of goals. The handbook shall include recommendations for contract management strategies, contract development techniques, examples of the contract development process, and an analysis of the prospective effectiveness of these recommendations. The Contractor with assistance from the Technical Panel shall collaboratively identify contracts that will be analyzed at various stages of the contracting process, from inception, in progress, and/or completion, to determine the prospective effectiveness of recommendations.

The first two tasks of this research project: interview of NMDOT personnel (Task 1) and evaluation of contract sample (Task 2), allowed the NMT research team to understand the contracting process at the NMDOT, the strengths and weaknesses of this process, as well as the challenges faced by NMDOT employees involved in contract administration and project management. The third task, survey of the literature for best practices and lessons learned in contract management and administration, provided the research team with a large number of recommendations. With this information at hand, the research team carefully developed a Handbook entitled Recommendations Handbook for Professional Services Contracts.

The Handbook follows the chronology for a project's life, from the development of a request for proposals through monitoring the ongoing project and ending with closure and final evaluation of goals. The Handbook aims to assist NMDOT personnel in the development and administration of non architectural and engineering professional services contracts by describing procedures and recommendations for managing these contracts. It includes flowcharts following the chronological basis for a project's life. The Handbook addresses procedures and documentation required during the different stages of the project, i.e. the contract design, the initial solicitation/award, and contract monitoring. The Handbook is a stand-alone document, and therefore not replicated in this report.

To determine the prospective effectiveness of the recommendations provided, pre- and post-training surveys were distributed at the workshop conducted on March 7, 2012 as part of Task 5 described below.

TASK 5 – DEVELOP A TRAINING PROGRAM FOR CONTRACT/PROJECT MANAGERS AND CONDUCT INITIAL TRAINING

The Contractor shall use the results from Tasks 1 - 4 to develop a comprehensive plan for initial certification and periodic refreshment training for contract and project managers. The contract management training/certification program shall focus on federal and state regulations (e.g., contracting, reimbursement policies, and ownership/licensing of products developed) and skills to successfully develop and manage contracts. The Contractor shall provide specific guidance in the areas of contract management, effective technical writing, and development of adequate scopes of work, deliverables, budgets and milestones. The Contractor shall work with the project Technical Panel to customize a program to fit the needs of the Department. The Contractor shall investigate the feasibility of adopting or utilizing training and professional development programs offered by professional organizations. The Contractor shall conduct the first training cycle for selected Department personnel, and in cooperation with the project Technical Panel, develop baseline evaluation criteria by which the effectiveness of initial and subsequent training cycles can be evaluated.

The interviews with NMDOT personnel (conducted as part of Task 1) indicated contract and project managers would appreciate a formal training program addressing a variety of topics in contract and project management. These include guidance in contract management, preparing scopes of work, and administrative procedures for reviewing contract deliverables, budgets and milestones. Other areas in need of attention include federal and state regulations pertaining to reimbursement policies, and ownership/licensing of products developed. To address these needs and encourage participation in the initial training program, the research team consulted with members of the Technical Panel in preparing material to be covered in the first training cycle. Appendix E provides an overview of the initial training cycle. The content of the first training cycle reflects lessons learned from Tasks 1-4. The content, format and administration of the training program were developed in consultation with members of the NMDOT Technical Panel, the support of the NMDOT Research Bureau, and selected NMDOT personnel attending the initial training cycle.

FIRST TRAINING CYCLE

The initial training session prepared by the New Mexico Tech research team was held on March 7, 2012. Since participants had different levels of experience with the contracting process, PowerPoint slides (Appendix E) and brief explanations were used to familiarize inexperienced participants with the different phases of the process. Participants were then asked to take part in small group discussions on the topics. The objective was for participants to discuss problems encountered, share lessons learned and remain engaged throughout the session. Experiences were shared and challenges and problems discussed, along with possible solutions. Groups were also asked to share the main points of their discussion with the entire audience.

To gauge the effectiveness of the initial and subsequent training cycles, the research team consulted with the Technical Panel in the developing baseline evaluation criteria for the training program. The research team then developed a pre- and post-training survey instrument to evaluate the effectiveness of the training program. A comparison of survey responses suggests the initial training was successful in terms of covering the targeted content and materials and therefore provides a foundation for establishing periodic refreshment training for contract management and project managers. A description of the evaluation process is provided below.

EFFECTIVENESS OF PROPOSED TRAINING

To evaluate the effectiveness of the initial training program and determine the prospective effectiveness of the recommendations provided, the research team administered pre- and post-training surveys were distributed at the workshop conducted on March 7, 2012. Among other questions, participants were asked to agree or disagree with the following nine statements that aimed to address their familiarity with the different phases of the contracting process:

1. I am familiar with the NMDOT Request for Proposals (RFP) process
2. I am familiar with the NMDOT contract evaluation process
3. I am familiar with the NMDOT contract negotiation process
4. I am familiar with the NMDOT contract monitoring process
5. I understand the difference in duties of a project manager and a contract administrator
6. I am familiar with the duties of a project manager for a NMDOT project
7. I am familiar with the duties of a contract administrator for a NMDOT project
8. I am familiar with the process used to evaluate and accept deliverables for NMDOT contracts
9. I am familiar with the process used to review invoices for NMDOT contracts

Appendices C and D report the responses to questions on the pre-training survey. It shows that half of the participants had written RFPs for the NMDOT and 17% on a regular basis. Similarly, 56.5% of the participants had evaluated proposals for the NMDOT and 21% on a regular basis. Meanwhile 29% of the participants had negotiated contracts and 9% on a regular basis. Sixty-two percent of the participants had monitored on a regular basis. Sixty-nine percent understood the difference in duties of a project manager and contract administrator, and 73% were familiar with these duties. The majority (92%) was familiar with the process used to review invoices and 62.5% reviewed them regularly. Of particular concern was the fact that although 62.5% of the participants had already received and evaluated deliverables for the NMDOT, only 56.5% claimed to be familiar with the process used to evaluate and accept deliverables. Finally, only 33% of the participants had been trained in the contracting process and while 100% believed that a training program on the contracting process would benefit NMDOT employees, 96% believe that these employees would benefit from the training program developed.

Overall the responses obtained (Figure 1) suggest that the training program was useful since a larger percentage of the participants answered yes to the statements above after the workshop than before the session. This is a good indication that this program will be effective. This belief is supported by specific survey results reported in Appendices C and D. They show that 81% of the participants felt the time allocated to the training program was appropriate, and 95% felt the

time was used efficiently. Responses to open-ended questions indicate that some participants would like certain sections to be covered more extensively using longer training session. Although copies of the Recommendations Handbook were not distributed to the participants, the majority felt that current and new employees would benefit from such documentation. Finally, 96% of the participants felt that current and new employees would benefit from the training program.

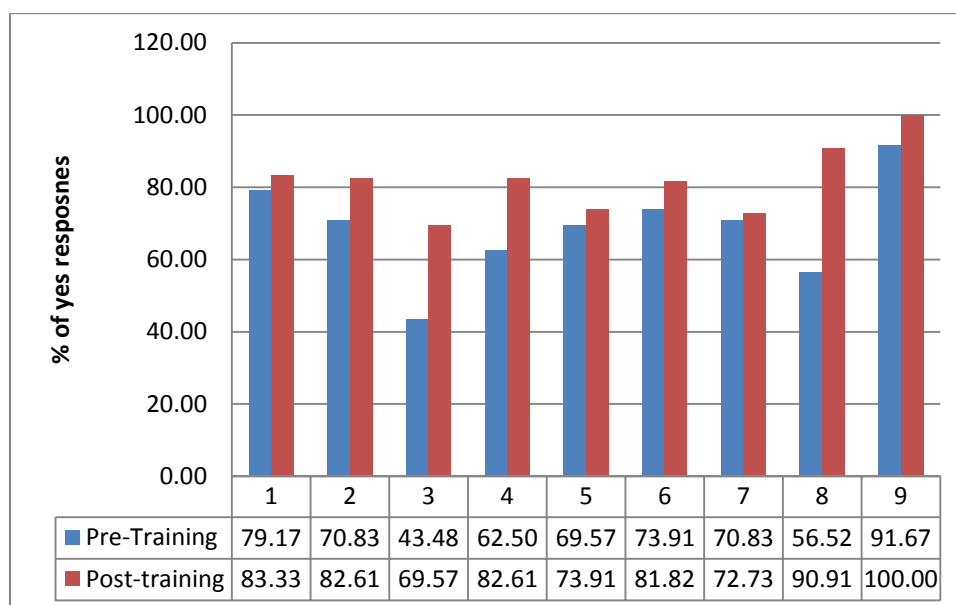


FIGURE 1 Responses to Pre- and Post-Training Survey Questions Related to Participants' Familiarity with the Contracting Process

COMMERCIALLY AVAILABLE CONTRACT MANAGEMENT TRAINING

To complete Task 5 the research team also undertook a preliminary review of adopting or utilizing training and professional development programs offered by professional organizations. In particular the research team considered the use of a training and professional development program offered by the International Association for Contract and Commercial Management (IACCM). The program is composed of 36 learning modules that can be reviewed to meet clients' needs. For an additional fee, the client can also integrate customized material into the existing program in the form of handbooks, guidebooks, PowerPoint presentations, or video presentations. Of particular interest is the customization available to the clients. This is achieved by assessing participants' before training begins and identifying weaknesses to be addressed. The training program can then be tailored to best address the problem areas. Payment of an annual organization's membership fee in IACCM is a requirement, as are the participants' fees. Charges vary according to the number of participants and how much customization is requested.

TASK 6 – DEVELOP AN IMPLEMENTATION PLAN FOR IMPROVED CONTRACT MANAGEMENT TECHNIQUES AND A CONTRACT/PROJECT MANAGEMENT TRAINING PROGRAM

The Contractor shall develop an implementation plan that adequately details the steps necessary to integrate these techniques into Department procedures. The plan shall also include recommendations for incorporating methods and guidelines into current Department policies and a description of how the cost effectiveness of this methodology may be evaluated. The implementation plan shall be a detailed guidebook that provides guidelines for the effective management of each type of non-A&E PSA contract let by the Department. The plan shall present a solid best practices approach, with easy-to-follow checklists for each step of the contracting process providing contract and project managers a clear and consistent path to follow. The guidebook shall contain a section on 'lessons learned', which detail deficiencies in past contract development, execution, management and performance. The training program shall be developed in the form of lecture outlines, presentations, and self-paced study modules with testing commensurate with the goal of evaluating the training program's immediate outcome on personnel knowledge assets. The Contractor shall provide special training to selected Department personnel with the objective that these individuals will take ownership of the contract management guidelines and training program through the development of performance baselines by which outcomes can be evaluated and improvements made. The Contractor shall validate completion of the course, and issue a certificate.

IMPLEMENTATION PLAN FOR IMPROVED CONTRACT MANAGEMENT TECHNIQUES

The purpose of the Implementation Plan (IP) is to set out a „best practices approach“ for implementing the contract management recommendations described in the Contract Management Handbook and preliminary training workshop. In doing so the IP provides a checklist for integrating these recommendations into Department procedures and policies for effective management of non-A&E PSA contracts let by the Department. The IP also describes methods for evaluating the cost effectiveness of these recommendations over the various phases of the contract management process.

Tables 4-8 describe a goal-oriented approach for implementing “lessons learned” from poor contract management practices and procedures. The Tables are presented sequentially as a way of offering a checklist of best practices for avoiding deficient practices and procedures in managing non-A&E PSA contracts let by the Department. These practices have been favorably reviewed by members of the Technical Panel, and relate to the various phases in the contract management process: 1) developing the scope of work & RFP; 2) proposal evaluation & selection; 3) negotiating contract terms; 4) monitoring contract performance; and 5) contract closure. The Tables also indicate Department staff which might implement these procedure/policy recommendations in executing the types of non-A&E PSA contracts let by the Department and the cost effectiveness of doing so.

TABLE 4 Developing RFP/Conducting RFP Process

Goals for step one	Develop and issue RFPs which motivate contractors to offer detailed proposals for Department consideration.
Recommendations for avoiding deficient practices/procedures	Develop RFPs which specify precise terms and conditions. Rely on fixed-price contracts when possible. Open the RFP process to encourage competition for public projects.
Department staff implementing recommended practices/procedures	To be determined by NMDOT
Cost-effectiveness of implementing recommendations	Well-written RFP's avoid administrative costs of revising/reissuing RFPs. Specifying fixed-price contracts avoids cost overruns due to inefficient contractor behavior. Increasing the number of potential contractors may lower project costs by raising the degree of competition.

TABLE 5 Proposal Evaluation & Selection

Goals for step two	Administer a fair/competitive proposal evaluation & selection process.
Recommendations for avoiding deficient practices/procedures	Limit evaluations to proposals submitted on time and conforming to RFP criteria; conduct oral presentations with top proposals for grasp of tasks and goals; scrutinize top proposals to avoid conflicts of interest or procurement code violations.
Department staff implementing recommended practices/procedures	To be determined by NMDOT
Cost-effectiveness of implementing recommendations	A fair and competitive evaluation/selection process avoids lawsuits from potential contractors; avoids administrative costs in duplicating steps one and two; avoids cost overruns from selecting inefficient contractors.

TABLE 6 Contract Negotiation

Goals for step three	Negotiate contract terms to ensure desired tasks and services are conducted successfully, on time and within budget.
Recommendations for avoiding deficient practices/procedures	Review contract draft for consistency with scope of work in RFP; specify fixed-price contract agreements; ensure negotiated fees and payments coincide with schedule of tasks and deliverables;
Department staff implementing recommended practices/procedures	To be determined by NMDOT
Cost-effectiveness of implementing recommendations	Thorough review/specification of contract terms avoids costs of litigation; avoids cost overruns from poor understanding of project tasks; and lowers the costs of monitoring contracts.

TABLE 7 Monitoring – Project Management/Contract Administration

Goals for step four	Enforce contract terms to ensure contractor performs tasks and provides deliverables consistent with tasks and goals outlined in the RFP.
Recommendations for avoiding deficient practices/procedures	Maintain documentation of technical reviews, progress reports and invoice accounting; resolve contract disputes at lowest possible level; follow formal review procedures for amending tasks, deliverables, project personnel, timeline extensions and fees; use purchase documents for payments to the contractor - never making direct payments.
Department staff implementing recommended practices/procedures	To be determined by NMDOT
Cost-effectiveness of implementing recommendations	Effective monitoring of contractor performance avoids cost overruns from inefficient contractor or Department behavior -such as late or incomplete tasks assignments or illegitimate payments for non-allowable expenses.

TABLE 8 Closure – Review and Receipt of Deliverables, Final Payment to Contractor

Goals for step five	Verify work is completed satisfactorily.
Recommendations for avoiding deficient practices/procedures	Conduct a closure meeting to certify that all deliverables have been received and meet the Departments' expectations for the corresponding tasks outlined in the contract; certify that documentation for accounting and invoicing throughout the contract life conform with Department policies.
Department staff implementing recommended practices/procedures	To be determined by NMDOT
Cost-effectiveness of implementing recommendations	Help avoid the acceptance of poor or incomplete work, which would results in a poor value to the public.

The cost effectiveness of implementing contract management recommendations reflect savings from avoiding deficient practices and procedures, which can result in scope creep, schedule delays, cost-overruns and litigation. Poorly written scopes of work & RFP's may result in the need to repeat the RFP process by failing to attract competent contractors to compete for contracts. A biased evaluation & selection process may result in lawsuits from losing contractors, and excess costs from choosing a contractor who fails to provide the best value for the desired services. Deficiencies in negotiating key contract items or monitoring contractor performance may result in cost overruns due to late or incomplete tasks assignments, or inappropriate payments for non-allowable expenses or fee charges.

A description of how the cost effectiveness of the methodology can be evaluated is provided in Table 9. The evaluation assumes the methodology is applied by replacing a hypothetical \$50,000 no-bid cost-plus contract with a fixed-price contract awarded competitively and administered under the recommendations described in Table 4-8. The evaluation assumes the proposed methodology avoids 100 hours of litigation, 100 hours of duplicate (or unnecessary) administrative practices/procedures, and achieves a 25 percent cost reduction through a competitive award process with maximum incentives for cost control (as described in Table 3). Under these assumptions the proposed methodology would reduce contract development and management costs by 40% of the overall contract value; for example, a savings of \$20,000 on a \$50,000 contract.

The lessons learned in performing Task 1-3 indicate key areas where NMDOT personnel can best apply the best practices for improving contract management by end users. These include: 1) developing more specific scopes of work in the RFP process; 2) reviewing that all solicitations for contract amendments conform to Department guidelines in the contract amendment process; 3) periodically reviewing a clearly defined list of deliverables and timelines with the contractor throughout the life of the contract; and 4) reviewing that invoices and payments coincide with the scope of work in the RFP, the completion of deliverables and Department guidelines, and State and Federal procurement codes and regulations

TABLE 9 Sample of Cost-Effectiveness Measures and Potential Savings per \$50,000 Contract

Savings measures	Calculation of cost effectiveness of recommendation	Sample estimate
Cost-savings in administering contracts more efficiently.	\$/hr x number of hours saved avoiding unnecessary or duplicate tasks.	\$25/hr. x 100 hrs. = \$2,500 per contract
Cost-savings in avoiding litigation/lawsuits.	\$/hr x number of hours saved avoiding contract litigation.	\$50/hr. x 100 hrs. = \$5,000 per contract
Cost-savings in competitive award of contract and negotiating strong incentives for cost control (based on findings in Task 3).	25% reduction in overall contract costs by attracting a competitive number of potential contractors and negotiating a fixed-price agreement for underlying tasks.	.25 x \$50,000 = \$12,500 per contract
Per-contract savings from implementing recommendations.	Summation of measures	\$20,000 per contract

CONTRACT PROJECT TRAINING PROGRAM

Improving contract management requires a continued effort to train personnel in the various skills and procedures followed by the Department. The outcome of the initial training program undertaken in Task 5 indicates NMDOT personnel would welcome a recurrent training program, which would help ensure the contract management process is more effective for experienced personnel and less intimidating for new project managers. Task 5 developed a formal training program in the form of a modular presentation of lecture topics. In conjunction with the Handbook developed in Task 4 contract managers and administrators could apply these tools in pursuing self-paced study modules. In completing Task 5 the research team provided special training to selected Department personnel with the stated objective of the scope of work outlined in the present Task: *that these individuals will take ownership of the contract management guidelines and training program through the development of performance baselines by which outcomes can be evaluated and improvements made.*

Preparing and administering a formal training program meeting the goals of NMDOT would require pre- and post-testing of the various training modules presented in the Handbook, and reviewed in the Initial training cycle. The initial training session provided by the research team did not incorporate formal testing procedures to determine the effectiveness of the program of study. Nonetheless, the research team gained insights from the pre- and post-evaluations of workshop participants to suggest the Handbook and modules covered in the initial training cycle provide a foundation for establishing a formal training/certification program.

Several recommendations are offered for the project training program based on responses from the surveys taken during the initial training cycle:

- Training sessions should be scheduled for a full day. A proposed schedule is presented in Table 10;
- Recommendations Handbook should be distributed to participants prior to the workshop;
- To encourage participation of all members of the small groups, these should consist of no more than 5 to 6 members;
- Each group should select a member to take notes during the discussions and report back to the entire audience;
- Facilitator should walk around the room and listen to small portions of each small group discussion to assure that everyone understands the assignment and answer any questions. Facilitator should also look for groups that are showing less enthusiasm towards the assignment and join the discussion, asking questions to motivate participation.

TABLE 10 Proposed Schedule for Subsequent Training Sessions

8:00 AM – 8:30 AM	<ul style="list-style-type: none"> • Introduction of facilitator and participants • Distribution of handouts • Statement of workshop objectives and format • Presentation of the 5 Project Phases • Formation of small groups • 5 to 10 min for participants to join their small groups and introduce themselves
8:30 AM – 9:00 AM	<ul style="list-style-type: none"> • Brief explanation on what constitutes a request for proposal • Brief description of the different parts of a request for proposal with special focus on the scope of work • Short discussion on the shortcomings of the scope of work example given on the Recommendations Handbook • Presentation of the administrative procedures for the development of a request for proposal
9:00 AM – 9:30 AM	Participants break into small groups to discuss: <ul style="list-style-type: none"> ○ Concerns in developing scopes of work ○ Concerns in implementing the RFP process ○ Experiences in developing scopes of work ○ Experiences in issuing an RFP
9:30 AM – 10:00 AM	Small groups are invited to share the main points of their discussion with audience
10:00 AM – 10:15 AM	Break
10:15 AM – 10:40 AM	<ul style="list-style-type: none"> • Brief explanation of the proposal selection process • Presentation of the administrative procedures for proposal evaluation
10:40 AM – 11:20 AM	Participants break into small groups to discuss: <ul style="list-style-type: none"> ○ Concerns in evaluating proposals ○ Experiences in evaluating proposals
11:20 AM – 11:50 AM	Small groups are invited to share the main points of their discussion with audience
11:50 AM – 1:00 PM	Lunch
1:00 PM – 1:20 PM	<ul style="list-style-type: none"> • Brief explanation of the contract negotiation process • Presentation of the administrative procedures for contract negotiation
1:20 PM – 1:50 PM	Participants break into small groups to discuss: <ul style="list-style-type: none"> ○ Concerns in negotiating contracts ○ Experiences in negotiating contracts
1:50 PM – 2:20 PM	Small groups are invited to share the main points of their discussion with audience
2:20 PM – 2:30 PM	Break
2:30 PM – 2:30 PM	<ul style="list-style-type: none"> • Brief explanation of contract monitoring • Presentation of the administrative procedures for contract monitoring • Presentation of the administrative procedures for contract amendments
2:30 PM – 3:00 PM	Participants break into small groups to discuss: <ul style="list-style-type: none"> ○ Concerns in monitoring contracts ○ Experiences in monitoring contracts
3:00 PM – 3:30 PM	Small groups are invited to share the main points of their discussion with audience
3:30 PM – 3:45 PM	Break
3:45 PM – 4:00 PM	<ul style="list-style-type: none"> • Brief explanation of contract closure • Presentation of the administrative procedures for contract closure
4:00 PM – 4:30 PM	Participants break into small groups to discuss: <ul style="list-style-type: none"> ○ Concerns in closing contracts ○ Experiences in closing contracts
4:30 PM – 5:00 PM	Small groups are invited to share the main points of their discussion with audience

TASK 7 – MULTIMEDIA PRESENTATION

The Contractor shall develop a Microsoft PowerPoint® presentation that effectively describes activities and findings of the project. The presentation shall make effective use of photographs, illustrations, video, graphs and other visual aids as appropriate, detailing the work performed during this project. This report shall be of sufficient quality and detail so as to adequately convey project information of interest to the general public via the Research Bureau website. The form and content of this presentation will be subject to approval by the Technical Panel. This presentation will be separate and distinct from other project deliverables. The presentation shall conform to the reporting and format standards set forth in the Manual.

For this task, a multimedia presentation was prepared describing activities and findings of all 6 tasks of the project. Slides are presented in Appendix F.

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APPENDIX A

INDIVIDUAL INTERVIEW SHEETS

Random three-digit numbers were used to refer to the interviewees and the contracts discussed in an attempt to protect the identity of the interviewees.

NMDOT interviewee: 178

NMT interviewers: Claudia Wilson and Barbara Budek-Schmeisser

Contract: 113

1. What position does the person who wrote the RFP hold?
Bureau Chief
2. How well did the contract address the issues listed on the RFP? (Scale of 0-5)
4
3. Was the contract (project) completed? (Yes, No)
Yes
4. Was the contract (project) completed on time? Or: do you expect the contract to be completed on time? (Yes, No)
Yes
5. Did the contractor provide the services according to the contract? (Yes, No)
Yes
6. How well did the contractor meet your expectations? (Scale of 0-5)
5
7. Was the contract completed without cost overruns? Or, if the contract has not yet been completed, do you expect the contract to be completed without cost overruns? If No, explain unforeseen issues.
Yes
8. What proportion of the cost overrun will the government pay?
N/A
9. Were amendments made to the original contract? If yes, explain unforeseen issues.
No
10. Please describe the amendment process.
“Create the amendment agreement proposal changing the scope of work, develop a justification letter, get Director signature, get Division Director signature, get the contractor signature.”
11. What position does the person who wrote the amendments to the contract hold?
Bureau Chief

12. Are you satisfied with the amendment process? (Scale of 0-5)
4, signatures process could be improved
13. Could the amendments have been avoided?
The amendments could not have been avoided since they regarded unforeseen changes in the agreement or funding changes for deliverables.
14. Were similar amendments observed in other projects?
Similar amendments were necessary for numerous projects, such as changes of personnel, changes in scope, and additional funding.
15. What position does the person who monitored the contract during the work phase hold?
Bureau Chief
16. Does the contract specify a procedure to handle substandard performance?
“Yes, there are several ways to handle this, such as redoing the work, repayment of claims if work is substandard and ending the agreement if necessary, all listed in the contract.”
17. Did the contractor renege on commitments made in the original contract? (Yes, No)
No
18. Is there a dispute resolution process to settle contract ambiguities or performance? (Yes, No)
No
19. How well did the dispute resolution process work if disagreements arose over contractor performance? (Scale of 0-5)
5. There was a problem with one of the contracts where reimbursement of some of the funding was necessary due to unsatisfactory completion of a deliverable. Funding was recuperated without dispute.
20. How well are current contracts functioning? (Scale of 0-5)
“4, Director hasn’t been in place for over a year.”
21. Are there any parts of the contracting process that could be improved?
“Better training, improved signature process, improved monitoring instruments.”

NMDOT interviewee: 191

NMT interviewers: Claudia Wilson and Barbara Budek-Schmeisser

Contract: 160

1. What position does the person who wrote the RFP hold?
The Program Manager or Project Manager is responsible for starting and overseeing the RFP process. This person prepares the RFP with the help of other managers in the Division, the Bureau Chief, and “whoever knows the most” about this area.
2. How well did the contract address the issues listed on the RFP? (Scale of 0-5)
Well. The contract in question was an emergency contract and was completed very quickly. When amended to extend duration (and adjust costs), Mr. Marlin Mackey (Cabinet Secretary, Department of Information Technology) requested that the DoIT format be followed and a table describing deliverables, due dates, and respective compensation be included. At that time, more information on the project was available than when the original contract was signed and the required table was developed, tightening the scope of work and specifying deliverables.
3. Was the contract (project) completed? (Yes, No)
Ongoing
4. Was the contract (project) completed on time? Or: do you expect the contract to be completed on time? (Yes, No)
Time and scope were extended for this contract.
5. Did the contractor provide the services according to the contract? (Yes, No)
All terms of the contract were met.
6. How well did the contractor meet your expectations? (Scale of 0-5)
5
7. Was the contract completed without cost overruns? Or, if the contract has not yet been completed, do you expect the contract to be completed without cost overruns? If No, explain unforeseen issues.
Contract amount was increased because of a change in scope.
8. What proportion of the cost overrun will the government pay?
100%
9. Were amendments made to the original contract? If yes, explain unforeseen issues.
Yes. Changes in scope were required and as a result, changes in the contract amount.
10. Please describe the amendment process.
The amendment process is very similar to the contracting process. Although it is usually a lengthy process, when needed it can be completed in a week or two.

11. What position does the person who wrote the amendments to the contract hold?
The same person who drafted the RFP and the contract is responsible for drafting the amendments.
12. Are you satisfied with the amendment process? (Scale of 0-5)
2 or 3. The deliverable-based contracts for professional services agreements are not reasonable.
13. Could the amendments have been avoided?
No. When the contract was drafted, not enough information was available to allow for a more specific scope of work to be developed.
14. Were similar amendments observed in other projects?
Amendments for changes in scope and for granting time extensions were needed in other contracts.
15. What position does the person who monitored the contract during the work phase hold?
A manager. The Program Manager or Project Manager is responsible for the invoices, the contract schedule and budget. The Division Chief oversees the process and checks the invoices.
16. Does the contract specify a procedure to handle substandard performance?
Yes. Retainage is also often used.
17. Did the contractor renege on commitments made in the original contract? (Yes, No)
No
18. Is there a dispute resolution process to settle contract ambiguities or performance? (Yes, No)
No. Contractors are watched carefully.
19. How well did the dispute resolution process work if disagreements arose over contractor performance? (Scale of 0-5)
N/A
20. How well are current contracts functioning? (Scale of 0-5)
4 or 5. The contracts are functioning well, that is why several are being renewed or extended. Although the contracts are functioning well, there are several problems that need to be addressed. For example, deliverable-based contracts do not work for all professional services agreements, especially when a person is hired to fill a vacancy within the Department and deliverables cannot be specified.
21. Are there any parts of the contracting process that could be improved?
The contracting process needs to be streamlined and simplified. All contracts are unique and the currently used deliverable-based format does not work for all types of professional services agreements (PSAs). For example, contracts regarding maintenance of a particular system or filling of a position in an office cannot be drafted in such manner. Since hourly

rates have already been pre-approved by the State (State Price Agreements), it would be more reasonable and more efficient for the NMDOT to purchase a set number of hours of service from the pre-approved contractors using Purchase Orders. Another interesting example is the need for a professional services agreement every time software that comes with “help desk” assistance is purchased.

NMDOT interviewee: 191

NMT interviewers: Claudia Wilson and Barbara Budek-Schmeisser

Contract: 327

1. What position does the person who wrote the RFP hold?
The Program Manager or Project Manager is responsible for starting and overseeing the RFP process. This person prepares the RFP with the help of other managers in the Division, the Bureau Chief, and “whoever knows the most” about this area.
2. How well did the contract address the issues listed on the RFP? (Scale of 0-5)
Well
3. Was the contract (project) completed? (Yes, No)
Ongoing
4. Was the contract (project) completed on time? Or: do you expect the contract to be completed on time? (Yes, No)
Yes
5. Did the contractor provide the services according to the contract? (Yes, No)
All terms of the contract were met.
6. How well did the contractor meet your expectations? (Scale of 0-5)
5
7. Was the contract completed without cost overruns? Or, if the contract has not yet been completed, do you expect the contract to be completed without cost overruns? If No, explain unforeseen issues.
Yes
8. What proportion of the cost overrun will the government pay?
N/A
9. Were amendments made to the original contract? If yes, explain unforeseen issues.
No
10. Please describe the amendment process.
The amendment process is very similar to the contracting process. Although it is usually a lengthy process, when needed it can be completed in a week or two.
11. What position does the person who wrote the amendments to the contract hold?
The same person who drafted the RFP and the contract is responsible for drafting the amendments.
12. Are you satisfied with the amendment process? (Scale of 0-5)
2 or 3. Deliverable-based contracts for professional services agreements are not reasonable.

13. Could the amendments have been avoided?

N/A

14. Were similar amendments observed in other projects?

N/A

15. What position does the person who monitored the contract during the work phase hold?

A manager. The Program Manager or Project Manager is responsible for the invoices, the contract schedule and budget. The Division Chief oversees the process and checks the invoices.

16. Does the contract specify a procedure to handle substandard performance?

Yes. Retainage is also often used.

17. Did the contractor renege on commitments made in the original contract? (Yes, No)

No

18. Is there a dispute resolution process to settle contract ambiguities or performance? (Yes, No)

No. Contractors are watched carefully.

19. How well did the dispute resolution process work if disagreements arose over contractor performance? (Scale of 0-5)

N/A

20. How well are current contracts functioning? (Scale of 0-5)

4 or 5. The contracts are functioning well, that is why several are being renewed or extended. Although the contracts are functioning well, there are several problems that need to be addressed. For example, deliverable-based contracts do not work for all professional services agreements, especially when a person is hired to fill a vacancy within the Department and deliverables cannot be specified.

21. Are there any parts of the contracting process that could be improved?

The contracting process needs to be streamlined and simplified. All contracts are unique and the currently used deliverable-based format does not work for all types of professional services agreements (PSAs). For example, contracts regarding maintenance of a particular system or filling of a position in an office cannot be drafted in such manner. Since hourly rates have already been pre-approved by the State (State Price Agreements), it would be more reasonable and more efficient for the NMDOT to purchase a set number of hours of service from the pre-approved contractors using Purchase Orders. Another interesting example is the need for a professional services agreement every time software that comes with "help desk" assistance is purchased.

NMDOT interviewee: 191

NMT interviewers: Claudia Wilson and Barbara Budek-Schmeisser

Contract: 750

1. What position does the person who wrote the RFP hold?
The Program Manager or Project Manager is responsible for starting and overseeing the RFP process. This person prepares the RFP with the help of other managers in the Division, the Bureau Chief, and “whoever knows the most” about this area.
2. How well did the contract address the issues listed on the RFP? (Scale of 0-5)
Well, this is why it is being renewed.
3. Was the contract (project) completed? (Yes, No)
Ongoing (in the process of being renewed).
4. Was the contract (project) completed on time? Or: do you expect the contract to be completed on time? (Yes, No)
Time and scope were extended for this contract.
5. Did the contractor provide the services according to the contract? (Yes, No)
All terms of the contract were met.
6. How well did the contractor meet your expectations? (Scale of 0-5)
5
7. Was the contract completed without cost overruns? Or, if the contract has not yet been completed, do you expect the contract to be completed without cost overruns? If No, explain unforeseen issues.
Services of the contractor were required for a longer period of time; therefore, contract amount had to be increased.
8. What proportion of the cost overrun will the government pay?
100%
9. Were amendments made to the original contract? If yes, explain unforeseen issues.
Yes. Two amendments were made to the contract. The first one extended the scope of work (with no additional compensation to the contractor) and added one person to the contractor’s personnel list. The second amendment extended the scope of work, provided additional compensation to the contractor, and extended the completion date. A new amendment is currently being drafted to reduce the rate.
10. Please describe the amendment process.
The amendment process is very similar to the contracting process. Although it is usually a lengthy process, when needed it can be completed in a week or two.

11. What position does the person who wrote the amendments to the contract hold?
The same person who drafted the RFP and the contract is responsible for drafting the amendments.
12. Are you satisfied with the amendment process? (Scale of 0-5)
2 or 3. The deliverable-based contracts for professional services agreements are not reasonable.
13. Could the amendments have been avoided?
No. The amendment was required because the services of the contractor were required for a longer period of time.
14. Were similar amendments observed in other projects?
Other contracts have been amended because the services of the contractor were required for a longer period of time.
15. What position does the person who monitored the contract during the work phase hold?
A manager. The Program Manager or Project Manager is responsible for the invoices, the contract schedule and budget. The Division Chief oversees the process and checks the invoices.
16. Does the contract specify a procedure to handle substandard performance?
Yes. Retainage is also often used.
17. Did the contractor renege on commitments made in the original contract? (Yes, No)
No
18. Is there a dispute resolution process to settle contract ambiguities or performance? (Yes, No)
No. Contractors are watched carefully.
19. How well did the dispute resolution process work if disagreements arose over contractor performance? (Scale of 0-5)
N/A
20. How well are current contracts functioning? (Scale of 0-5)
4 or 5. The contracts are functioning well, that is why several are being renewed or extended. Although the contracts are functioning well, there are several problems that need to be addressed. For example, deliverable-based contracts do not work for all professional services agreements, especially when a person is hired to fill a vacancy within the Department and deliverables cannot be specified.
21. Are there any parts of the contracting process that could be improved?
The contracting process needs to be streamlined and simplified. All contracts are unique and the currently used deliverable-based format does not work for all types of professional services agreements (PSAs). For example, contracts regarding maintenance of a particular system or filling of a position in an office cannot be drafted in such manner. Since hourly

rates have already been pre-approved by the State (State Price Agreements), it would be more reasonable and more efficient for the NMDOT to purchase a set number of hours of service from the pre-approved contractors using Purchase Orders. Another interesting example is the need for a professional services agreement every time software that comes with “help desk” assistance is purchased.

NMDOT interviewee: 205

NMT interviewers: Claudia Wilson and Barbara Budek-Schmeisser

Contract: 457

1. What position does the person who wrote the RFP hold?
Program Manager. The person who will oversee the contract drafts the scope of work, usually, a program manager, an analyst or planner.
2. How well did the contract address the issues listed on the RFP? (Scale of 0-5)
5
3. Was the contract (project) completed? (Yes, No)
Ongoing
4. Was the contract (project) completed on time? Or: do you expect the contract to be completed on time? (Yes, No)
Contract is expected to be completed on time.
5. Did the contractor provide the services according to the contract? (Yes, No)
Yes
6. How well did the contractor meet your expectations? (Scale of 0-5)
5
7. Was the contract completed without cost overruns? Or, if the contract has not yet been completed, do you expect the contract to be completed without cost overruns? If No, explain unforeseen issues.
No cost overrun is expected
8. What proportion of the cost overrun will the government pay?
N/A
9. Were amendments made to the original contract? If yes, explain unforeseen issues.
No
10. Please describe the amendment process.
Amendments are as burdensome as the contracting process itself. The program manager (or the person overseeing the contract) usually initiates the amendment process. If the vendor is requesting the amendment, a written request is required from the vendor. If the NMDOT is requesting the amendment, a written request will be sent to the vendor. The process is very similar to the initiation of a new contract and requires as many signatures as the original contract. Some amendments have been completed in only a few days by physically walking the paperwork from office to office and waiting for the appropriate signatures. This is only done in case of “emergencies”, but it can happen quite often.

11. What position does the person who wrote the amendments to the contract hold?
The person overseeing the contract (usually the same person that drafted the scope of work for the RFP and the contract itself).
12. Are you satisfied with the amendment process? (Scale of 0-5)
2
13. Could the amendments have been avoided?
Yes, with better planning several amendments could be avoided. However, because most projects need to start immediately, there is not always enough time to plan accordingly. Contracts are often drafted quickly to be sent out as soon as possible, especially because the contracting process is lengthy. Sometimes it is easier to sign the contract as is and start an amendment as soon as the project begins instead of making changes to the contract before it is signed and waiting for it to go through all the different sectors again which would delay the start of the work.
14. Were similar amendments observed in other projects?
Although there were no amendments to this particular contract, amendments requesting time extensions are very common.
15. What position does the person who monitored the contract during the work phase hold?
Program Manager
16. Does the contract specify a procedure to handle substandard performance?
Yes
17. Did the contractor renege on commitments made in the original contract? (Yes, No)
No
18. Is there a dispute resolution process to settle contract ambiguities or performance? (Yes, No)
No
19. How well did the dispute resolution process work if disagreements arose over contractor performance? (Scale of 0-5)
N/A. But on other contracts where a dispute resolution was necessary: 5
20. How well are current contracts functioning? (Scale of 0-5)
4.5 to 5
21. Are there any parts of the contracting process that could be improved?
Obtaining all required signatures can be a very lengthy process. Before the signatures on the actual contract are obtained, another set of signatures is required within the Division to assure that the contract is approved by the required personnel, making this process even lengthier. Everything is done manually, using a unique hard copy of the contract. Electronic files are not used to avoid confusion with which version of the contract is the latest and which version is being approved. It would be very useful to develop a process that would

allow different people to simultaneously evaluate the contract so that signatures could be obtained concurrently.

It would also be useful to have a Contract Manager in each Division. Since a large number of contracts are drafted each year in this Division, it is often difficult for the project managers to keep track of all the paperwork involved in the contracting process, especially finding the time to walk the paperwork through for the RFP, advertize the work, set up an Evaluation Committee to select the vendor, and once this process is completed, start walking the paperwork for the contract through, wait for the signatures for the contract itself or for amendments that are needed, send reminders to the appropriate personnel regarding the urgency of the contract or the amendments, etc. It is also cumbersome for the Contracting Office to explain the process to each program manager as they come to their office with a request. Although a Contract Manager was available in this Division in the past, this is no longer the case. A database and a tracking system for each contract were kept by the Contract Manager, allowing for an easy transition should a project manager leave the Division or change positions. It also ensured that all appropriate paperwork was filed in a timely manner. At this time, each program manager is responsible for the documentation of their projects and should they change positions or leave the Division or the NMDOT, there is no guarantee that all the emails related to the project would be printed and filed or all the required documents would be transferred to the person taking over the contract.

Because several contracts are drafted in the beginning of the fiscal year and it often takes several weeks for the contract to be signed, the work cannot start until a month or more into the fiscal year. It would be very useful to either develop a much faster contracting process or a system where the contract would be retroactive and the work could start before the last signature on the contract is obtained. There might be precedents for retroactive contracts.

Clarification on the procurement process is also desired, especially related to the State Use Act and the Right of First Refusal.

NMDOT interviewee: 205

NMT interviewers: Claudia Wilson and Barbara Budek-Schmeisser

Contract: 738

1. What position does the person who wrote the RFP hold?
Program Manager. The person who will oversee the contract drafts the scope of work, usually, a program manager, an analyst or planner.
2. How well did the contract address the issues listed on the RFP? (Scale of 0-5)
5
3. Was the contract (project) completed? (Yes, No)
Ongoing
4. Was the contract (project) completed on time? Or: do you expect the contract to be completed on time? (Yes, No)
Contract is expected to be completed on time.
5. Did the contractor provide the services according to the contract? (Yes, No)
Yes
6. How well did the contractor meet your expectations? (Scale of 0-5)
5
7. Was the contract completed without cost overruns? Or, if the contract has not yet been completed, do you expect the contract to be completed without cost overruns? If No, explain unforeseen issues.
No cost overrun is expected
8. What proportion of the cost overrun will the government pay?
N/A
9. Were amendments made to the original contract? If yes, explain unforeseen issues.
No
10. Please describe the amendment process.
Amendments are as burdensome as the contracting process itself. The program manager (or the person overseeing the contract) usually initiates the amendment process. If the vendor is requesting the amendment, a written request is required from the vendor. If the NMDOT is requesting the amendment, a written request will be sent to the vendor. The process is very similar to the initiation of a new contract and requires as many signatures as the original contract. Some amendments have been completed in only a few days by physically walking the paperwork from office to office and waiting for the appropriate signatures. This is only done in case of “emergencies”, but it can happen quite often.

11. What position does the person who wrote the amendments to the contract hold?
The person overseeing the contract (usually the same person that drafted the scope of work for the RFP and the contract itself).
12. Are you satisfied with the amendment process? (Scale of 0-5)
2
13. Could the amendments have been avoided?
Yes, with better planning several amendments could be avoided. However, because most projects need to start immediately, there is not always enough time to plan accordingly. Contracts are often drafted quickly to be sent out as soon as possible, especially because the contracting process is lengthy. Sometimes it is easier to sign the contract as is and start an amendment as soon as the project begins instead of making changes to the contract before it is signed and waiting for it to go through all the different sectors again which would delay the start of the work.
14. Were similar amendments observed in other projects?
Although there were no amendments to this particular contract, amendments requesting time extensions are very common.
15. What position does the person who monitored the contract during the work phase hold?
Program Manager
16. Does the contract specify a procedure to handle substandard performance?
Yes
17. Did the contractor renege on commitments made in the original contract? (Yes, No)
No
18. Is there a dispute resolution process to settle contract ambiguities or performance? (Yes, No)
No
19. How well did the dispute resolution process work if disagreements arose over contractor performance? (Scale of 0-5)
N/A. But on other contracts where a dispute resolution was necessary: 5
20. How well are current contracts functioning? (Scale of 0-5)
4.5 to 5
21. Are there any parts of the contracting process that could be improved?
Obtaining all required signatures can be a very lengthy process. Before the signatures on the actual contract are obtained, another set of signatures is required within the Division to assure that the contract is approved by the required personnel, making this process even lengthier. Everything is done manually, using a unique hard copy of the contract. Electronic files are not used to avoid confusion with which version of the contract is the latest and which version is being approved. It would be very useful to develop a process that would

allow different people to simultaneously evaluate the contract so that signatures could be obtained concurrently.

It would also be useful to have a Contract Manager in each Division. Since a large number of contracts are drafted each year in this Division, it is often difficult for the project managers to keep track of all the paperwork involved in the contracting process, especially finding the time to walk the paperwork through for the RFP, advertize the work, set up an Evaluation Committee to select the vendor, and once this process is completed, start walking the paperwork for the contract through, wait for the signatures for the contract itself or for amendments that are needed, send reminders to the appropriate personnel regarding the urgency of the contract or the amendments, etc. It is also cumbersome for the Contracting Office to explain the process to each program manager as they come to their office with a request. Although a Contract Manager was available in this Division in the past, this is no longer the case. A database and a tracking system for each contract were kept by the Contract Manager, allowing for an easy transition should a project manager leave the Division or change positions. It also ensured that all appropriate paperwork was filed in a timely manner. At this time, each program manager is responsible for the documentation of their projects and should they change positions or leave the Division or the NMDOT, there is no guarantee that all the emails related to the project would be printed and filed or all the required documents would be transferred to the person taking over the contract.

Because several contracts are drafted in the beginning of the fiscal year and it often takes several weeks for the contract to be signed, the work cannot start until a month or more into the fiscal year. It would be very useful to either develop a much faster contracting process or a system where the contract would be retroactive and the work could start before the last signature on the contract is obtained. There might be precedents for retroactive contracts.

Clarification on the procurement process is also desired, especially related to the State Use Act and the Right of First Refusal.

NMDOT interviewee: 248

NMT interviewers: Claudia Wilson and Barbara Budek-Schmeisser

Contract: 638

1. What position does the person who wrote the RFP hold?
Mid-level management and above with input from design and technical personnel on the scope of work. Boiler plates are available for state and federal contracts.
2. How well did the contract address the issues listed on the RFP? (Scale of 0-5)
5. Scope of work on contract is the same as that on the RFP.
3. Was the contract (project) completed? (Yes, No)
Ongoing (10 year contract is now wrapping up).
4. Was the contract (project) completed on time? Or: do you expect the contract to be completed on time? (Yes, No)
Yes. An Administrator monitors time and money and provides monthly reports to Division Chief.
5. Did the contractor provide the services according to the contract? (Yes, No)
Yes. If services are not provided as requested, the contractor is fired immediately. Contractors understand that they are ranked based on past performance and that they will not be considered for future contracts if their performance is not satisfactory.
6. How well did the contractor meet your expectations? (Scale of 0-5)
5 (based on performance)
7. Was the contract completed without cost overruns? Or, if the contract has not yet been completed, do you expect the contract to be completed without cost overruns? If No, explain unforeseen issues.
Yes. However, cost overruns are not uncommon; they just need to be carefully justified at each instance.
8. What proportion of the cost overrun will the government pay?
100%
9. Were amendments made to the original contract? If yes, explain unforeseen issues.
No
10. Please describe the amendment process.
The amendment process is very similar to the contracting process itself. It includes several "checks and balances" that may be time consuming, but are essential to protect the Agency. The process is not straightforward since it was developed based on past "sins," but it is definitely necessary. If the paperwork required for the amendment is dropped in the mail, it may take a month or more to be completed, however, when needed, the paperwork can be "walked through" and completed in a couple of weeks.

11. What position does the person who wrote the amendments to the contract hold?
The person who administers the contract is responsible for drafting the amendments.
12. Are you satisfied with the amendment process? (Scale of 0-5)
4 or 5. The process is working well and it is auditable. The redundancies are necessary and assure that there is not only one person in charge.
13. Could the amendments have been avoided?
Usually the amendments could not have been avoided.
14. Were similar amendments observed in other projects?
Time extensions and requests for additional funds are common, changes in the scope of work are very rare.
15. What position does the person who monitored the contract during the work phase hold?
The Division Chief is ultimately responsible. The project managers report to him.
16. Does the contract specify a procedure to handle substandard performance?
Yes. Contractors not performing to specifications can be fired immediately. A new contractor can be brought to the project very quickly. Because contractors and vendors understand that future contracts depend on their current performance, substandard performance is not common. In fact, several contractors will pay unannounced visits to the Division Chief on a regular basis to assure that he is satisfied with their work.
17. Did the contractor renege on commitments made in the original contract? (Yes, No)
No
18. Is there a dispute resolution process to settle contract ambiguities or performance? (Yes, No)
No
19. How well did the dispute resolution process work if disagreements arose over contractor performance? (Scale of 0-5)
N/A
20. How well are current contracts functioning? (Scale of 0-5)
5. At this time, contracts are functioning very well.
21. Are there any parts of the contracting process that could be improved?
The process seems well established and the redundancy present is necessary. Electronic signatures, if secure, could help speed up the process.

NMDOT interviewee: 336

NMT interviewer: Claudia Wilson

Contract: 332

1. What position does the person who wrote the RFP hold?
The scope of work of the ITP is written by a panel responsible for overseeing the progress of the project with the help of the Program Manager. These individuals are also responsible for evaluating the proposals, selecting the best one, and following the project, assuring the scope of work is met.
2. How well did the contract address the issues listed on the RFP? (Scale of 0-5)
The scope of work from the selected proposal is used to draft the contract. A negotiation meeting involving the contractor, the Panel responsible for overseeing the work, the Program Manager, and the Contract Administrator is held, where details of the scope of work are negotiated and necessary changes made. After the meeting, all changes are incorporated, drafts of the contract are sent back to all parties and the contract is only signed once written acceptance is received from all parties.
3. Was the contract (project) completed? (Yes, No)
Ongoing. This contract is expected to be completed on November 30, 2010, but an amendment is currently being considered to extend this project to Phase II because all parties feel that additional issues need to be addressed.
4. Was the contract (project) completed on time? Or: do you expect the contract to be completed on time? (Yes, No)
Yes. Quarterly meetings are held so that the Program Manager and the panel responsible for overseeing the project can assure that the project is kept on track.
5. Did the contractor provide the services according to the contract? (Yes, No)
Yes. Although the Program Manager and the Overseeing Panel are the ones responsible for the technical aspects of the project, assuring that the scope of work is being met, the Contract Administrator receives the invoices, checks whether the values on the invoices match the accounting worksheets and the receipts provided by the contractor. The Contract Administrator also checks whether all expenses incurred are allowable expenses and when satisfied, the package is sent to the Program Manager who is responsible for checking whether the expenses claimed match the work conducted during that quarter (with the help of the Quarterly Report). If the Program Manager is satisfied, the package is sent to the Bureau Chief. A cover sheet is used to route the invoices. This sheet includes a checklist of items the Contract Administrator is responsible for (whether invoice matches accounting worksheet, whether worksheet matches receipts, whether the numbers are correct), and a place for this person's signature. It also includes a checklist of items the Program Manager is responsible for (whether invoices matches effort incurred during the Quarter, whether Deliverables have been received) and a place for this person's signature. Finally, there is a place for the Bureau Chief's signature, agreeing that the invoice should be paid.

If the Contract Administrator or the Program Manager are not satisfied with the invoice or if there are items that have not been clearly explained, an email is sent to the contractor and the invoice is not be paid until such issue has been resolved.

6. How well did the contractor meet your expectations? (Scale of 0-5)
N/A. This would be a question for the Program Manager or the Overseeing Panel who are responsible for the Scope of Work. But as far as interviewee 336 knows, the expectations are being met. The status of each project is thoroughly discussed at the Quarterly Meetings. If the contractor continues to ignore the requests of the Program Manager or the Panel, the contract is terminated. This is very rare, but has occurred in at least one occasion.
7. Was the contract completed without cost overruns? Or, if the contract has not yet been completed, do you expect the contract to be completed without cost overruns? If No, explain unforeseen issues.
There were no cost overruns, but a Phase II of this project will be starting shortly.
8. What proportion of the cost overrun will the government pay?
N/A. But in contracts where additional funds were requested, approval was needed from the Program Manager and the Overseeing Panel. At that point, the Bureau's budget was evaluated and if funds were available they could be provided (100% of the costs would be covered by the Agency).
9. Were amendments made to the original contract? If yes, explain unforeseen issues.
Yes. There was an amendment to reallocate funds between line items (mainly salaries and travel).
10. Please describe the amendment process.
Once the amendment is requested by the contractor or the Overseeing Panel and Program Manager, the agreement is drafted and signatures are obtained within the Bureau, following the Chain of Command. It is then sent to the Office of General Counsel (2 weeks), from there it goes to the Contractor (2 weeks), and then to Marlene's Office (2 weeks) where the signature of the Cabinet Secretary is obtained, finally, it is sent to the Taxation and Revenue Department.
11. What position does the person who wrote the amendments to the contract hold?
The Overseeing Panel and the Program Manager are responsible for filling out the paperwork for the amendments.
12. Are you satisfied with the amendment process? (Scale of 0-5)
3. This process could be sped up.
13. Could the amendments have been avoided?
Yes, especially with respect to the budget. It is common for Contractors not to include all line items on the contract, requiring the issues of amendments to create such line items. When money just needs to be moved from one line item to another already existing line item, if the total is less than 10% of the total budget, no amendment is required.

14. Were similar amendments observed in other projects?
Yes.
15. What position does the person who monitored the contract during the work phase hold?
Program Manager and the Contract Administrator with the help of the Overseeing Panel are responsible for monitoring the contract.
16. Does the contract specify a procedure to handle substandard performance?
Yes. The Quarterly Meetings were created to avoid problems with substandard performance.
17. Did the contractor renege on commitments made in the original contract? (Yes, No)
Not in this contract. But it does happen, in some instances deliverables are not provided on time and Program Managers have to repeatedly contact the Contractor on this respect.
18. Is there a dispute resolution process to settle contract ambiguities or performance? (Yes, No)
Yes. The Negotiation Meeting was created to avoid contract ambiguities and to assure that both parties understand all portions of the contract.
19. How well did the dispute resolution process work if disagreements arose over contractor performance? (Scale of 0-5)
N/A.
20. How well are current contracts functioning? (Scale of 0-5)
4.9
21. Are there any parts of the contracting process that could be improved?
The process could be faster.

NMDOT interviewee: 336

NMT interviewer: Claudia Wilson

Contract: 643

1. What position does the person who wrote the RFP hold?
The scope of work of the ITP is written by a panel responsible for overseeing the progress of the project with the help of the Program Manager. These individuals are also responsible for evaluating the proposals, selecting the best one, and following the project, assuring the scope of work is met.
2. How well did the contract address the issues listed on the RFP? (Scale of 0-5)
The scope of work from the selected proposal is used to draft the contract. A negotiation meeting involving the contractor, the Panel responsible for overseeing the work, the Program Manager, and the Contract Administrator is held, where details of the scope of work are negotiated and necessary changes made. After the meeting, all changes are incorporated, drafts of the contract are sent back to all parties and the contract is only signed once written acceptance is received from all parties.
3. Was the contract (project) completed? (Yes, No)
Ongoing
4. Was the contract (project) completed on time? Or: do you expect the contract to be completed on time? (Yes, No)
Yes. The quarterly meetings are held so that the Program Manager and the panel responsible for overseeing the project can assure that the project is kept on track.
5. Did the contractor provide the services according to the contract? (Yes, No)
Yes. Although the Program Manager and the Overseeing Panel are the ones responsible for the technical aspects of the project, assuring that the scope of work is being met, the Contract Administrator receives the invoices, checks whether the values on the invoices match the accounting worksheets and the receipts provided by the contractor. The Contract Administrator also checks whether all expenses incurred are allowable expenses and when satisfied, the package is sent to the Program Manager who is responsible for checking whether the expenses claimed match the work conducted during that quarter (with the help of the Quarterly Report). If the Program Manager is satisfied, the package is sent to the Bureau Chief. A cover sheet is used to route the invoices. This sheet includes a checklist of items the Contract Administrator is responsible for (whether invoice matches accounting worksheet, whether worksheet matches receipts, whether the numbers are correct), and a place for this person's signature. It also includes a checklist of items the Program Manager is responsible for (whether invoices matches effort incurred during the Quarter, whether Deliverables have been received) and a place for this person's signature. Finally, there is a place for the Bureau Chief's signature, agreeing that the invoice should be paid.

If the Contract Administrator or the Program Manager are not satisfied with the invoice or if there are items that have not been clearly explained, an email is sent to the contractor and the invoice is not be paid until such issue has been resolved.

6. How well did the contractor meet your expectations? (Scale of 0-5)
N/A. This would be a question for the Program Manager or the Overseeing Panel who are responsible for the Scope of Work. But as far as interviewee 336 knows, the expectations are being met. The status of each project is thoroughly discussed at the Quarterly Meetings. If the contractor continues to ignore the requests of the Program Manager or the Panel, the contract is terminated. This is very rare, but has occurred in at least one occasion.
7. Was the contract completed without cost overruns? Or, if the contract has not yet been completed, do you expect the contract to be completed without cost overruns? If No, explain unforeseen issues.
No cost overruns are expected.
8. What proportion of the cost overrun will the government pay?
N/A. But in contracts where additional funds were requested, approval was needed from the Program Manager and the Overseeing Panel. At that point, the Bureau's budget was evaluated and if funds were available they could be provided (100% of the costs would be covered by the Agency).
9. Were amendments made to the original contract? If yes, explain unforeseen issues.
No
10. Please describe the amendment process.
Once the amendment is requested by the contractor or the Overseeing Panel and Program Manager, the agreement is drafted and signatures are obtained within the Bureau, following the Chain of Command. It is then sent to the Office of General Counsel (2 weeks), from there it goes to the Contractor (2 weeks), and then to Marlene's Office (2 weeks) where the signature of the Cabinet Secretary is obtained, finally, it is sent to the Taxation and Revenue Department.
11. What position does the person who wrote the amendments to the contract hold?
The Overseeing Panel and the Program Manager are responsible for filling out the paperwork for the amendments.
12. Are you satisfied with the amendment process? (Scale of 0-5)
3. This process could be sped up.
13. Could the amendments have been avoided?
Yes, especially with respect to the budget. It is common for Contractors not to include all line items on the contract, requiring the issues of amendments to create such line items. When money just needs to be moved from one line item to another already existing line item, if the total is less than 10% of the total budget, no amendment is required.
14. Were similar amendments observed in other projects?
Yes

15. What position does the person who monitored the contract during the work phase hold?
Program Manager and the Contract Administrator with the help of the Overseeing Panel are responsible for monitoring the contract.
16. Does the contract specify a procedure to handle substandard performance?
Yes. The Quarterly Meetings were created to avoid problems with substandard performance.
17. Did the contractor renege on commitments made in the original contract? (Yes, No)
Not in this contract. But it does happen, in some instances deliverables are not provided on time and Program Managers have to repeatedly contact the Contractor on this respect.
18. Is there a dispute resolution process to settle contract ambiguities or performance? (Yes, No)
Yes. The Negotiation Meeting was created to avoid contract ambiguities and to assure that both parties understand all portions of the contract.
19. How well did the dispute resolution process work if disagreements arose over contractor performance? (Scale of 0-5)
N/A
20. How well are current contracts functioning? (Scale of 0-5)
4.9
21. Are there any parts of the contracting process that could be improved?
The process could be faster.

NMDOT interviewee: 336

NMT interviewer: Claudia Wilson

Contract: 849

1. What position does the person who wrote the RFP hold?
The scope of work of the ITP is written by a panel responsible for overseeing the progress of the project with the help of the Program Manager. These individuals are also responsible for evaluating the proposals, selecting the best one, and following the project, assuring the scope of work is met.
2. How well did the contract address the issues listed on the RFP? (Scale of 0-5)
The scope of work from the selected proposal is used to draft the contract. A negotiation meeting involving the contractor, the Panel responsible for overseeing the work, the Program Manager, and the Contract Administrator is held, where details of the scope of work are negotiated and necessary changes made. After the meeting, all changes are incorporated, drafts of the contract are sent back to all parties and the contract is only signed once written acceptance is received from all parties.
3. Was the contract (project) completed? (Yes, No)
Ongoing
4. Was the contract (project) completed on time? Or: do you expect the contract to be completed on time? (Yes, No)
Yes. Quarterly meetings are held so that the Program Manager and the panel responsible for overseeing the project can assure that the project is kept on track.
5. Did the contractor provide the services according to the contract? (Yes, No)
Yes. Although the Program Manager and the Overseeing Panel are the ones responsible for the technical aspects of the project, assuring that the scope of work is being met, the Contract Administrator receives the invoices, checks whether the values on the invoices match the accounting worksheets and the receipts provided by the contractor. The Contract Administrator also checks whether all expenses incurred are allowable expenses and when satisfied, the package is sent to the Program Manager who is responsible for checking whether the expenses claimed match the work conducted during that quarter (with the help of the Quarterly Report). If the Program Manager is satisfied, the package is sent to the Bureau Chief. A cover sheet is used to route the invoices. This sheet includes a checklist of items the Contract Administrator is responsible for (whether invoice matches accounting worksheet, whether worksheet matches receipts, whether the numbers are correct), and a place for this person's signature. It also includes a checklist of items the Program Manager is responsible for (whether invoices matches effort incurred during the Quarter, whether Deliverables have been received) and a place for this person's signature. Finally, there is a place for the Bureau Chief's signature, agreeing that the invoice should be paid.

If the Contract Administrator or the Program Manager are not satisfied with the invoice or if there are items that have not been clearly explained, an email is sent to the contractor and the invoice is not be paid until such issue has been resolved.

6. How well did the contractor meet your expectations? (Scale of 0-5)
N/A. This would be a question for the Program Manager or the Overseeing Panel who are responsible for the Scope of Work. But as far as interviewee 336 knows, the expectations are being met. The status of each project is thoroughly discussed at the Quarterly Meetings. If the contractor continues to ignore the requests of the Program Manager or the Panel, the contract is terminated. This is very rare, but has occurred in at least one occasion.
7. Was the contract completed without cost overruns? Or, if the contract has not yet been completed, do you expect the contract to be completed without cost overruns? If No, explain unforeseen issues.
No cost overruns are expected.
8. What proportion of the cost overrun will the government pay?
N/A. But in contracts where additional funds were requested, approval was needed from the Program Manager and the Overseeing Panel. At that point, the Bureau's budget was evaluated and if funds were available they could be provided (100% of the costs would be covered by the Agency).
9. Were amendments made to the original contract? If yes, explain unforeseen issues.
No
10. Please describe the amendment process.
Once the amendment is requested by the contractor or the Overseeing Panel and Program Manager, the agreement is drafted and signatures are obtained within the Bureau, following the Chain of Command. It is then sent to the Office of General Counsel (2 weeks), from there it goes to the Contractor (2 weeks), and then to Marlene's Office (2 weeks) where the signature of the Cabinet Secretary is obtained, finally, it is sent to the Taxation and Revenue Department.
11. What position does the person who wrote the amendments to the contract hold?
The Overseeing Panel and the Program Manager are responsible for filling out the paperwork for the amendments.
12. Are you satisfied with the amendment process? (Scale of 0-5)
3. This process could be sped up.
13. Could the amendments have been avoided?
Yes, especially with respect to the budget. It is common for Contractors not to include all line items on the contract, requiring the issues of amendments to create such line items. When money just needs to be moved from one line item to another already existing line item, if the total is less than 10% of the total budget, no amendment is required.
14. Were similar amendments observed in other projects?
Yes

15. What position does the person who monitored the contract during the work phase hold?
Program Manager and the Contract Administrator with the help of the Overseeing Panel are responsible for monitoring the contract.
16. Does the contract specify a procedure to handle substandard performance?
Yes. The Quarterly Meetings were created to avoid problems with substandard performance.
17. Did the contractor renege on commitments made in the original contract? (Yes, No)
Not in this contract. But it does happen, in some instances deliverables are not provided on time and Program Managers have to repeatedly contact the Contractor on this respect.
18. Is there a dispute resolution process to settle contract ambiguities or performance? (Yes, No)
Yes. The Negotiation Meeting was created to avoid contract ambiguities and to assure that both parties understand all portions of the contract.
19. How well did the dispute resolution process work if disagreements arose over contractor performance? (Scale of 0-5)
N/A
20. How well are current contracts functioning? (Scale of 0-5)
4.9
21. Are there any parts of the contracting process that could be improved?
The process could be faster.

NMDOT interviewee: 336

NMT interviewer: Claudia Wilson

Contract: 937

1. What position does the person who wrote the RFP hold?
The scope of work of the ITP is written by a panel responsible for overseeing the progress of the project with the help of the Program Manager. These individuals are also responsible for evaluating the proposals, selecting the best one, and following the project, assuring the scope of work is met.
2. How well did the contract address the issues listed on the RFP? (Scale of 0-5)
The scope of work from the selected proposal is used to draft the contract. A negotiation meeting involving the contractor, the Panel responsible for overseeing the work, the Program Manager, and the Contract Administrator is held, where details of the scope of work are negotiated and necessary changes made. After the meeting, all changes are incorporated, drafts of the contract are sent back to all parties and the contract is only signed once written acceptance is received from all parties.
3. Was the contract (project) completed? (Yes, No)
Ongoing
4. Was the contract (project) completed on time? Or: do you expect the contract to be completed on time? (Yes, No)
Yes. Quarterly meetings are held so that the Program Manager and the panel responsible for overseeing the project can assure that the project is kept on track.
5. Did the contractor provide the services according to the contract? (Yes, No)
Yes. Although the Program Manager and the Overseeing Panel are the ones responsible for the technical aspects of the project, assuring that the scope of work is being met, the Contract Administrator receives the invoices, checks whether the values on the invoices match the accounting worksheets and the receipts provided by the contractor. The Contract Administrator also checks whether all expenses incurred are allowable expenses and when satisfied, the package is sent to the Program Manager who is responsible for checking whether the expenses claimed match the work conducted during that quarter (with the help of the Quarterly Report). If the Program Manager is satisfied, the package is sent to the Bureau Chief. A cover sheet is used to route the invoices. This sheet includes a checklist of items the Contract Administrator is responsible for (whether invoice matches accounting worksheet, whether worksheet matches receipts, whether the numbers are correct), and a place for this person's signature. It also includes a checklist of items the Program Manager is responsible for (whether invoices matches effort incurred during the Quarter, whether Deliverables have been received) and a place for this person's signature. Finally, there is a place for the Bureau Chief's signature, agreeing that the invoice should be paid.

If the Contract Administrator or the Program Manager are not satisfied with the invoice or if there are items that have not been clearly explained, an email is sent to the contractor and the invoice is not be paid until such issue has been resolved.

6. How well did the contractor meet your expectations? (Scale of 0-5)
N/A. This would be a question for the Program Manager or the Overseeing Panel who are responsible for the Scope of Work. But as far as interviewee 336 knows, the expectations are being met. The status of each project is thoroughly discussed at the Quarterly Meetings. If the contractor continues to ignore the requests of the Program Manager or the Panel, the contract is terminated. This is very rare, but has occurred in at least one occasion.
7. Was the contract completed without cost overruns? Or, if the contract has not yet been completed, do you expect the contract to be completed without cost overruns? If No, explain unforeseen issues.
No cost overruns are expected.
8. What proportion of the cost overrun will the government pay?
N/A. But in contracts where additional funds were requested, approval was needed from the Program Manager and the Overseeing Panel. At that point, the Bureau's budget was evaluated and if funds were available they could be provided (100% of the costs would be covered by the Agency).
9. Were amendments made to the original contract? If yes, explain unforeseen issues.
No
10. Please describe the amendment process.
Once the amendment is requested by the contractor or the Overseeing Panel and Program Manager, the agreement is drafted and signatures are obtained within the Bureau, following the Chain of Command. It is then sent to the Office of General Counsel (2 weeks), from there it goes to the Contractor (2 weeks), and then to Marlene's Office (2 weeks) where the signature of the Cabinet Secretary is obtained, finally, it is sent to the Taxation and Revenue Department.
11. What position does the person who wrote the amendments to the contract hold?
The Overseeing Panel and the Program Manager are responsible for filling out the paperwork for the amendments.
12. Are you satisfied with the amendment process? (Scale of 0-5)
3. This process could be sped up.
13. Could the amendments have been avoided?
Yes, especially with respect to the budget. It is common for Contractors not to include all line items on the contract, requiring the issues of amendments to create such line items. When money just needs to be moved from one line item to another already existing line item, if the total is less than 10% of the total budget, no amendment is required.
14. Were similar amendments observed in other projects?
Yes

15. What position does the person who monitored the contract during the work phase hold?
Program Manager and the Contract Administrator with the help of the Technical Panel are responsible for monitoring the contract.
16. Does the contract specify a procedure to handle substandard performance?
Yes. The Quarterly Meetings were created to avoid problems with substandard performance.
17. Did the contractor renege on commitments made in the original contract? (Yes, No)
Not in this contract. But it does happen, in some instances deliverables are not provided on time and Program Managers have to repeatedly contact the Contractor on this respect.
18. Is there a dispute resolution process to settle contract ambiguities or performance? (Yes, No)
Yes. The Negotiation Meeting was created to avoid contract ambiguities and to assure that both parties understand all portions of the contract.
19. How well did the dispute resolution process work if disagreements arose over contractor performance? (Scale of 0-5)
N/A
20. How well are current contracts functioning? (Scale of 0-5)
4.9
21. Are there any parts of the contracting process that could be improved?
The process could be faster.

NMDOT interviewee: 685

NMT interviewers: Claudia Wilson and Barbara Budek-Schmeisser

Contract: 956

1. What position does the person who wrote the RFP hold?
A Planner/Project Manager was responsible for drafting the scope of work for the RFP. That person was also part of the Evaluation Team responsible for selecting the contractor.
2. How well did the contract address the issues listed on the RFP? (Scale of 0-5)
5. The scope of work from the RFP was used on the contract. The Legal Division assisted with several portions of the contract. The contractor proposed changes to the scope of work, some of which were accepted while others were not.
3. Was the contract (project) completed? (Yes, No)
Ongoing
4. Was the contract (project) completed on time? Or: do you expect the contract to be completed on time? (Yes, No)
The contract is expected to be completed on time and maybe even earlier than the anticipated termination date. However, the new State Administration may require changes to the contract.
5. Did the contractor provide the services according to the contract? (Yes, No)
Yes. The first deliverable is expected in the month of November, but good communication has been maintained (bi-weekly conference calls) and the Planner/Project Manager is confident that the contractor is performing according to contract.
6. How well did the contractor meet your expectations? (Scale of 0-5)
4
7. Was the contract completed without cost overruns? Or, if the contract has not yet been completed, do you expect the contract to be completed without cost overruns? If No, explain unforeseen issues.
The contract is expected to be completed without cost overruns. At the request of the contractor, this contract was signed as a Fixed Price contract; NMDOT had initially proposed a Unit Price contract. Unless the new State Administration decides to change the scope of work, no cost overruns are expected.
8. What proportion of the cost overrun will the government pay?
N/A
9. Were amendments made to the original contract? If yes, explain unforeseen issues.
No
10. Please describe the amendment process.
N/A

11. What position does the person who wrote the amendments to the contract hold?
N/A
12. Are you satisfied with the amendment process? (Scale of 0-5)
N/A
13. Could the amendments have been avoided?
N/A
14. Were similar amendments observed in other projects?
This is the first contract the interviewee has worked on.
15. What position does the person who monitored the contract during the work phase hold?
The Planner/Project Manager is responsible for monitoring the contract.
16. Does the contract specify a procedure to handle substandard performance?
Yes
17. Did the contractor renege on commitments made in the original contract? (Yes, No)
No
18. Is there a dispute resolution process to settle contract ambiguities or performance? (Yes, No)
No
19. How well did the dispute resolution process work if disagreements arose over contractor performance? (Scale of 0-5)
N/A
20. How well are current contracts functioning? (Scale of 0-5)
5. The checklist provided for the drafting of the RFP was very useful.
21. Are there any parts of the contracting process that could be improved?
Although a checklist was provided for the drafting of the RFP, no similar document was available for the drafting of the contract. A checklist describing the contracting process would be very useful. It should include the name of personnel responsible for each section of the contract, a list of the documents required, the forms to be filed, the signatures to be obtained, and the estimated time for each step of the process. Such checklist should be periodically reviewed and updated as needed.

NMDOT interviewee: 694

NMT interviewers: Claudia Wilson and Barbara Budek-Schmeisser

Contract: 789

1. What position does the person who wrote the RFP hold?
No RFP was drafted for this particular contract. This was a Sole Source contract. When an RFP is required, Division personnel will draft the scope of work. Each individual in the Division drafts the section related to his/her area of expertise and more than one firm may be selected since no firm has the expertise to fulfill all needs of the NMDOT.
2. How well did the contract address the issues listed on the RFP? (Scale of 0-5)
N/A. When an RFP is needed, someone in the Contracting Office will be in charge of drafting the contract. The scope of work on the contract will follow that presented on the RFP.
3. Was the contract (project) completed? (Yes, No)
Ongoing
4. Was the contract (project) completed on time? Or: do you expect the contract to be completed on time? (Yes, No)
Contract is expected to be completed on time. However, it is very difficult to estimate the duration and the expenses related to these types of contracts. Unforeseen conditions often arise leading to substantial increase in duration and costs.
5. Did the contractor provide the services according to the contract? (Yes, No)
Yes
6. How well did the contractor meet your expectations? (Scale of 0-5)
5
7. Was the contract completed without cost overruns? Or, if the contract has not yet been completed, do you expect the contract to be completed without cost overruns? If No, explain unforeseen issues.
These contracts are usually overestimated, but as mentioned previously, it is very difficult to estimate costs associated with them. Amendments may be required to increase time or money required.
8. What proportion of the cost overrun will the government pay?
N/A
9. Were amendments made to the original contract? If yes, explain unforeseen issues.
No
10. Please describe the amendment process.
Amendments are initiated by the Administrator in the Division. If a change in the scope of work is required, the NMDOT employee with expertise in the field in question will be

required to modify the existing scope of work or develop a new scope of work. The Administrator will then obtain all required signatures and submit the paperwork to the Contracting office.

11. What position does the person who wrote the amendments to the contract hold?

Administrator with support from the persons overseeing the work.

12. Are you satisfied with the amendment process? (Scale of 0-5)

5

13. Could the amendments have been avoided?

N/A

14. Were similar amendments observed in other projects?

Although there were no amendments to this particular contract, the most common types of amendments in this Division are due to unexpected complications or oversights, such as: forgetting to include in the budget everyone in the contractor's team. Changes in the scope of work are rare.

15. What position does the person who monitored the contract during the work phase hold?

The Administrator is responsible for receiving the invoices, sending them to the NMDOT personnel with experience in the area, receiving this person's approval, and paying the invoices. The Administrator is also responsible for the accounting related to the contract and informing the person overseeing the project when contracts are running low on money or are close to their termination date.

"On-call" contracts are now being tested in the Division. They are very similar to "job-order" contracts, but in this case, contractors are contracted to perform a series of services, as needed. "Task orders", the equivalent to "work orders", are created each time services are needed. NMDOT personnel are required to develop the scope of work for each task order and provide an estimate for the work to be conducted. A template is provided to assist in the development of the task order. It is completed by the Administrator in this Division with the assistance of the person(s) overseeing the work.

16. Does the contract specify a procedure to handle substandard performance?

Yes

17. Did the contractor renege on commitments made in the original contract? (Yes, No)

No

18. Is there a dispute resolution process to settle contract ambiguities or performance? (Yes, No)

No

19. How well did the dispute resolution process work if disagreements arose over contractor performance? (Scale of 0-5)

N/A

20. How well are current contracts functioning? (Scale of 0-5)

5

21. Are there any parts of the contracting process that could be improved?

Training would be very useful. Currently a single person is responsible for administering contracts within this particular Division. This person's position title is "Administrator." However, not all Divisions have a contract administrator, resulting in a large number of employees, holding different positions and with no training in the contracting process, being required to either draft an RFP, work on different portions of a contract, obtain the necessary signatures, draft an amendment, receive invoices, etc. In addition, when an employee is promoted or leaves the Department, no training is provided for the person who will substitute such employee. As one Administrator mentioned, this person's duties are very different and much more comprehensive than those of previous employees holding such position and those of colleagues holding the same position in different Divisions. The reason for this person's involvement in the contracting process was due to personal observation of the needs of the Division and personal initiative to respond accordingly. Since the processes for the different types of contract (small purchases, competitive proposal, sole source, etc) differ significantly and no training was provided, the learning process was long and challenging. This employee recommends that training be provided and includes the detailed description of the processes to be followed for each type of contract (which signatures and documents to obtain in each case, as well as what to do when a contract needs to be drafted and signed immediately.)

NMDOT interviewee: 837

NMT interviewers: Claudia Wilson and Barbara Budek-Schmeisser

Contract: 348

1. What position does the person who wrote the RFP hold?
The Division Chief was responsible for preparing the RFP. Templates were used to facilitate the work.
2. How well did the contract address the issues listed on the RFP? (Scale of 0-5)
5. The scope of work was copied from the RFP and pasted into the contract.
3. Was the contract (project) completed? (Yes, No)
Ongoing
4. Was the contract (project) completed on time? Or: do you expect the contract to be completed on time? (Yes, No)
The contract is expected to be completed on time.
5. Did the contractor provide the services according to the contract? (Yes, No)
Yes
6. How well did the contractor meet your expectations? (Scale of 0-5)
5
7. Was the contract completed without cost overruns? Or, if the contract has not yet been completed, do you expect the contract to be completed without cost overruns? If No, explain unforeseen issues.
The contract is expected to be completed without cost overruns.
8. What proportion of the cost overrun will the government pay?
N/A
9. Were amendments made to the original contract? If yes, explain unforeseen issues.
Yes, one amendment to correct a small error on the original contract.
10. Please describe the amendment process.
The use of templates facilitates the amendment process, but it can take anywhere from 2 weeks to 2 months. However, amendments are not common in this Division.
11. What position does the person who wrote the amendments to the contract hold?
The Division Chief (often with the help of a manager) is usually responsible for the amendments.
12. Are you satisfied with the amendment process? (Scale of 0-5)
4, it may be lengthy.

13. Could the amendments have been avoided?
Yes, it was an oversight, but very minor error.
14. Were similar amendments observed in other projects?
No
15. What position does the person who monitored the contract during the work phase hold?
The Project Manager receives the invoices, evaluates the hours and accepts the invoices. The “Finance person” pays the bill. The Project Manager and the “Finance person” sign the invoices.
16. Does the contract specify a procedure to handle substandard performance?
Yes
17. Did the contractor renege on commitments made in the original contract? (Yes, No)
No
18. Is there a dispute resolution process to settle contract ambiguities or performance? (Yes, No)
No
19. How well did the dispute resolution process work if disagreements arose over contractor performance? (Scale of 0-5)
N/A
20. How well are current contracts functioning? (Scale of 0-5)
5
21. Are there any parts of the contracting process that could be improved?
Once familiar with the contracting process, it is easy to follow and implement. However, no training was provided, making it challenging to execute the first contracts. A short and practical handbook on the contracting process is highly recommended. It could include flowcharts explaining the different types of contracts and the processes associated with each of them.

Although it seems like a good idea to have a contract manager in the Division, this person’s salary would need to be justified (there might not be enough work for this person full time throughout the year).

NMDOT interviewee: 870

NMT interviewers: Claudia Wilson and Barbara Budek-Schmeisser

Contract: 392

1. What position does the person who wrote the RFP hold?
There was no RFP. This was considered a “small purchase” of < \$50,0000.
2. How well did the contract address the issues listed on the RFP? (Scale of 0-5)
N/A
3. Was the contract (project) completed? (Yes, No)
Yes
4. Was the contract (project) completed on time? Or: do you expect the contract to be completed on time? (Yes, No)
Yes. Deadlines were clearly stated and met by the contractor.
5. Did the contractor provide the services according to the contract? (Yes, No)
Yes
6. How well did the contractor meet your expectations? (Scale of 0-5)
5
7. Was the contract completed without cost overruns? Or, if the contract has not yet been completed, do you expect the contract to be completed without cost overruns? If No, explain unforeseen issues.
Yes. Actually, the contractor charged less than the contract amount. Another contract was drafted for the next fiscal year; in retrospective, the contract should have crossed the fiscal year or it should have been extended before expiring.
8. What proportion of the cost overrun will the government pay?
N/A
9. Were amendments made to the original contract? If yes, explain unforeseen issues.
No
10. Please describe the amendment process.
N/A
11. What position does the person who wrote the amendments to the contract hold?
N/A
12. Are you satisfied with the amendment process? (Scale of 0-5)
N/A

13. Could the amendments have been avoided?
N/A
14. Were similar amendments observed in other projects?
N/A
15. What position does the person who monitored the contract during the work phase hold?
The Division Chief with help from an employee
16. Does the contract specify a procedure to handle substandard performance?
Yes
17. Did the contractor renege on commitments made in the original contract? (Yes, No)
No
18. Is there a dispute resolution process to settle contract ambiguities or performance? (Yes, No)
No
19. How well did the dispute resolution process work if disagreements arose over contractor performance? (Scale of 0-5)
N/A
20. How well are current contracts functioning? (Scale of 0-5)
4.5 – Well
21. Are there any parts of the contracting process that could be improved?
The development of a training program would be a good idea. Training should not be focused on how a contract should be put together, “this is what Richard’s office does,” but on aspects such as:
- a. development of performance measures;
 - b. writing of the scope of work;
 - c. basic ethics guidelines;
 - d. “how to manage a contract;”
 - e. procedure to be used as an invoice is received;
 - f. level of detail expected on an invoice;
 - g. risk mitigation;
 - h. guidelines on “how not to embarrass the Department.”

NMDOT interviewee: 870

NMT interviewers: Claudia Wilson and Barbara Budek-Schmeisser

Contract: 575

1. What position does the person who wrote the RFP hold?
There was no RFP. This was considered a “small purchase” of < \$50,0000.
2. How well did the contract address the issues listed on the RFP? (Scale of 0-5)
N/A
3. Was the contract (project) completed? (Yes, No)
Yes. It was a straight forward task.
4. Was the contract (project) completed on time? Or: do you expect the contract to be completed on time? (Yes, No)
Yes
5. Did the contractor provide the services according to the contract? (Yes, No)
Yes
6. How well did the contractor meet your expectations? (Scale of 0-5)
5
7. Was the contract completed without cost overruns? Or, if the contract has not yet been completed, do you expect the contract to be completed without cost overruns? If No, explain unforeseen issues.
Yes
8. What proportion of the cost overrun will the government pay?
N/A
9. Were amendments made to the original contract? If yes, explain unforeseen issues.
No
10. Please describe the amendment process.
N/A
11. What position does the person who wrote the amendments to the contract hold?
N/A
12. Are you satisfied with the amendment process? (Scale of 0-5)
N/A
13. Could the amendments have been avoided?
N/A

14. Were similar amendments observed in other projects?
N/A
15. What position does the person who monitored the contract during the work phase hold?
The Division Chief. A group of employees assisted in the monitoring.
16. Does the contract specify a procedure to handle substandard performance?
Yes
17. Did the contractor renege on commitments made in the original contract? (Yes, No)
No
18. Is there a dispute resolution process to settle contract ambiguities or performance? (Yes, No)
No
19. How well did the dispute resolution process work if disagreements arose over contractor performance? (Scale of 0-5)
N/A
20. How well are current contracts functioning? (Scale of 0-5)
4.5 – Well
21. Are there any parts of the contracting process that could be improved?
The development of a training program would be a good idea. Training should not be focused on how a contract should be put together, “this is what Richard’s office does,” but on aspects such as:
- a. development of performance measures;
 - b. writing of the scope of work;
 - c. basic ethics guidelines;
 - d. “how to manage a contract;”
 - e. procedure to be used as an invoice is received;
 - f. level of detail expected on an invoice;
 - g. risk mitigation;
 - h. guidelines on “how not to embarrass the Department.”

NMDOT interviewee: 870

NMT interviewers: Claudia Wilson and Barbara Budek-Schmeisser

Contract: 612

1. What position does the person who wrote the RFP hold?
The Division Chief wrote the RFP with guidance from other staff members. In the past, a template was used to develop the RFP. Currently, the Division Chief writes the scope of work, the timeline, and the budget and sends it to Richard Martinez who adds the “boiler plate” portion of the RFP.
2. How well did the contract address the issues listed on the RFP? (Scale of 0-5)
5 – The contract also followed the strict guidelines of the RFP.
3. Was the contract (project) completed? (Yes, No)
Yes. Scope of work was met.
4. Was the contract (project) completed on time? Or: do you expect the contract to be completed on time? (Yes, No)
No, but this was due to the NMDOT not providing the required documentation on time.
5. Did the contractor provide the services according to the contract? (Yes, No)
Yes
6. How well did the contractor meet your expectations? (Scale of 0-5)
4 – The contractor produced the work as stated on the contract. The project was late, but this was due to the NMDOT not providing proper documentation on time.
7. Was the contract completed without cost overruns? Or, if the contract has not yet been completed, do you expect the contract to be completed without cost overruns? If No, explain unforeseen issues.
Yes
8. What proportion of the cost overrun will the government pay?
N/A
9. Were amendments made to the original contract? If yes, explain unforeseen issues.
Yes. At a later date, NMDOT discovered additional issues that should have been addressed in the original contract.
10. Please describe the amendment process.
Standard forms are provided by Richard Martinez. These are filled out by the Division Chief who found them “straight forward” and “easy to follow.” The time it took for the amendment to be processed was considered reasonable. Depending on the situation, the contractor or NMDOT will initiate the amendment process. Once the request has been made or the need observed, the Division Chief fills out the standard forms provided and submits them to Richard Martinez’s office.

11. What position does the person who wrote the amendments to the contract hold?
Division Chief
12. Are you satisfied with the amendment process? (Scale of 0-5)
5
13. Could the amendments have been avoided?
Yes
14. Were similar amendments observed in other projects?
N/A
15. What position does the person who monitored the contract during the work phase hold?
The Division Chief. A manager working in the same Division also assisted in the monitoring.
16. Does the contract specify a procedure to handle substandard performance?
No, only procedure for termination of contract.
17. Did the contractor renege on commitments made in the original contract? (Yes, No)
No
18. Is there a dispute resolution process to settle contract ambiguities or performance? (Yes, No)
No
19. How well did the dispute resolution process work if disagreements arose over contractor performance? (Scale of 0-5)
N/A
20. How well are current contracts functioning? (Scale of 0-5)
4.5 – Well
21. Are there any parts of the contracting process that could be improved?
The development of a training program would be a good idea. Training should not be focused on how a contract should be put together, “this is what Richard’s office does,” but on aspects such as:
- i. development of performance measures;
 - j. writing of the scope of work;
 - k. basic ethics guidelines;
 - l. “how to manage a contract;”
 - m. procedure to be used as an invoice is received;
 - n. level of detail expected on an invoice;
 - o. risk mitigation;
 - p. guidelines on “how not to embarrass the Department.”

NMDOT interviewee: 996

NMT interviewers: Claudia Wilson and Barbara Budek-Schmeisser

Contract: 229

1. What position does the person who wrote the RFP hold?

No RFP was drafted for this contract. It was a Sole Source contract. In this case, work started after the contract had been drafted, but before it was executed, leading to a violation of the Procurement Code. Because no adequate training is provided on the Procurement Code for NMDOT personnel, confusion often arises.

When an RFP is required, Division personnel will draft the scope of work. A template provided by the contracting office is followed. Each individual in the Division drafts the section related to his/her area of expertise and more than one firm may be selected since no firm has the expertise to fulfill all needs of the NMDOT.

2. How well did the contract address the issues listed on the RFP? (Scale of 0-5)

N/A. When an RFP is needed, someone in the Contracting Office will be in charge of drafting the contract. The scope of work on the contract will follow that presented on the RFP.

3. Was the contract (project) completed? (Yes, No)

Ongoing

4. Was the contract (project) completed on time? Or: do you expect the contract to be completed on time? (Yes, No)

Contract is expected to be completed on time. However, unforeseen conditions are known to occur in this type of work.

5. Did the contractor provide the services according to the contract? (Yes, No)

Yes

6. How well did the contractor meet your expectations? (Scale of 0-5)

5

7. Was the contract completed without cost overruns? Or, if the contract has not yet been completed, do you expect the contract to be completed without cost overruns? If No, explain unforeseen issues.

Contract is expected to be completed within budget. However, unforeseen conditions are known to occur in this type of work.

8. What proportion of the cost overrun will the government pay?

N/A

9. Were amendments made to the original contract? If yes, explain unforeseen issues.

No

10. Please describe the amendment process.

Amendments are requested by the person(s) overseeing the contract and initiated by the Administrator in the Division. The Administrator usually “walks” the paperwork through, obtaining all required signatures before submitting the package to the Contracting Office.

11. What position does the person who wrote the amendments to the contract hold?

Administrator with support from persons overseeing the work.

12. Are you satisfied with the amendment process? (Scale of 0-5)

Person overseeing the work: 5

Administrator: this particular contract was delayed in the “Front Office” where it had to wait for the Secretary’s signature. Contracts or amendments submitted close to the end of the fiscal year usually take a longer to be executed due to the large number of contracts being processed at that time.

13. Could the amendments have been avoided?

N/A

14. Were similar amendments observed in other projects?

N/A

15. What position does the person who monitored the contract during the work phase hold?

The Administrator is responsible for receiving the invoices, sending them to the person in the Division with experience in the area, receiving this person’s approval, and paying the invoices. The Administrator is also responsible for the accounting related to the contract and informing the person overseeing the project when contracts are running low on money or are close to their termination date.

“On-call” contracts are now being tested in the Division. They are very similar to “job-order” contracts, but in this case, contractors are contracted to perform a series of services, as needed. “Task orders”, the equivalent to “work orders”, are created each time services are needed. NMDOT personnel are required to develop the scope of work for each task order and provide an estimate for the work to be conducted. A template is provided to assist in the development of the task order. It is completed by the Administrator in this Division, with the assistance of the person(s) overseeing the work.

16. Does the contract specify a procedure to handle substandard performance?

Yes. Although substandard performance was not observed in this particular contract, a different contractor had to be contacted regarding poor performance. The NMDOT employee in charge of overseeing the work chose to do so before an invoice was submitted and the contractor was able to address the problem in a non-confrontational manner.

17. Did the contractor renege on commitments made in the original contract? (Yes, No)

No

18. Is there a dispute resolution process to settle contract ambiguities or performance? (Yes, No)
No
19. How well did the dispute resolution process work if disagreements arose over contractor performance? (Scale of 0-5)
N/A
20. How well are current contracts functioning? (Scale of 0-5)
5
21. Are there any parts of the contracting process that could be improved?
Systematic education should be provided for NMDOT personnel. The few courses currently available are not adequately training personnel on how to analyze the Procurement Code or fully understand the contracting process.

APPENDIX B

MAIN IMPRESSIONS AFTER INTERVIEWS

1. What position does the person who wrote the RFP hold?
The position of the person in charge of writing the scope of work for the RFPs varies tremendously. Usually the person who knows the most about the type of work to be conducted (regardless of their position) will be responsible for writing the scope of work.
2. How well did the contract address the issues listed on the RFP? (Scale of 0-5)
Usually the scope of work from the RFP is copied into the contract. Since most of the people interviewed were the ones responsible for drafting the scope of work, they felt that they addressed the issues on the RFP very well. Obviously, they also felt that the scope of work was appropriate for the project.
3. Was the contract (project) completed? (Yes, No)
Several projects were still ongoing.
4. Was the contract (project) completed on time? Or: do you expect the contract to be completed on time? (Yes, No)
Some projects had to be extended, sometimes due to NMDOT not providing required information on time, but more often due to unexpected conditions. Interviewees seemed comfortable with justifications provided by the contractors.
5. Did the contractor provide the services according to the contract? (Yes, No)
Usually the contractor provided services according to the contract. In some cases (not contracts discussed) contractors had to be notified of their poor performance or even fired.
6. How well did the contractor meet your expectations? (Scale of 0-5)
Most interviewees were happy with the contractors' work.
7. Was the contract completed without cost overruns? Or, if the contract has not yet been completed, do you expect the contract to be completed without cost overruns? If No, explain unforeseen issues.
Some contracts had amendments to increase compensation, but interviewees seemed satisfied with the justifications provided by the contractors. In some instances, not enough information was available at the time the contract was drafted to allow for an accurate estimate, this was often related to the nature of the work to be conducted.
8. What proportion of the cost overrun will the government pay?
In most cases, 100% of the additional costs were covered by the government.
9. Were amendments made to the original contract? If yes, explain unforeseen issues.
Some contracts had amendments.
10. Please describe the amendment process.
The amendment process is viewed as a lengthy process, very similar to the original contracting process. It can be sped-up if the paperwork is "walked through." Interviewees or their employees were often confused with the process, not fully understanding what documents were required.

11. What position does the person who wrote the amendments to the contract hold?
The position held by the person responsible for preparing the amendments varies from Bureau to Bureau. Usually, the same person who drafted the RFP and the contract is responsible for overseeing the contract and drafting the amendments.
12. Are you satisfied with the amendment process? (Scale of 0-5)
Most interviewees think the amendment process is OK, but should be faster and simpler, as mentioned above, they are often confused and sometimes even frustrated with the process and how long it takes. Several amendments are needed at the “last minute.” They feel the same way towards the contracting process per se.
13. Could the amendments have been avoided?
A lot of times amendments are needed because when the contract was drafted, not enough information was available to allow for a more specific scope of work to be developed. Several contracts are drafted because of “emergencies” and need to be completed very quickly.
14. Were similar amendments observed in other projects?
Amendments granting time extensions and additional compensation were the most common; changes in the scope of work were rare.
15. What position does the person who monitored the contract during the work phase hold?
The position of the person monitoring the contract varied a lot. Usually it was the same person responsible for writing the scope of work for the RFP and the contract. Some (very few) Divisions or Bureaus had a person responsible for monitoring the budget and the schedule of all the contracts and notifying the person responsible for managing the contract when money was running low or expiration date was approaching. These employees would also be responsible for receiving the invoices, forwarding them to the person managing the contract for approval, and assuring the contractor would be compensated. In most Divisions or Bureaus the person who knows the most about the subject of the project is responsible for monitoring and managing the contract and the project.
16. Does the contract specify a procedure to handle substandard performance?
Yes
17. Did the contractor renege on commitments made in the original contract? (Yes, No)
Not common
18. Is there a dispute resolution process to settle contract ambiguities or performance? (Yes, No)
Not common
19. How well did the dispute resolution process work if disagreements arose over contractor performance? (Scale of 0-5)
Well when needed

20. How well are current contracts functioning? (Scale of 0-5)

Most interviewees believe that the contracts are functioning well and that is why they are being renewed or extended.

21. Are there any parts of the contracting process that could be improved?

- a. Most interviewees believe that the contracting process needs to be streamlined and simplified.
- b. Most also believe that training is essential and should address the procedures and documentation required for each type of contract: sole source, competitive proposals, and small purchases.
- c. Most would like to have checklists or flowcharts to assist them with this process.
- d. Some also believe that deliverable-based contracts are not applicable to all types of PSA contracts, especially those where vacancies need to be filled or required services involve “assisting NMDOT employees.”

APPENDIX C

INDIVIDUAL SHEETS FOR PRE-TRAINING SURVEY AND POST-TRAINING EVALUATION

①

Pre-Training Survey

New Mexico Institute of Mining and Technology

Improving Contract Management by End Users Research Project

March 07, 2012

- 1 I am familiar with the NMDOT RFP process
- 2 I have written RFPs for NMDOT contracts
- 3 I write RFPs for NMDOT contracts on a regular basis
- 4 I have written scopes of work for NMDOT RFPs
- 5 I write scopes of work for NMDOT RFPs on a regular basis
- 6 I am familiar with the NMDOT contract evaluation process
- 7 I have evaluated proposals for NMDOT contracts
- 8 I evaluate proposals for NMDOT on a regular basis
- 9 I am familiar with the NMDOT contract negotiation process
- 10 I have negotiated contracts for NMDOT
- 11 I negotiate contracts for NMDOT on a regular basis
- 12 I am familiar with the NMDOT contract monitoring process
- 13 I have monitored contracts for the NMDOT
- 14 I monitor contracts for the NMDOT on a regular basis
- 15 I understand the difference in duties of a project manager and a contract administrator
- 16 I am familiar with the duties of a project manager for a NMDOT project
- 17 I have performed the duties of a project manager for a NMDOT project
- 18 I perform the duties of a project manager for NMDOT projects on a regular basis
- 19 I am familiar with the duties of a contract administrator for a NMDOT project
- 20 I have performed the duties of a contract administrator for a NMDOT project
- 21 I perform the duties of a contract administrator for NMDOT projects on a regular basis
- 22 I am familiar with the process used to evaluate and accept deliverables for NMDOT contracts
- 23 I have received and evaluated deliverables for NMDOT contracts
- 24 I receive and evaluate deliverables for NMDOT contracts on a regular basis
- 25 I am familiar with the process used to review invoices for NMDOT contracts
- 26 I have reviewed invoices for NMDOT contracts
- 27 I review invoices for NMDOT contracts on a regular basis
- 28 I have been trained in the contracting process at the NMDOT
- 29 A training program on the contracting process would benefit NMDOT employees

Yes	No
X	
	X
	X
	X
	X
	X
	X
	X
	X
	X
	X
X	
X	
X	
X	X
	X
	X
	X
X	
X	
	X
	X
X	
X	
X	
	X
X	

2

Pre-Training Survey

New Mexico Institute of Mining and Technology

Improving Contract Management by End Users Research Project

March 07, 2012

	Yes	No
1 I am familiar with the NMDOT RFP process		✓
2 I have written RFPs for NMDOT contracts		✓
3 I write RFPs for NMDOT contracts on a regular basis		✓
4 I have written scopes of work for NMDOT RFPs		✓
5 I write scopes of work for NMDOT RFPs on a regular basis	✓	
6 I am familiar with the NMDOT contract evaluation process	✓	
7 I have evaluated proposals for NMDOT contracts		
8 I evaluate proposals for NMDOT on a regular basis	✓	
9 I am familiar with the NMDOT contract negotiation process	✓	
10 I have negotiated contracts for NMDOT	✓	
11 I negotiate contracts for NMDOT on a regular basis		
12 I am familiar with the NMDOT contract monitoring process	✓	
13 I have monitored contracts for the NMDOT	✓	
14 I monitor contracts for the NMDOT on a regular basis	✓	
15 I understand the difference in duties of a project manager and a contract administrator	✓	
16 I am familiar with the duties of a project manager for a NMDOT project	✓	
17 I have performed the duties of a project manager for a NMDOT project	✓	
18 I perform the duties of a project manager for NMDOT projects on a regular basis	✓	
19 I am familiar with the duties of a contract administrator for a NMDOT project	✓	
20 I have performed the duties of a contract administrator for a NMDOT project		✓
21 I perform the duties of a contract administrator for NMDOT projects on a regular basis		
22 I am familiar with the process used to evaluate and accept deliverables for NMDOT contracts	✓	
23 I have received and evaluated deliverables for NMDOT contracts	✓	
24 I receive and evaluate deliverables for NMDOT contracts on a regular basis	✓	
25 I am familiar with the process used to review invoices for NMDOT contracts	✓	
26 I have reviewed invoices for NMDOT contracts	✓	
27 I review invoices for NMDOT contracts on a regular basis	✓	
28 I have been trained in the contracting process at the NMDOT		✓
29 A training program on the contracting process would benefit NMDOT employees	✓	

*Trained by
NMTA Federal Financial training
and contract requirements*

3

Pre-Training Survey

New Mexico Institute of Mining and Technology

Improving Contract Management by End Users Research Project

March 07, 2012

	Yes	No
1 I am familiar with the NMDOT RFP process	X	
2 I have written RFPs for NMDOT contracts		
3 I write RFPs for NMDOT contracts on a regular basis	SOMWHAT X	X
4 I have written scopes of work for NMDOT RFPs	X	X
5 I write scopes of work for NMDOT RFPs on a regular basis	X	X
6 I am familiar with the NMDOT contract evaluation process	X	
7 I have evaluated proposals for NMDOT contracts	X	
8 I evaluate proposals for NMDOT on a regular basis		X
9 I am familiar with the NMDOT contract negotiation process	X	
10 I have negotiated contracts for NMDOT		X
11 I negotiate contracts for NMDOT on a regular basis		X
12 I am familiar with the NMDOT contract monitoring process	X	
13 I have monitored contracts for the NMDOT	X	
14 I monitor contracts for the NMDOT on a regular basis	X	
15 I understand the difference in duties of a project manager and a contract administrator	X	
16 I am familiar with the duties of a project manager for a NMDOT project	X	X
17 I have performed the duties of a project manager for a NMDOT project	X	X
18 I perform the duties of a project manager for NMDOT projects on a regular basis	X	X
19 I am familiar with the duties of a contract administrator for a NMDOT project	X	
20 I have performed the duties of a contract administrator for a NMDOT project	X	
21 I perform the duties of a contract administrator for NMDOT projects on a regular basis	X	
22 I am familiar with the process used to evaluate and accept deliverables for NMDOT contracts	X	X
23 I have received and evaluated deliverables for NMDOT contracts	X	X
24 I receive and evaluate deliverables for NMDOT contracts on a regular basis	X	X
25 I am familiar with the process used to review invoices for NMDOT contracts	X	
26 I have reviewed invoices for NMDOT contracts	X	
27 I review invoices for NMDOT contracts on a regular basis	X	
28 I have been trained in the contracting process at the NMDOT	X	
29 A training program on the contracting process would benefit NMDOT employees	X	

④

Pre-Training Survey

New Mexico Institute of Mining and Technology

Improving Contract Management by End Users Research Project

March 07, 2012

	Yes	No
1 I am familiar with the NMDOT RFP process	X	
2 I have written RFPs for NMDOT contracts	X	
3 I write RFPs for NMDOT contracts on a regular basis		X
4 I have written scopes of work for NMDOT RFPs		X
5 I write scopes of work for NMDOT RFPs on a regular basis		X
6 I am familiar with the NMDOT contract evaluation process	X	
7 I have evaluated proposals for NMDOT contracts	X	
8 I evaluate proposals for NMDOT on a regular basis	X	
9 I am familiar with the NMDOT contract negotiation process	X	X
10 I have negotiated contracts for NMDOT		X
11 I negotiate contracts for NMDOT on a regular basis		X
12 I am familiar with the NMDOT contract monitoring process	X	
13 I have monitored contracts for the NMDOT	X	
14 I monitor contracts for the NMDOT on a regular basis	X	
15 I understand the difference in duties of a project manager and a contract administrator	X	
16 I am familiar with the duties of a project manager for a NMDOT project	X	
17 I have performed the duties of a project manager for a NMDOT project		X
18 I perform the duties of a project manager for NMDOT projects on a regular basis		X
19 I am familiar with the duties of a contract administrator for a NMDOT project	X	
20 I have performed the duties of a contract administrator for a NMDOT project	X	
21 I perform the duties of a contract administrator for NMDOT projects on a regular basis		X
22 I am familiar with the process used to evaluate and accept deliverables for NMDOT contracts	X	
23 I have received and evaluated deliverables for NMDOT contracts		X
24 I receive and evaluate deliverables for NMDOT contracts on a regular basis	X	
25 I am familiar with the process used to review invoices for NMDOT contracts	X	
26 I have reviewed invoices for NMDOT contracts	X	
27 I review invoices for NMDOT contracts on a regular basis		X
28 I have been trained in the contracting process at the NMDOT	X	
29 A training program on the contracting process would benefit NMDOT employees	X	

5

Pre-Training Survey

New Mexico Institute of Mining and Technology

Improving Contract Management by End Users Research Project

March 07, 2012

	Yes	No
1 I am familiar with the NMDOT RFP process	X	
2 I have written RFPs for NMDOT contracts	X	
3 I write RFPs for NMDOT contracts on a regular basis	X	
4 I have written scopes of work for NMDOT RFPs	X	
5 I write scopes of work for NMDOT RFPs on a regular basis	X	
6 I am familiar with the NMDOT contract evaluation process	X	
7 I have evaluated proposals for NMDOT contracts	X	
8 I evaluate proposals for NMDOT on a regular basis		X
9 I am familiar with the NMDOT contract negotiation process	X	
10 I have negotiated contracts for NMDOT	X	
11 I negotiate contracts for NMDOT on a regular basis	X	
12 I am familiar with the NMDOT contract monitoring process	X	
13 I have monitored contracts for the NMDOT	X	
14 I monitor contracts for the NMDOT on a regular basis	X	
15 I understand the difference in duties of a project manager and a contract administrator	X	
16 I am familiar with the duties of a project manager for a NMDOT project	X	
17 I have performed the duties of a project manager for a NMDOT project	X	
18 I perform the duties of a project manager for NMDOT projects on a regular basis		X
19 I am familiar with the duties of a contract administrator for a NMDOT project	X	
20 I have performed the duties of a contract administrator for a NMDOT project	X	
21 I perform the duties of a contract administrator for NMDOT projects on a regular basis		X
22 I am familiar with the process used to evaluate and accept deliverables for NMDOT contracts	X	
23 I have received and evaluated deliverables for NMDOT contracts	X	
24 I receive and evaluate deliverables for NMDOT contracts on a regular basis		X
25 I am familiar with the process used to review invoices for NMDOT contracts	X	
26 I have reviewed invoices for NMDOT contracts	X	
27 I review invoices for NMDOT contracts on a regular basis		X
28 I have been trained in the contracting process at the NMDOT		X
29 A training program on the contracting process would benefit NMDOT employees	X	

6

Pre-Training Survey

New Mexico Institute of Mining and Technology

Improving Contract Management by End Users Research Project

March 07, 2012

	Yes	No
1 I am familiar with the NMDOT RFP process	✓	
2 I have written RFPs for NMDOT contracts		✓
3 I write RFPs for NMDOT contracts on a regular basis		✓
4 I have written scopes of work for NMDOT RFPs		✓
5 I write scopes of work for NMDOT RFPs on a regular basis		✓
6 I am familiar with the NMDOT contract evaluation process		✓
7 I have evaluated proposals for NMDOT contracts	✓	
8 I evaluate proposals for NMDOT on a regular basis		✓
9 I am familiar with the NMDOT contract negotiation process		✓
10 I have negotiated contracts for NMDOT		✓
11 I negotiate contracts for NMDOT on a regular basis		✓
12 I am familiar with the NMDOT contract monitoring process	✓	
13 I have monitored contracts for the NMDOT		✓
14 I monitor contracts for the NMDOT on a regular basis		✓
15 I understand the difference in duties of a project manager and a contract administrator	✓	
16 I am familiar with the duties of a project manager for a NMDOT project	✓	
17 I have performed the duties of a project manager for a NMDOT project		✓
18 I perform the duties of a project manager for NMDOT projects on a regular basis		✓
19 I am familiar with the duties of a contract administrator for a NMDOT project	✓	
20 I have performed the duties of a contract administrator for a NMDOT project		✓
21 I perform the duties of a contract administrator for NMDOT projects on a regular basis		✓
22 I am familiar with the process used to evaluate and accept deliverables for NMDOT contracts	✓	
23 I have received and evaluated deliverables for NMDOT contracts		✓
24 I receive and evaluate deliverables for NMDOT contracts on a regular basis		✓
25 I am familiar with the process used to review invoices for NMDOT contracts	✓	
26 I have reviewed invoices for NMDOT contracts		✓
27 I review invoices for NMDOT contracts on a regular basis		✓
28 I have been trained in the contracting process at the NMDOT		✓
29 A training program on the contracting process would benefit NMDOT employees	✓	

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Pre-Training Survey

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Improving Contract Management by End Users Research Project

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	Yes	No
1 I am familiar with the NMDOT RFP process		✓
2 I have written RFPs for NMDOT contracts		✓
3 I write RFPs for NMDOT contracts on a regular basis		✓
4 I have written scopes of work for NMDOT RFPs	✓	
5 I write scopes of work for NMDOT RFPs on a regular basis		✓
6 I am familiar with the NMDOT contract evaluation process		✓
7 I have evaluated proposals for NMDOT contracts		✓
8 I evaluate proposals for NMDOT on a regular basis		✓
9 I am familiar with the NMDOT contract negotiation process		✓
10 I have negotiated contracts for NMDOT		✓
11 I negotiate contracts for NMDOT on a regular basis		✓
12 I am familiar with the NMDOT contract monitoring process		✓
13 I have monitored contracts for the NMDOT		✓
14 I monitor contracts for the NMDOT on a regular basis		✓
15 I understand the difference in duties of a project manager and a contract administrator	✓	
16 I am familiar with the duties of a project manager for a NMDOT project	✓	✗
17 I have performed the duties of a project manager for a NMDOT project		✓
18 I perform the duties of a project manager for NMDOT projects on a regular basis		✓
19 I am familiar with the duties of a contract administrator for a NMDOT project		✓
20 I have performed the duties of a contract administrator for a NMDOT project		✓
21 I perform the duties of a contract administrator for NMDOT projects on a regular basis		✓
22 I am familiar with the process used to evaluate and accept deliverables for NMDOT contracts		✓
23 I have received and evaluated deliverables for NMDOT contracts		✓
24 I receive and evaluate deliverables for NMDOT contracts on a regular basis		✓
25 I am familiar with the process used to review invoices for NMDOT contracts	✓	
26 I have reviewed invoices for NMDOT contracts	✓	
27 I review invoices for NMDOT contracts on a regular basis	✓	
28 I have been trained in the contracting process at the NMDOT		✓
29 A training program on the contracting process would benefit NMDOT employees	✓	

Pre-Training Survey

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- | | Yes | No |
|--|-------------------------------------|-------------------------------------|
| 1 I am familiar with the NMDOT RFP process | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2 I have written RFPs for NMDOT contracts | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3 I write RFPs for NMDOT contracts on a regular basis | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4 I have written scopes of work for NMDOT RFPs | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 5 I write scopes of work for NMDOT RFPs on a regular basis | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6 I am familiar with the NMDOT contract evaluation process | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 7 I have evaluated proposals for NMDOT contracts | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 8 I evaluate proposals for NMDOT on a regular basis | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 9 I am familiar with the NMDOT contract negotiation process | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 10 I have negotiated contracts for NMDOT | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 11 I negotiate contracts for NMDOT on a regular basis | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 12 I am familiar with the NMDOT contract monitoring process | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 13 I have monitored contracts for the NMDOT | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 14 I monitor contracts for the NMDOT on a regular basis | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 15 I understand the difference in duties of a project manager and a contract administrator | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 16 I am familiar with the duties of a project manager for a NMDOT project | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 17 I have performed the duties of a project manager for a NMDOT project | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 18 I perform the duties of a project manager for NMDOT projects on a regular basis | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 19 I am familiar with the duties of a contract administrator for a NMDOT project | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 20 I have performed the duties of a contract administrator for a NMDOT project | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 21 I perform the duties of a contract administrator for NMDOT projects on a regular basis | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 22 I am familiar with the process used to evaluate and accept deliverables for NMDOT contracts | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 23 I have received and evaluated deliverables for NMDOT contracts | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 24 I receive and evaluate deliverables for NMDOT contracts on a regular basis | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 25 I am familiar with the process used to review invoices for NMDOT contracts | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 26 I have reviewed invoices for NMDOT contracts | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 27 I review invoices for NMDOT contracts on a regular basis | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 28 I have been trained in the contracting process at the NMDOT | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 29 A training program on the contracting process would benefit NMDOT employees | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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Pre-Training Survey**New Mexico Institute of Mining and Technology****Improving Contract Management by End Users Research Project**

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	Yes	No
1 I am familiar with the NMDOT RFP process	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2 I have written RFPs for NMDOT contracts	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3 I write RFPs for NMDOT contracts on a regular basis	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4 I have written scopes of work for NMDOT RFPs	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5 I write scopes of work for NMDOT RFPs on a regular basis	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6 I am familiar with the NMDOT contract evaluation process	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7 I have evaluated proposals for NMDOT contracts	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8 I evaluate proposals for NMDOT on a regular basis	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9 I am familiar with the NMDOT contract negotiation process	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10 I have negotiated contracts for NMDOT	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11 I negotiate contracts for NMDOT on a regular basis	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12 I am familiar with the NMDOT contract monitoring process	<input checked="" type="checkbox"/>	<input type="checkbox"/>
13 I have monitored contracts for the NMDOT	<input checked="" type="checkbox"/>	<input type="checkbox"/>
14 I monitor contracts for the NMDOT on a regular basis	<input checked="" type="checkbox"/>	<input type="checkbox"/>
15 I understand the difference in duties of a project manager and a contract administrator	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16 I am familiar with the duties of a project manager for a NMDOT project	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17 I have performed the duties of a project manager for a NMDOT project	<input checked="" type="checkbox"/>	<input type="checkbox"/>
18 I perform the duties of a project manager for NMDOT projects on a regular basis	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19 I am familiar with the duties of a contract administrator for a NMDOT project	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20 I have performed the duties of a contract administrator for a NMDOT project	<input checked="" type="checkbox"/>	<input type="checkbox"/>
21 I perform the duties of a contract administrator for NMDOT projects on a regular basis	<input checked="" type="checkbox"/>	<input type="checkbox"/>
22 I am familiar with the process used to evaluate and accept deliverables for NMDOT contracts	<input checked="" type="checkbox"/>	<input type="checkbox"/>
23 I have received and evaluated deliverables for NMDOT contracts	<input checked="" type="checkbox"/>	<input type="checkbox"/>
24 I receive and evaluate deliverables for NMDOT contracts on a regular basis	<input checked="" type="checkbox"/>	<input type="checkbox"/>
25 I am familiar with the process used to review invoices for NMDOT contracts	<input checked="" type="checkbox"/>	<input type="checkbox"/>
26 I have reviewed invoices for NMDOT contracts	<input checked="" type="checkbox"/>	<input type="checkbox"/>
27 I review invoices for NMDOT contracts on a regular basis	<input checked="" type="checkbox"/>	<input type="checkbox"/>
28 I have been trained in the contracting process at the NMDOT	<input checked="" type="checkbox"/>	<input type="checkbox"/>
29 A training program on the contracting process would benefit NMDOT employees	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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	Yes	No
1 I am familiar with the NMDOT RFP process	/	
2 I have written RFPs for NMDOT contracts	/	
3 I write RFPs for NMDOT contracts on a regular basis		/
4 I have written scopes of work for NMDOT RFPs	/	
5 I write scopes of work for NMDOT RFPs on a regular basis		/
6 I am familiar with the NMDOT contract evaluation process	/	
7 I have evaluated proposals for NMDOT contracts	/	
8 I evaluate proposals for NMDOT on a regular basis		/
9 I am familiar with the NMDOT contract negotiation process	/	
10 I have negotiated contracts for NMDOT	/	
11 I negotiate contracts for NMDOT on a regular basis		/
12 I am familiar with the NMDOT contract monitoring process	/	
13 I have monitored contracts for the NMDOT	/	
14 I monitor contracts for the NMDOT on a regular basis	/	
15 I understand the difference in duties of a project manager and a contract administrator	/	
16 I am familiar with the duties of a project manager for a NMDOT project	/	
17 I have performed the duties of a project manager for a NMDOT project	/	
18 I perform the duties of a project manager for NMDOT projects on a regular basis	/	
19 I am familiar with the duties of a contract administrator for a NMDOT project	/	
20 I have performed the duties of a contract administrator for a NMDOT project	/	
21 I perform the duties of a contract administrator for NMDOT projects on a regular basis	/	
22 I am familiar with the process used to evaluate and accept deliverables for NMDOT contracts	/	
23 I have received and evaluated deliverables for NMDOT contracts	/	
24 I receive and evaluate deliverables for NMDOT contracts on a regular basis	/	
25 I am familiar with the process used to review invoices for NMDOT contracts	/	
26 I have reviewed invoices for NMDOT contracts	/	
27 I review invoices for NMDOT contracts on a regular basis	/	
28 I have been trained in the contracting process at the NMDOT	/	
29 A training program on the contracting process would benefit NMDOT employees	/	

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Pre-Training Survey**New Mexico Institute of Mining and Technology****Improving Contract Management by End Users Research Project**

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	Yes	No
1 I am familiar with the NMDOT RFP process	✓	
2 I have written RFPs for NMDOT contracts		✓
3 I write RFPs for NMDOT contracts on a regular basis		✓
4 I have written scopes of work for NMDOT RFPs	✓	
5 I write scopes of work for NMDOT RFPs on a regular basis		✓
6 I am familiar with the NMDOT contract evaluation process	✓	✓
7 I have evaluated proposals for NMDOT contracts	✓	
8 I evaluate proposals for NMDOT on a regular basis		✓
9 I am familiar with the NMDOT contract negotiation process		✓
10 I have negotiated contracts for NMDOT		✓
11 I negotiate contracts for NMDOT on a regular basis		✓
12 I am familiar with the NMDOT contract monitoring process	✓	
13 I have monitored contracts for the NMDOT	✓	
14 I monitor contracts for the NMDOT on a regular basis		✓
15 I understand the difference in duties of a project manager and a contract administrator	✓	
16 I am familiar with the duties of a project manager for a NMDOT project	✓	
17 I have performed the duties of a project manager for a NMDOT project	✓	✓
18 I perform the duties of a project manager for NMDOT projects on a regular basis		✓
19 I am familiar with the duties of a contract administrator for a NMDOT project	✓	
20 I have performed the duties of a contract administrator for a NMDOT project	✓	
21 I perform the duties of a contract administrator for NMDOT projects on a regular basis		✓
22 I am familiar with the process used to evaluate and accept deliverables for NMDOT contracts	✓	
23 I have received and evaluated deliverables for NMDOT contracts	✓	
24 I receive and evaluate deliverables for NMDOT contracts on a regular basis		✓
25 I am familiar with the process used to review invoices for NMDOT contracts	✓	
26 I have reviewed invoices for NMDOT contracts	✓	
27 I review invoices for NMDOT contracts on a regular basis		✓
28 I have been trained in the contracting process at the NMDOT	✓	✓
29 A training program on the contracting process would benefit NMDOT employees	✓	

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	Yes	No
1 I am familiar with the NMDOT RFP process		X
2 I have written RFPs for NMDOT contracts		X
3 I write RFPs for NMDOT contracts on a regular basis		X
4 I have written scopes of work for NMDOT RFPs		X
5 I write scopes of work for NMDOT RFPs on a regular basis		X
6 I am familiar with the NMDOT contract evaluation process	X	
7 I have evaluated proposals for NMDOT contracts		X
8 I evaluate proposals for NMDOT on a regular basis		X
9 I am familiar with the NMDOT contract negotiation process		X
10 I have negotiated contracts for NMDOT		X
11 I negotiate contracts for NMDOT on a regular basis		X
12 I am familiar with the NMDOT contract monitoring process		X
13 I have monitored contracts for the NMDOT		X
14 I monitor contracts for the NMDOT on a regular basis		X
15 I understand the difference in duties of a project manager and a contract administrator	X	
16 I am familiar with the duties of a project manager for a NMDOT project	X	
17 I have performed the duties of a project manager for a NMDOT project		X
18 I perform the duties of a project manager for NMDOT projects on a regular basis		X
19 I am familiar with the duties of a contract administrator for a NMDOT project	X	
20 I have performed the duties of a contract administrator for a NMDOT project		X
21 I perform the duties of a contract administrator for NMDOT projects on a regular basis		X
22 I am familiar with the process used to evaluate and accept deliverables for NMDOT contracts		X
23 I have received and evaluated deliverables for NMDOT contracts		X
24 I receive and evaluate deliverables for NMDOT contracts on a regular basis		X
25 I am familiar with the process used to review invoices for NMDOT contracts	X	
26 I have reviewed invoices for NMDOT contracts	X	
27 I review invoices for NMDOT contracts on a regular basis		X
28 I have been trained in the contracting process at the NMDOT		X
29 A training program on the contracting process would benefit NMDOT employees	X	

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	Yes	No
1 I am familiar with the NMDOT RFP process	✓	
2 I have written RFPs for NMDOT contracts	✓	
3 I write RFPs for NMDOT contracts on a regular basis		✓
4 I have written scopes of work for NMDOT RFPs		✓
5 I write scopes of work for NMDOT RFPs on a regular basis		✓
6 I am familiar with the NMDOT contract evaluation process	✓	
7 I have evaluated proposals for NMDOT contracts		✓
8 I evaluate proposals for NMDOT on a regular basis	✓	
9 I am familiar with the NMDOT contract negotiation process	✓	
10 I have negotiated contracts for NMDOT		✓
11 I negotiate contracts for NMDOT on a regular basis		✓
12 I am familiar with the NMDOT contract monitoring process	✓	
13 I have monitored contracts for the NMDOT	✓	
14 I monitor contracts for the NMDOT on a regular basis	✓	
15 I understand the difference in duties of a project manager and a contract administrator	✓	
16 I am familiar with the duties of a project manager for a NMDOT project	✓	
17 I have performed the duties of a project manager for a NMDOT project	✓	
18 I perform the duties of a project manager for NMDOT projects on a regular basis	✓	
19 I am familiar with the duties of a contract administrator for a NMDOT project	✓	
20 I have performed the duties of a contract administrator for a NMDOT project	✓	
21 I perform the duties of a contract administrator for NMDOT projects on a regular basis	✓	
22 I am familiar with the process used to evaluate and accept deliverables for NMDOT contracts	✓	
23 I have received and evaluated deliverables for NMDOT contracts		✓
24 I receive and evaluate deliverables for NMDOT contracts on a regular basis		✓
25 I am familiar with the process used to review invoices for NMDOT contracts	✓	
26 I have reviewed invoices for NMDOT contracts	✓	
27 I review invoices for NMDOT contracts on a regular basis	✓	
28 I have been trained in the contracting process at the NMDOT	✓	
29 A training program on the contracting process would benefit NMDOT employees	✓	

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	Yes	No
1 I am familiar with the NMDOT RFP process	X	
2 I have written RFPs for NMDOT contracts	X	
3 I write RFPs for NMDOT contracts on a regular basis		X
4 I have written scopes of work for NMDOT RFPs	X	
5 I write scopes of work for NMDOT RFPs on a regular basis		X
6 I am familiar with the NMDOT contract evaluation process		X
7 I have evaluated proposals for NMDOT contracts	X	
8 I evaluate proposals for NMDOT on a regular basis	X	
9 I am familiar with the NMDOT contract negotiation process		X
10 I have negotiated contracts for NMDOT		X
11 I negotiate contracts for NMDOT on a regular basis		X
12 I am familiar with the NMDOT contract monitoring process		X
13 I have monitored contracts for the NMDOT	X	
14 I monitor contracts for the NMDOT on a regular basis	X	
15 I understand the difference in duties of a project manager and a contract administrator	X	
16 I am familiar with the duties of a project manager for a NMDOT project	X	
17 I have performed the duties of a project manager for a NMDOT project		X
18 I perform the duties of a project manager for NMDOT projects on a regular basis		X
19 I am familiar with the duties of a contract administrator for a NMDOT project		X
20 I have performed the duties of a contract administrator for a NMDOT project		X
21 I perform the duties of a contract administrator for NMDOT projects on a regular basis	X	
22 I am familiar with the process used to evaluate and accept deliverables for NMDOT contracts	X	
23 I have received and evaluated deliverables for NMDOT contracts	X	
24 I receive and evaluate deliverables for NMDOT contracts on a regular basis	X	
25 I am familiar with the process used to review invoices for NMDOT contracts	X	
26 I have reviewed invoices for NMDOT contracts	X	
27 I review invoices for NMDOT contracts on a regular basis	X	
28 I have been trained in the contracting process at the NMDOT	X	
29 A training program on the contracting process would benefit NMDOT employees	X	

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	Yes	No
1 I am familiar with the NMDOT RFP process	✓	
2 I have written RFPs for NMDOT contracts	✓	
3 I write RFPs for NMDOT contracts on a regular basis	✓	
4 I have written scopes of work for NMDOT RFPs	✓	
5 I write scopes of work for NMDOT RFPs on a regular basis	✓	
6 I am familiar with the NMDOT contract evaluation process	✓	
7 I have evaluated proposals for NMDOT contracts	✓	
8 I evaluate proposals for NMDOT on a regular basis		✓
9 I am familiar with the NMDOT contract negotiation process	✓	
10 I have negotiated contracts for NMDOT	✓	
11 I negotiate contracts for NMDOT on a regular basis		✓
12 I am familiar with the NMDOT contract monitoring process	✓	.
13 I have monitored contracts for the NMDOT	✓	
14 I monitor contracts for the NMDOT on a regular basis	✓	
15 I understand the difference in duties of a project manager and a contract administrator		✓
16 I am familiar with the duties of a project manager for a NMDOT project	✓	
17 I have performed the duties of a project manager for a NMDOT project	✓	
18 I perform the duties of a project manager for NMDOT projects on a regular basis	✓	
19 I am familiar with the duties of a contract administrator for a NMDOT project	✓	.
20 I have performed the duties of a contract administrator for a NMDOT project	✓	
21 I perform the duties of a contract administrator for NMDOT projects on a regular basis	✓	
22 I am familiar with the process used to evaluate and accept deliverables for NMDOT contracts		✓
23 I have received and evaluated deliverables for NMDOT contracts	✓	
24 I receive and evaluate deliverables for NMDOT contracts on a regular basis	✓	
25 I am familiar with the process used to review invoices for NMDOT contracts	✓	
26 I have reviewed invoices for NMDOT contracts	✓	
27 I review invoices for NMDOT contracts on a regular basis	✓	
28 I have been trained in the contracting process at the NMDOT		✓
29 A training program on the contracting process would benefit NMDOT employees	✓	

yes!
yes!
yes!

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	Yes	No
1 I am familiar with the NMDOT RFP process	X	
2 I have written RFPs for NMDOT contracts	X	
3 I write RFPs for NMDOT contracts on a regular basis		X
4 I have written scopes of work for NMDOT RFPs	X	
5 I write scopes of work for NMDOT RFPs on a regular basis		X
6 I am familiar with the NMDOT contract evaluation process		X
7 I have evaluated proposals for NMDOT contracts		X
8 I evaluate proposals for NMDOT on a regular basis		X
9 I am familiar with the NMDOT contract negotiation process		X
10 I have negotiated contracts for NMDOT		X
11 I negotiate contracts for NMDOT on a regular basis		X
12 I am familiar with the NMDOT contract monitoring process		X
13 I have monitored contracts for the NMDOT		X
14 I monitor contracts for the NMDOT on a regular basis		X
15 I understand the difference in duties of a project manager and a contract administrator	X	
16 I am familiar with the duties of a project manager for a NMDOT project	X	
17 I have performed the duties of a project manager for a NMDOT project		X
18 I perform the duties of a project manager for NMDOT projects on a regular basis		X
19 I am familiar with the duties of a contract administrator for a NMDOT project	X	
20 I have performed the duties of a contract administrator for a NMDOT project		X
21 I perform the duties of a contract administrator for NMDOT projects on a regular basis		X
22 I am familiar with the process used to evaluate and accept deliverables for NMDOT contracts		X
23 I have received and evaluated deliverables for NMDOT contracts		X
24 I receive and evaluate deliverables for NMDOT contracts on a regular basis		X
25 I am familiar with the process used to review invoices for NMDOT contracts		X
26 I have reviewed invoices for NMDOT contracts		X
27 I review invoices for NMDOT contracts on a regular basis		X
28 I have been trained in the contracting process at the NMDOT		X
29 A training program on the contracting process would benefit NMDOT employees	X	

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	Yes	No
1 I am familiar with the NMDOT RFP process	X	
2 I have written RFPs for NMDOT contracts		X
3 I write RFPs for NMDOT contracts on a regular basis		X
4 I have written scopes of work for NMDOT RFPs	X	
5 I write scopes of work for NMDOT RFPs on a regular basis		X
6 I am familiar with the NMDOT contract evaluation process	X	
7 I have evaluated proposals for NMDOT contracts	X	
8 I evaluate proposals for NMDOT on a regular basis		X
9 I am familiar with the NMDOT contract negotiation process	X	
10 I have negotiated contracts for NMDOT		X
11 I negotiate contracts for NMDOT on a regular basis		X
12 I am familiar with the NMDOT contract monitoring process	X	
13 I have monitored contracts for the NMDOT		X
14 I monitor contracts for the NMDOT on a regular basis		X
15 I understand the difference in duties of a project manager and a contract administrator	X	
16 I am familiar with the duties of a project manager for a NMDOT project	X	
17 I have performed the duties of a project manager for a NMDOT project		X
18 I perform the duties of a project manager for NMDOT projects on a regular basis		X
19 I am familiar with the duties of a contract administrator for a NMDOT project	X	
20 I have performed the duties of a contract administrator for a NMDOT project		X
21 I perform the duties of a contract administrator for NMDOT projects on a regular basis		X
22 I am familiar with the process used to evaluate and accept deliverables for NMDOT contracts	X	
23 I have received and evaluated deliverables for NMDOT contracts	X	
24 I receive and evaluate deliverables for NMDOT contracts on a regular basis		X
25 I am familiar with the process used to review invoices for NMDOT contracts	X	
26 I have reviewed invoices for NMDOT contracts	X	
27 I review invoices for NMDOT contracts on a regular basis	X	
28 I have been trained in the contracting process at the NMDOT	X	
29 A training program on the contracting process would benefit NMDOT employees	X	

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	Yes	No
1 I am familiar with the NMDOT RFP process	X	
2 I have written RFPs for NMDOT contracts		X
3 I write RFPs for NMDOT contracts on a regular basis		X
4 I have written scopes of work for NMDOT RFPs		X
5 I write scopes of work for NMDOT RFPs on a regular basis		X
6 I am familiar with the NMDOT contract evaluation process		X
7 I have evaluated proposals for NMDOT contracts		X
8 I evaluate proposals for NMDOT on a regular basis		X
9 I am familiar with the NMDOT contract negotiation process		X
10 I have negotiated contracts for NMDOT		X
11 I negotiate contracts for NMDOT on a regular basis		X
12 I am familiar with the NMDOT contract monitoring process	X	
13 I have monitored contracts for the NMDOT	X	
14 I monitor contracts for the NMDOT on a regular basis	X	
15 I understand the difference in duties of a project manager and a contract administrator		X
16 I am familiar with the duties of a project manager for a NMDOT project		X
17 I have performed the duties of a project manager for a NMDOT project		X
18 I perform the duties of a project manager for NMDOT projects on a regular basis		X
19 I am familiar with the duties of a contract administrator for a NMDOT project		X
20 I have performed the duties of a contract administrator for a NMDOT project		X
21 I perform the duties of a contract administrator for NMDOT projects on a regular basis		X
22 I am familiar with the process used to evaluate and accept deliverables for NMDOT contracts		X
23 I have received and evaluated deliverables for NMDOT contracts	X	X
24 I receive and evaluate deliverables for NMDOT contracts on a regular basis	X	
25 I am familiar with the process used to review invoices for NMDOT contracts	X	
26 I have reviewed invoices for NMDOT contracts	X	
27 I review invoices for NMDOT contracts on a regular basis	X	
28 I have been trained in the contracting process at the NMDOT		X
29 A training program on the contracting process would benefit NMDOT employees	X	

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	Yes	No
1 I am familiar with the NMDOT RFP process		✓
2 I have written RFPs for NMDOT contracts		✓
3 I write RFPs for NMDOT contracts on a regular basis		✓
4 I have written scopes of work for NMDOT RFPs		✓
5 I write scopes of work for NMDOT RFPs on a regular basis		✓
6 I am familiar with the NMDOT contract evaluation process	✓	
7 I have evaluated proposals for NMDOT contracts		✓
8 I evaluate proposals for NMDOT on a regular basis		✓
9 I am familiar with the NMDOT contract negotiation process		✓
10 I have negotiated contracts for NMDOT		✓
11 I negotiate contracts for NMDOT on a regular basis		✓
12 I am familiar with the NMDOT contract monitoring process		✓
13 I have monitored contracts for the NMDOT		✓
14 I monitor contracts for the NMDOT on a regular basis	✓	
15 I understand the difference in duties of a project manager and a contract administrator		✓
16 I am familiar with the duties of a project manager for a NMDOT project		✓
17 I have performed the duties of a project manager for a NMDOT project		✓
18 I perform the duties of a project manager for NMDOT projects on a regular basis		✓
19 I am familiar with the duties of a contract administrator for a NMDOT project		✓
20 I have performed the duties of a contract administrator for a NMDOT project		✓
21 I perform the duties of a contract administrator for NMDOT projects on a regular basis		✓
22 I am familiar with the process used to evaluate and accept deliverables for NMDOT contracts		✓
23 I have received and evaluated deliverables for NMDOT contracts		✓
24 I receive and evaluate deliverables for NMDOT contracts on a regular basis		✓
25 I am familiar with the process used to review invoices for NMDOT contracts	✓	
26 I have reviewed invoices for NMDOT contracts	✓	
27 I review invoices for NMDOT contracts on a regular basis	✓	
28 I have been trained in the contracting process at the NMDOT	✓	
29 A training program on the contracting process would benefit NMDOT employees	✓	

(20)

Improving Contract Management by End Users Research Project

[illegible]

- 114

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Pre-Training Survey

New Mexico Institute of Mining and Technology

Improving Contract Management by End Users Research Project

March 07, 2012

	Yes	No
1 I am familiar with the NMDOT RFP process		✓
2 I have written RFPs for NMDOT contracts		✓
3 I write RFPs for NMDOT contracts on a regular basis		✓
4 I have written scopes of work for NMDOT RFPs		✓
5 I write scopes of work for NMDOT RFPs on a regular basis		✓
6 I am familiar with the NMDOT contract evaluation process		✓
7 I have evaluated proposals for NMDOT contracts		✓
8 I evaluate proposals for NMDOT on a regular basis		✓
9 I am familiar with the NMDOT contract negotiation process		✓
10 I have negotiated contracts for NMDOT		✓
11 I negotiate contracts for NMDOT on a regular basis		✓
12 I am familiar with the NMDOT contract monitoring process		✓
13 I have monitored contracts for the NMDOT		✓
14 I monitor contracts for the NMDOT on a regular basis	✓	
15 I understand the difference in duties of a project manager and a contract administrator		✓
16 I am familiar with the duties of a project manager for a NMDOT project	✓	
17 I have performed the duties of a project manager for a NMDOT project		✓
18 I perform the duties of a project manager for NMDOT projects on a regular basis		✓
19 I am familiar with the duties of a contract administrator for a NMDOT project	✓	
20 I have performed the duties of a contract administrator for a NMDOT project		✓
21 I perform the duties of a contract administrator for NMDOT projects on a regular basis		✓
22 I am familiar with the process used to evaluate and accept deliverables for NMDOT contracts		✓
23 I have received and evaluated deliverables for NMDOT contracts	✓	
24 I receive and evaluate deliverables for NMDOT contracts on a regular basis	✓	
25 I am familiar with the process used to review invoices for NMDOT contracts	✓	
26 I have reviewed invoices for NMDOT contracts	✓	
27 I review invoices for NMDOT contracts on a regular basis	✓	
28 I have been trained in the contracting process at the NMDOT		✓
29 A training program on the contracting process would benefit NMDOT employees	✓	

Pre-Training Survey**New Mexico Institute of Mining and Technology****Improving Contract Management by End Users Research Project**

March 07, 2012

	Yes	No
1 I am familiar with the NMDOT RFP process	X	
2 I have written RFPs for NMDOT contracts	X	
3 I write RFPs for NMDOT contracts on a regular basis		X
4 I have written scopes of work for NMDOT RFPs	X	
5 I write scopes of work for NMDOT RFPs on a regular basis		X
6 I am familiar with the NMDOT contract evaluation process	X	
7 I have evaluated proposals for NMDOT contracts		X
8 I evaluate proposals for NMDOT on a regular basis		X
9 I am familiar with the NMDOT contract negotiation process	X	
10 I have negotiated contracts for NMDOT		X
11 I negotiate contracts for NMDOT on a regular basis		X
12 I am familiar with the NMDOT contract monitoring process		X
13 I have monitored contracts for the NMDOT		X
14 I monitor contracts for the NMDOT on a regular basis		X
15 I understand the difference in duties of a project manager and a contract administrator	X	
16 I am familiar with the duties of a project manager for a NMDOT project	X	
17 I have performed the duties of a project manager for a NMDOT project		X
18 I perform the duties of a project manager for NMDOT projects on a regular basis		X
19 I am familiar with the duties of a contract administrator for a NMDOT project		X
20 I have performed the duties of a contract administrator for a NMDOT project		X
21 I perform the duties of a contract administrator for NMDOT projects on a regular basis		X
22 I am familiar with the process used to evaluate and accept deliverables for NMDOT contracts		X
23 I have received and evaluated deliverables for NMDOT contracts		X
24 I receive and evaluate deliverables for NMDOT contracts on a regular basis		X
25 I am familiar with the process used to review invoices for NMDOT contracts	X	
26 I have reviewed invoices for NMDOT contracts	X	
27 I review invoices for NMDOT contracts on a regular basis	X	
28 I have been trained in the contracting process at the NMDOT		X
29 A training program on the contracting process would benefit NMDOT employees	X	

23

Pre-Training Survey

New Mexico Institute of Mining and Technology

Improving Contract Management by End Users Research Project

March 07, 2012

	Yes	No
1 I am familiar with the NMDOT RFP process	X	
2 I have written RFPs for NMDOT contracts		X
3 I write RFPs for NMDOT contracts on a regular basis		X
4 I have written scopes of work for NMDOT RFPs		X
5 I write scopes of work for NMDOT RFPs on a regular basis		X
6 I am familiar with the NMDOT contract evaluation process	X	
7 I have evaluated proposals for NMDOT contracts		X
8 I evaluate proposals for NMDOT on a regular basis		X
9 I am familiar with the NMDOT contract negotiation process		X
10 I have negotiated contracts for NMDOT		X
11 I negotiate contracts for NMDOT on a regular basis		X
12 I am familiar with the NMDOT contract monitoring process	X	
13 I have monitored contracts for the NMDOT	X	
14 I monitor contracts for the NMDOT on a regular basis	X	
15 I understand the difference in duties of a project manager and a contract administrator		X
16 I am familiar with the duties of a project manager for a NMDOT project		X
17 I have performed the duties of a project manager for a NMDOT project	X	X
18 I perform the duties of a project manager for NMDOT projects on a regular basis		X
19 I am familiar with the duties of a contract administrator for a NMDOT project	X	
20 I have performed the duties of a contract administrator for a NMDOT project		X
21 I perform the duties of a contract administrator for NMDOT projects on a regular basis		X
22 I am familiar with the process used to evaluate and accept deliverables for NMDOT contracts		X
23 I have received and evaluated deliverables for NMDOT contracts	X	
24 I receive and evaluate deliverables for NMDOT contracts on a regular basis		X
25 I am familiar with the process used to review invoices for NMDOT contracts	X	
26 I have reviewed invoices for NMDOT contracts	X	
27 I review invoices for NMDOT contracts on a regular basis		X
28 I have been trained in the contracting process at the NMDOT		X
29 A training program on the contracting process would benefit NMDOT employees	X	

Pre-Training Survey**New Mexico Institute of Mining and Technology****Improving Contract Management by End Users Research Project**

March 07, 2012

	Yes	No
1 I am familiar with the NMDOT RFP process	✓	
2 I have written RFPs for NMDOT contracts		✓
3 I write RFPs for NMDOT contracts on a regular basis		✓
4 I have written scopes of work for NMDOT RFPs	✓	
5 I write scopes of work for NMDOT RFPs on a regular basis		✓
6 I am familiar with the NMDOT contract evaluation process	✓	
7 I have evaluated proposals for NMDOT contracts	✓	
8 I evaluate proposals for NMDOT on a regular basis		✓
9 I am familiar with the NMDOT contract negotiation process		✓
10 I have negotiated contracts for NMDOT	✓	
11 I negotiate contracts for NMDOT on a regular basis		✓
12 I am familiar with the NMDOT contract monitoring process		✓
13 I have monitored contracts for the NMDOT	✓	✓
14 I monitor contracts for the NMDOT on a regular basis		✓
15 I understand the difference in duties of a project manager and a contract administrator		✓
16 I am familiar with the duties of a project manager for a NMDOT project		✓
17 I have performed the duties of a project manager for a NMDOT project		✓
18 I perform the duties of a project manager for NMDOT projects on a regular basis		✓
19 I am familiar with the duties of a contract administrator for a NMDOT project		✓
20 I have performed the duties of a contract administrator for a NMDOT project		✓
21 I perform the duties of a contract administrator for NMDOT projects on a regular basis		✓
22 I am familiar with the process used to evaluate and accept deliverables for NMDOT contracts	✓	
23 I have received and evaluated deliverables for NMDOT contracts	✓	
24 I receive and evaluate deliverables for NMDOT contracts on a regular basis	✓	
25 I am familiar with the process used to review invoices for NMDOT contracts	✓	
26 I have reviewed invoices for NMDOT contracts	✓	
27 I review invoices for NMDOT contracts on a regular basis	✓	
28 I have been trained in the contracting process at the NMDOT		✓
29 A training program on the contracting process would benefit NMDOT employees	✓	✓

①

Post-Training Evaluation Form

New Mexico Institute of Mining and Technology

Improving Contract Management by End Users Research Project

March 07, 2012

- 1 I am familiar with the NMDOT RFP process
- 2 I am familiar with the NMDOT contract evaluation process
- 3 I am familiar with the NMDOT contract negotiation process
- 4 I am familiar with the NMDOT contract monitoring process
- 5 I understand the difference in duties of a project manager and a contract administrator
- 6 I am familiar with the duties of a project manager for a NMDOT project
- 7 I am familiar with the duties of a contract administrator for a NMDOT project
- 8 I am familiar with the process used to evaluate and accept deliverables for NMDOT contracts
- 9 I am familiar with the process used to review invoices for NMDOT contracts
- 10 Current NMDOT employees would benefit from this training program
- 11 New NMDOT employees would benefit from this training program
- 12 Time for the training program was appropriate
- 13 Time for the training program was used efficiently
- 14 Current NMDOT employees would benefit from the Recommendations Handbook
- 15 New NMDOT employees would benefit from the Recommendations Handbook

Yes	No
✓	
✓	
✓	
✓	
✓	
✓	
✓	
✓	
✓	
✓	
✓	
✓	

16 Is there a topic or an activity that could have been covered more extensively?

Monitoring of Contracts.

17 Is there a topic or an activity that could have been covered less extensively?

18 Do you have any additional comments and/or suggestions?

*possibly a check off list for Contract Mgmt- to pass
from one administrator to another*

Post-Training Evaluation Form

New Mexico Institute of Mining and Technology

Improving Contract Management by End Users Research Project

March 07, 2012

	Yes	No
1 I am familiar with the NMDOT RFP process	✓	
2 I am familiar with the NMDOT contract evaluation process	✓	
3 I am familiar with the NMDOT contract negotiation process	✓	
4 I am familiar with the NMDOT contract monitoring process	✓	
5 I understand the difference in duties of a project manager and a contract administrator <i>part of</i>	✓	
6 I am familiar with the duties of a project manager for a NMDOT project	✓	
7 I am familiar with the duties of a contract administrator for a NMDOT project		✓
8 I am familiar with the process used to evaluate and accept deliverables for NMDOT contracts	✓	
9 I am familiar with the process used to review invoices for NMDOT contracts	✓	
10 Current NMDOT employees would benefit from this training program	✓	
11 New NMDOT employees would benefit from this training program <i>if they will be a Proj. Manager,</i>	✓	
12 Time for the training program was appropriate <i>C. Admin, or</i>	✓	
13 Time for the training program was used efficiently	✓	
14 Current NMDOT employees would benefit from the Recommendations Handbook <i>looked up</i>	✓	
15 New NMDOT employees would benefit from the Recommendations Handbook <i>w/ing RFPs.</i>	✓	

16 Is there a topic or an activity that could have been covered more extensively?

In my group there was someone who did not know what an RFP was, what a proposal was, or what a contract was. She did not understand that these were separate items + what each included. So, the PIs should not assume that the audience has ANY knowledge of the subject matter + prepare to spend time at beginning of training

17 Is there a topic or an activity that could have been covered less extensively? *to define + perhaps give examples of those 3 things.*

18 Do you have any additional comments and/or suggestions?

Provide Examples in a pre-training packet - go out with sign-up for training.

*RFP for professional services - simple w/ all the templates. Maybe just
RFP for small purchases
examples of SOW, Deliverables,
Timeline, Maximum Budget.?*

Post-Training Evaluation Form

New Mexico Institute of Mining and Technology

Improving Contract Management by End Users Research Project

March 07, 2012

- 1 I am familiar with the NMDOT RFP process
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- 4 I am familiar with the NMDOT contract monitoring process
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- 6 I am familiar with the duties of a project manager for a NMDOT project
- 7 I am familiar with the duties of a contract administrator for a NMDOT project
- 8 I am familiar with the process used to evaluate and accept deliverables for NMDOT contracts
- 9 I am familiar with the process used to review invoices for NMDOT contracts
- 10 Current NMDOT employees would benefit from this training program
- 11 New NMDOT employees would benefit from this training program
- 12 Time for the training program was appropriate
- 13 Time for the training program was used efficiently
- 14 Current NMDOT employees would benefit from the Recommendations Handbook
- 15 New NMDOT employees would benefit from the Recommendations Handbook

Yes	No
✓	
✓	
✓	
✓	
✓	
✓	
✓	
✓	
✓	
✓	
✓	
✓	
✓	
✓	

- 16 Is there a topic or an activity that could have been covered more extensively?

Have the GSD RFP training been considered they have some useful resources.

- 17 Is there a topic or an activity that could have been covered less extensively?

- 18 Do you have any additional comments and/or suggestions?

The state use act should have been discussed.

Post-Training Evaluation Form

New Mexico Institute of Mining and Technology

Improving Contract Management by End Users Research Project

March 07, 2012

- 1 I am familiar with the NMDOT RFP process
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- 9 I am familiar with the process used to review invoices for NMDOT contracts
- 10 Current NMDOT employees would benefit from this training program
- 11 New NMDOT employees would benefit from this training program
- 12 Time for the training program was appropriate
- 13 Time for the training program was used efficiently
- 14 Current NMDOT employees would benefit from the Recommendations Handbook
- 15 New NMDOT employees would benefit from the Recommendations Handbook

Yes	No
	✓
	✓
	✓
	✓
✓	
✓	
✓	
	✓
✓	
	✓
✓	
	✓
✓	
✓	
✓	

16 Is there a topic or an activity that could have been covered more extensively?

For new employees more detail is need about DOT specific processes

17 Is there a topic or an activity that could have been covered less extensively?

For new employees all topics are important

18 Do you have any additional comments and/or suggestions?

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Post-Training Evaluation Form

New Mexico Institute of Mining and Technology

Improving Contract Management by End Users Research Project

March 07, 2012

- 1 I am familiar with the NMDOT RFP process
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- 4 I am familiar with the NMDOT contract monitoring process
- 5 I understand the difference in duties of a project manager and a contract administrator
- 6 I am familiar with the duties of a project manager for a NMDOT project
- 7 I am familiar with the duties of a contract administrator for a NMDOT project
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- 9 I am familiar with the process used to review invoices for NMDOT contracts
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- 11 New NMDOT employees would benefit from this training program
- 12 Time for the training program was appropriate
- 13 Time for the training program was used efficiently
- 14 Current NMDOT employees would benefit from the Recommendations Handbook
- 15 New NMDOT employees would benefit from the Recommendations Handbook

Yes	No
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
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<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>

16 Is there a topic or an activity that could have been covered more extensively?

→ All topics need to be covered more extensively.
 → Maybe a day long training program.
 → Rules regarding procurement, budget, payments, is needed.

17 Is there a topic or an activity that could have been covered less extensively?

No.

18 Do you have any additional comments and/or suggestions?

• A ~~day~~ day long training should be done.

6

Post-Training Evaluation Form

New Mexico Institute of Mining and Technology

Improving Contract Management by End Users Research Project

March 07, 2012

- 1 I am familiar with the NMDOT RFP process
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- 3 I am familiar with the NMDOT contract negotiation process
- 4 I am familiar with the NMDOT contract monitoring process
- 5 I understand the difference in duties of a project manager and a contract administrator
- 6 I am familiar with the duties of a project manager for a NMDOT project
- 7 I am familiar with the duties of a contract administrator for a NMDOT project
- 8 I am familiar with the process used to evaluate and accept deliverables for NMDOT contracts
- 9 I am familiar with the process used to review invoices for NMDOT contracts
- 10 Current NMDOT employees would benefit from this training program
- 11 New NMDOT employees would benefit from this training program
- 12 Time for the training program was appropriate
- 13 Time for the training program was used efficiently
- 14 Current NMDOT employees would benefit from the Recommendations Handbook
- 15 New NMDOT employees would benefit from the Recommendations Handbook

Yes	No
X	
X	
	X
X	
X	
X	
X	
	X
X	
X	
X	
X	
X	
X	
X	

16 Is there a topic or an activity that could have been covered more extensively?

17 Is there a topic or an activity that could have been covered less extensively?

More time spent on how it could/would apply to the & each audiences type of transactions and responsibilities

18 Do you have any additional comments and/or suggestions?

Post-Training Evaluation Form

New Mexico Institute of Mining and Technology

Improving Contract Management by End Users Research Project

March 07, 2012

	Yes	No
1 I am familiar with the NMDOT RFP process	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2 I am familiar with the NMDOT contract evaluation process	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3 I am familiar with the NMDOT contract negotiation process	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
4 I am familiar with the NMDOT contract monitoring process	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5 I understand the difference in duties of a project manager and a contract administrator	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
6 I am familiar with the duties of a project manager for a NMDOT project	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
7 I am familiar with the duties of a contract administrator for a NMDOT project	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8 I am familiar with the process used to evaluate and accept deliverables for NMDOT contracts	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
9 I am familiar with the process used to review invoices for NMDOT contracts	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10 Current NMDOT employees would benefit from this training program	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11 New NMDOT employees would benefit from this training program	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12 Time for the training program was appropriate	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
13 Time for the training program was used efficiently	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
14 Current NMDOT employees would benefit from the Recommendations Handbook	<input checked="" type="checkbox"/>	<input type="checkbox"/>
15 New NMDOT employees would benefit from the Recommendations Handbook	<input checked="" type="checkbox"/>	<input type="checkbox"/>

16 Is there a topic or an activity that could have been covered more extensively?

Contract Management - Bring the key people in whom work & monitor the contract.

17 Is there a topic or an activity that could have been covered less extensively?

All topics are important more time would have been appreciated

18 Do you have any additional comments and/or suggestions?

Post-Training Evaluation Form

New Mexico Institute of Mining and Technology

Improving Contract Management by End Users Research Project

March 07, 2012

- 1 I am familiar with the NMDOT RFP process
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- 10 Current NMDOT employees would benefit from this training program
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- 13 Time for the training program was used efficiently
- 14 Current NMDOT employees would benefit from the Recommendations Handbook
- 15 New NMDOT employees would benefit from the Recommendations Handbook

Yes	No
X	
X	
X	
X	
X	
X	
X	
X	
X	
X	
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X	
X	
X	
X	

16 Is there a topic or an activity that could have been covered more extensively?

Developing the scope of work and contract negotiations

17 Is there a topic or an activity that could have been covered less extensively?

No

18 Do you have any additional comments and/or suggestions?

Post-Training Evaluation Form

New Mexico Institute of Mining and Technology

Improving Contract Management by End Users Research Project

March 07, 2012

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- 13 Time for the training program was used efficiently
- 14 Current NMDOT employees would benefit from the Recommendations Handbook
- 15 New NMDOT employees would benefit from the Recommendations Handbook

Yes	No
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
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<input checked="" type="checkbox"/>	<input type="checkbox"/>
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<input checked="" type="checkbox"/>	<input type="checkbox"/>

16 Is there a topic or an activity that could have been covered more extensively?

17 Is there a topic or an activity that could have been covered less extensively?

18 Do you have any additional comments and/or suggestions?

Post-Training Evaluation Form

New Mexico Institute of Mining and Technology

Improving Contract Management by End Users Research Project

March 07, 2012

- 1 I am familiar with the NMDOT RFP process
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- 12 Time for the training program was appropriate
- 13 Time for the training program was used efficiently
- 14 Current NMDOT employees would benefit from the Recommendations Handbook
- 15 New NMDOT employees would benefit from the Recommendations Handbook

Yes	No
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>

16 Is there a topic or an activity that could have been covered more extensively?

The contract negotiation process

17 Is there a topic or an activity that could have been covered less extensively?

18 Do you have any additional comments and/or suggestions?

Provide a sample format of an actual RFP, and then go thru an actual RFP + it's contents + what an RFP looks like

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Post-Training Evaluation Form

New Mexico Institute of Mining and Technology

Improving Contract Management by End Users Research Project

March 07, 2012

- 1 I am familiar with the NMDOT RFP process
- 2 I am familiar with the NMDOT contract evaluation process
- 3 I am familiar with the NMDOT contract negotiation process
- 4 I am familiar with the NMDOT contract monitoring process
- 5 I understand the difference in duties of a project manager and a contract administrator
- 6 I am familiar with the duties of a project manager for a NMDOT project
- 7 I am familiar with the duties of a contract administrator for a NMDOT project
- 8 I am familiar with the process used to evaluate and accept deliverables for NMDOT contracts
- 9 I am familiar with the process used to review invoices for NMDOT contracts
- 10 Current NMDOT employees would benefit from this training program
- 11 New NMDOT employees would benefit from this training program
- 12 Time for the training program was appropriate
- 13 Time for the training program was used efficiently
- 14 Current NMDOT employees would benefit from the Recommendations Handbook
- 15 New NMDOT employees would benefit from the Recommendations Handbook

Yes	No
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
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<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>

16 Is there a topic or an activity that could have been covered more extensively?

Examples of scopes, RFP, evaluation

17 Is there a topic or an activity that could have been covered less extensively?

18 Do you have any additional comments and/or suggestions?

Provide best/worst case scenarios of actual contracts/ issues

12

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- 12 Time for the training program was appropriate
- 13 Time for the training program was used efficiently
- 14 Current NMDOT employees would benefit from the Recommendations Handbook
- 15 New NMDOT employees would benefit from the Recommendations Handbook

Yes	No
✓	
	✓
	✓
	✓
✓	
✓	
✓	
✓	
✓	
✓	
✓	

16 Is there a topic or an activity that could have been covered more extensively?

17 Is there a topic or an activity that could have been covered less extensively?

18 Do you have any additional comments and/or suggestions?

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- 10 Current NMDOT employees would benefit from this training program
- 11 New NMDOT employees would benefit from this training program
- 12 Time for the training program was appropriate
- 13 Time for the training program was used efficiently *See #12*
- 14 Current NMDOT employees would benefit from the Recommendations Handbook ?
- 15 New NMDOT employees would benefit from the Recommendations Handbook ?

Yes	No
✓	
✓	
✓	
✓	
✓	
✓	
✓	
✓	
✓	
	✓
✓	

* ✓	departs
-----	---------

Not familiar w/ this document.

- 16 Is there a topic or an activity that could have been covered more extensively?

Types of contracting mechanisms, restrictions that apply that are specific to the NMDOT.

- 17 Is there a topic or an activity that could have been covered less extensively? no.

- 18 Do you have any additional comments and/or suggestions?

- * Only if the new employee will be responsible for contract mgmt or administration.

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- 11 New NMDOT employees would benefit from this training program
- 12 Time for the training program was appropriate
- 13 Time for the training program was used efficiently
- 14 Current NMDOT employees would benefit from the Recommendations Handbook
- 15 New NMDOT employees would benefit from the Recommendations Handbook or a

Yes	No
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
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<input checked="" type="checkbox"/>	<input type="checkbox"/>
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<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>

somewhat

Process Book

- 16 Is there a topic or an activity that could have been covered more extensively?

The NMDOT Process for RFP and Contracts, roles and responsibilities of all roles.

- 17 Is there a topic or an activity that could have been covered less extensively?

How to create a good Scope of Work.

- 18 Do you have any additional comments and/or suggestions?

Post-Training Evaluation Form

New Mexico Institute of Mining and Technology

Improving Contract Management by End Users Research Project

March 07, 2012

	Yes	No
1 I am familiar with the NMDOT RFP process	X	
2 I am familiar with the NMDOT contract evaluation process	X	
3 I am familiar with the NMDOT contract negotiation process	X	
4 I am familiar with the NMDOT contract monitoring process	X	
5 I understand the difference in duties of a project manager and a contract administrator	X	
6 I am familiar with the duties of a project manager for a NMDOT project	X	
7 I am familiar with the duties of a contract administrator for a NMDOT project	X	
8 I am familiar with the process used to evaluate and accept deliverables for NMDOT contracts	X	
9 I am familiar with the process used to review invoices for NMDOT contracts	X	
10 Current NMDOT employees would benefit from this training program	X	
11 New NMDOT employees would benefit from this training program	X	
12 Time for the training program was appropriate	X	
13 Time for the training program was used efficiently	X	
14 Current NMDOT employees would benefit from the Recommendations Handbook	X	
15 New NMDOT employees would benefit from the Recommendations Handbook	X	

16 Is there a topic or an activity that could have been covered more extensively?

More focus on Contract negotiation, and Contract evaluation process.

17 Is there a topic or an activity that could have been covered less extensively?

N/A

18 Do you have any additional comments and/or suggestions?

Developing a process hand book also.

Post-Training Evaluation Form

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- 13 Time for the training program was used efficiently
- 14 Current NMDOT employees would benefit from the Recommendations Handbook
- 15 New NMDOT employees would benefit from the Recommendations Handbook

Yes	No
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
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<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>

16 Is there a topic or an activity that could have been covered more extensively?

RM

I would imagine?

17 Is there a topic or an activity that could have been covered less extensively?

NA

18 Do you have any additional comments and/or suggestions?

NA

17

Post-Training Evaluation Form

New Mexico Institute of Mining and Technology

Improving Contract Management by End Users Research Project

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- 13 Time for the training program was used efficiently
- 14 Current NMDOT employees would benefit from the Recommendations Handbook
- 15 New NMDOT employees would benefit from the Recommendations Handbook

Yes	No
X	
X	
X	
X	
X	
X	
X	
X	
X	
X	
X	
X	
X	
X	
X	
X	

- 16 Is there a topic or an activity that could have been covered more extensively?

Continuing. CAN be more specific to NMDOT & not
as general as it applies to all agencies.

- 17 Is there a topic or an activity that could have been covered less extensively?

NO

- 18 Do you have any additional comments and/or suggestions?

Recognize different types of contracts for different
areas of NMDOT.

Post-Training Evaluation Form

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- 15 New NMDOT employees would benefit from the Recommendations Handbook

Yes	No
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
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<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>

16 Is there a topic or an activity that could have been covered more extensively?

Scope of Work

17 Is there a topic or an activity that could have been covered less extensively?

NONE

18 Do you have any additional comments and/or suggestions? Great Job!

19

Post-Training Evaluation Form

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Yes	No
X	
X	
X	
X	
X	
X	
X	
X	
X	
X	
X	
X	
X	
X	
X	

- 16 Is there a topic or an activity that could have been covered more extensively?

drafting a scope of work
Good

- 17 Is there a topic or an activity that could have been covered less extensively?

- 18 Do you have any additional comments and/or suggestions?

Post-Training Evaluation Form

New Mexico Institute of Mining and Technology

Improving Contract Management by End Users Research Project

March 07, 2012

	Yes	No
1 I am familiar with the NMDOT RFP process	X	
2 I am familiar with the NMDOT contract evaluation process	X	
3 I am familiar with the NMDOT contract negotiation process	X	
4 I am familiar with the NMDOT contract monitoring process	X	
5 I understand the difference in duties of a project manager and a contract administrator	X	
6 I am familiar with the duties of a project manager for a NMDOT project	X	
7 I am familiar with the duties of a contract administrator for a NMDOT project	X	
8 I am familiar with the process used to evaluate and accept deliverables for NMDOT contracts	X	
9 I am familiar with the process used to review invoices for NMDOT contracts	X	
10 Current NMDOT employees would benefit from this training program	X	
11 New NMDOT employees would benefit from this training program	X	
12 Time for the training program was appropriate		X
13 Time for the training program was used efficiently	X	
14 Current NMDOT employees would benefit from the Recommendations Handbook	X	
15 New NMDOT employees would benefit from the Recommendations Handbook	X	
16 Is there a topic or an activity that could have been covered more extensively?		
17 Is there a topic or an activity that could have been covered less extensively?		
18 Do you have any additional comments and/or suggestions?		

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- 13 Time for the training program was used efficiently
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Yes	No
✓	
✓	
✓	
✓	
✓	
✓	
✓	
✓	
✓	
✓	
✓	
✓	
✓	
✓	

16 Is there a topic or an activity that could have been covered more extensively?

—

17 Is there a topic or an activity that could have been covered less extensively?

—

18 Do you have any additional comments and/or suggestions?

none

22

Post-Training Evaluation Form

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- 13 Time for the training program was used efficiently
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Yes	No
	✓
	✓
	✓
	✓
	✓
	✓
	✓
✓	
✓	
✓	
✓	
✓	
✓	
✓	
✓	

16 Is there a topic or an activity that could have been covered more extensively?

17 Is there a topic or an activity that could have been covered less extensively?

18 Do you have any additional comments and/or suggestions?

Sorry I don't deal with RFP so I am not
able to provide you with much input
Thank you

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Yes	No
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
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<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>

16 Is there a topic or an activity that could have been covered more extensively?

Good Class I like the handout. Very simple but to the point.
MAY a little longer class overall.

17 Is there a topic or an activity that could have been covered less extensively?

No.

18 Do you have any additional comments and/or suggestions?

None @ this time

APPENDIX D

RESULTS OF PRE-TRAINING SURVEY AND POST-TRAINING EVALUATION

PRE-TRAINING SURVEY

New Mexico Institute of Mining and Technology

Improving Contract Management by End Users Research Project

March 07, 2012

	Yes	No	
1 I am familiar with the NMDOT RFP process	19	5	
2 I have written RFPs for NMDOT contracts	12	12	
3 I write RFPs for NMDOT contracts on a regular basis	4	19	respondent # 3 answered both yes and no
4 I have written scopes of work for NMDOT RFPs	13	10	respondent # 3 answered both yes and no
5 I write scopes of work for NMDOT RFPs on a regular basis	4	20	
6 I am familiar with the NMDOT contract evaluation process	17	7	
7 I have evaluated proposals for NMDOT contracts	13	10	respondent # 2 left this question blank
8 I evaluate proposals for NMDOT on a regular basis	5	19	
9 I am familiar with the NMDOT contract negotiation process	10	13	respondent # 4 answered both yes and no
10 I have negotiated contracts for NMDOT	7	17	
11 I negotiate contracts for NMDOT on a regular basis	2	21	respondent # 2 left this question blank
12 I am familiar with the NMDOT contract monitoring process	15	9	
13 I have monitored contracts for the NMDOT	15	9	
14 I monitor contracts for the NMDOT on a regular basis	15	9	

	Yes	No	
15 I understand the difference in duties of a project manager and a contract administrator	16	7	respondent # 1 answered both yes and no
16 I am familiar with the duties of a project manager for a NMDOT project	17	6	respondent # 3 answered both yes and no
17 I have performed the duties of a project manager for a NMDOT project	8	15	respondent # 3 answered both yes and no
18 I perform the duties of a project manager for NMDOT projects on a regular basis	4	20	
19 I am familiar with the duties of a contract administrator for a NMDOT project	17	7	
20 I have performed the duties of a contract administrator for a NMDOT project	10	14	
21 I perform the duties of a contract administrator for NMDOT projects on a regular basis	6	17	respondent # 2 left this question blank
22 I am familiar with the process used to evaluate and accept deliverables for NMDOT contracts	13	10	respondent # 3 answered both yes and no
23 I have received and evaluated deliverables for NMDOT contracts	15	9	
24 I receive and evaluate deliverables for NMDOT contracts on a regular basis	9	15	
25 I am familiar with the process used to review invoices for NMDOT contracts	22	2	
26 I have reviewed invoices for NMDOT contracts	22	2	
27 I review invoices for NMDOT contracts on a regular basis	15	9	
28 I have been trained in the contracting process at the NMDOT	8	16	
29 A training program on the contracting process would benefit NMDOT employees	24	0	

POST-TRAINING SURVEY

New Mexico Institute of Mining and Technology

Improving Contract Management by End Users Research Project

March 07, 2012

	Yes	No	
1 I am familiar with the NMDOT RFP process	20	2	respondent # 21 left this question blank
2 I am familiar with the NMDOT contract evaluation process	19	4	
3 I am familiar with the NMDOT contract negotiation process	16	6	respondent # 7 answered both yes and no
4 I am familiar with the NMDOT contract monitoring process	19	4	
5 I understand the difference in duties of a project manager and a contract administrator	17	4	respondent # 7 answered both yes and no
6 I am familiar with the duties of a project manager for a NMDOT project	18	4	respondent # 7 answered both yes and no
7 I am familiar with the duties of a contract administrator for a NMDOT project	16	6	respondent # 12 left this question blank
8 I am familiar with the process used to evaluate and accept deliverables for NMDOT contracts	20	2	respondent # 7 answered both yes and no
9 I am familiar with the process used to review invoices for NMDOT contracts	23	0	
10 Current NMDOT employees would benefit from this training program	22	1	
11 New NMDOT employees would benefit from this training program	22	1	
12 Time for the training program was appropriate	17	4	respondent # 3 left this question blank; respondent # 7 answered both yes and no
13 Time for the training program was used efficiently	19	1	respondent # 3: blank; # 7: both yes & no; # 14 left it blank & wrote "somewhat"
14 Current NMDOT employees would benefit from the Recommendations Handbook	19	0	respondents # 1, 11, 12, and 13: blank
15 New NMDOT employees would benefit from the Recommendations Handbook	19	0	respondents # 1, 11, 12, and 13: blank

16 Is there a topic or an activity that could have been covered more extensively?

- # 1 Monitoring of contracts.
- # 2 In my group there was someone who did not know what an RFP was, what a proposal was, or what a contract was. She did not understand that there were separate items and what each included. So, the Pis should not assume that the audience has ANY knowledge of the subject matter and prepare to spend time at beginning of training to define and perhaps give examples of these 3 things.
- # 3 Have the GSD RFP training been considered they have some useful resources.
- # 4 For new employees more detail is needed about DOT specific processes.
- # 5 All topics need to be covered more extensively. Maybe a day long training program. Rules regarding procurement, budget, payments is needed.
- # 7 Contract management - bring the key people in whom work and monitor the contract.
- # 8 Developing the scope of work and contract negotiations
- # 10 The contract negotiation process
- # 11 Examples of scopes, RFP, evaluation
- # 13 Types of contracting mechanisms, restrictions that apply that are specific to the NMDOT.
- # 14 The NMDOT Process for RFP and Contracts, roles and responsibilities of all roles.
- # 15 More focus on contract negotiation, and contract evaluation process.
- # 16 NA
- # 17 Contracting. Can be more specific to NMDOT and not as general as it applies to all agencies.
- # 18 Scope of work
- # 19 Drafting a good scope of work
- # 23 Good class I like the handout. Very simple but to the point. May a little longer class overall.

17 Is there a topic or an activity that could have been covered less extensively?

- # 4 For new employees all topics are important.
- # 5 No
- # 6 More time spent on how it could/would apply to the teach audiences type of transactions and responsibilities
- # 7 All topics are important more time would have been appreciated
- # 8 No
- # 13 No
- # 14 How to create a good scope of work
- # 15 N/A
- # 16 NA
- # 17 No
- # 18 None
- # 23 No

18 Do you have any additional comments and/or suggestions?

- # 1 Possibly a check off list for contract management to pass from one administrator to another
- # 2 Provide examples in a pre-training packet - go out with sign-up for training. RFP for professional services - simple without all the template. Maybe just sample of SOW, deliverables, timeline, maximum budget? - RFP for small purchases.
- # 3 The state use act should have been discussed.
- # 5 A day long training should be done.
- # 10 Provide a sample format of an actual RFP; go thru an actual RFP & its contents & what an RFP looks like
- # 11 Provide best/worst case scenarios of actual contracts/issues
- # 15 Developing a process handbook also
- # 16 NA
- # 17 Recognize different types of contracts for different areas of NMDOT.
- # 18 Great Job!
- # 21 None
- # 22 Sorry I don't deal with RFP so I am not able to provide you with much input. Thank you
- # 23 None @ this time

APPENDIX E

TRAINING PROGRAM PRESENTATION



IMPROVING CONTRACT MANAGEMENT BY END USERS

Claudia Mara Dias Wilson, Ph.D.

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New Mexico Institute of Mining and Technology

**A Research Project Sponsored by
New Mexico Department of Transportation Research Bureau**

**In Cooperation with
The U.S. Department of Transportation Federal Highway Administration**

Objective of Workshop

Provide project managers and contract administrators a practical guide of the NMDOT contracting process.

Focus on non architectural and engineering (non-A&E) Professional Service Agreements (PSA), including competitive proposals, emergency procurement, small purchases (not exceeding \$50,000.00), and sole source agreements.

Project Phases





Main Sections of Requests for Proposals

- **Purpose of the Request for Proposals**
- **Scope of Work:**
 - project goals;
 - work to be performed or requirements to be met;
 - proposed actions or tasks;
 - expected outcomes.
- **List of deliverables**
- **Project phases or milestones**
- **Performance standards and reporting requirements**
- **Timeline**
- **Budget or estimated value (optional)**
- **Role and responsibility of contracting agency**
- **Submission deadline and required proposal format**
- **Proposal evaluation criteria**



Developing Scopes of Work

Creating a sound scope of work requires agency personnel to understand the problem and the actions to fix it.

- **The scope of work should:**
 - describe the problem to be addressed or the service to be performed;
 - precisely define the desired outcomes;
 - consider the available budget and timeframe.
- **The scope of work should be written or reviewed by technical experts.**
- **The language used should be clear and objective – ambiguous or vague words and statements should be avoided.**
- **The sentences should be short and simple.**
- **Unnecessary words should be eliminated.**

**Administrative Procedures for
the Development of a Request for Proposal**





**Concerns in developing
scopes of work?**

**Concerns in implementing
RFPs?**



Proposal Selection

- A competitive procurement process should be applied to obtain unbiased estimates of the true costs of performing desired tasks
- A pre-proposal conference can be held to ensure competing contractors have a sound understanding of key tasks and agency goals
- Proposals should only be evaluated if they are submitted on time, are complete, and conform to the criteria stated in the RFP
- Oral presentations may be requested of authors of top proposals
- Evaluation Committee should:
 - be formed by technical experts who prepared the scope of work and RFP
 - ensure that rules/regulations are followed to promote integrity in procurement
 - avoid hasty, incomplete or biased evaluations
 - scrutinize proposals to avoid potential conflicts of interest
 - keep public record of decisions justifying contract awards

Administrative Procedures for Proposal Evaluation





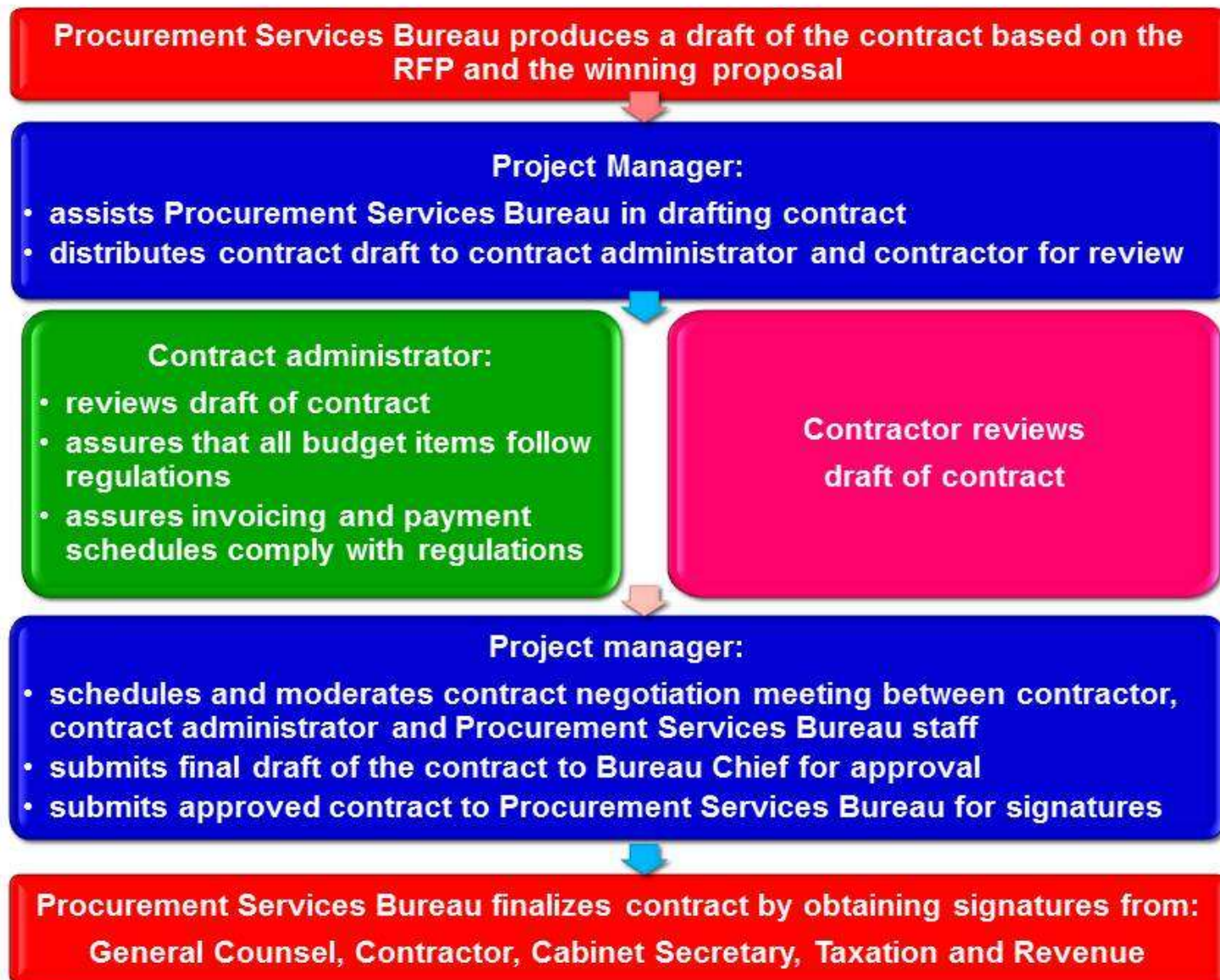
Concerns in implementing proposal evaluation?



Contract Negotiation

- Project manager should ensure that public funds are used effectively by reviewing cost estimate of winning proposal:
 - If acceptable: a contract is prepared
 - If unacceptable: negotiations are initiated
- Project manager should also review:
 - consistency between scope of work in RFP and contract draft
 - fees and schedule of deliverables
 - resources and services to be provided by NMDOT
- Contract should describe :
 - how invoices are to be submitted
 - how invoices correspond to deliverables
 - how the NMDOT use invoices and deliverables to measure progress throughout the project
- Once a contract is awarded, project manager contacts Procurement Services Bureau to generate a purchase document which encumbers funds for payment of the contractor. Direct payments should NEVER be used to pay contractors for professional services, construction, or tangible items

Administrative Procedures for Contract Negotiation





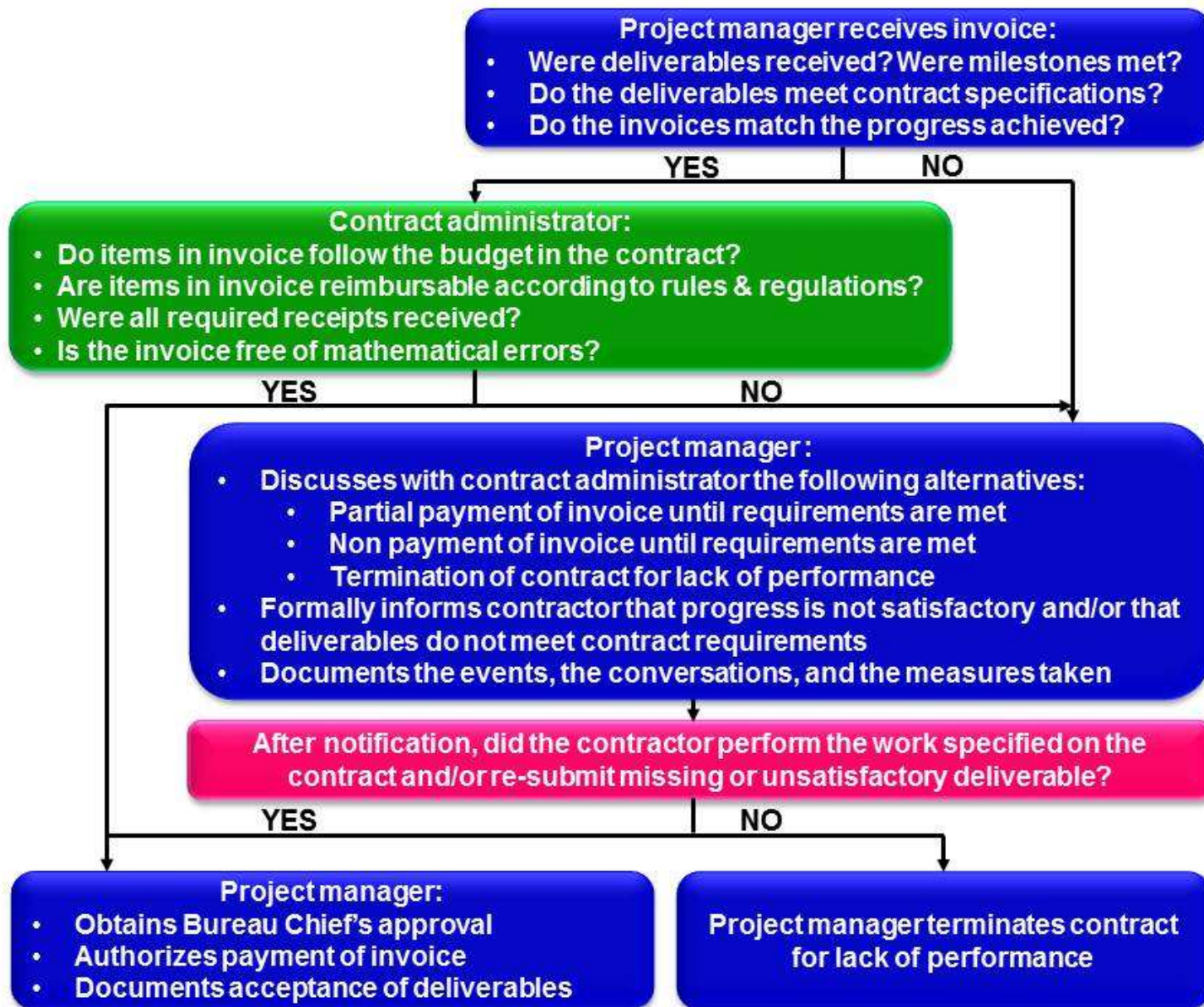
Concerns in implementing contract negotiation?



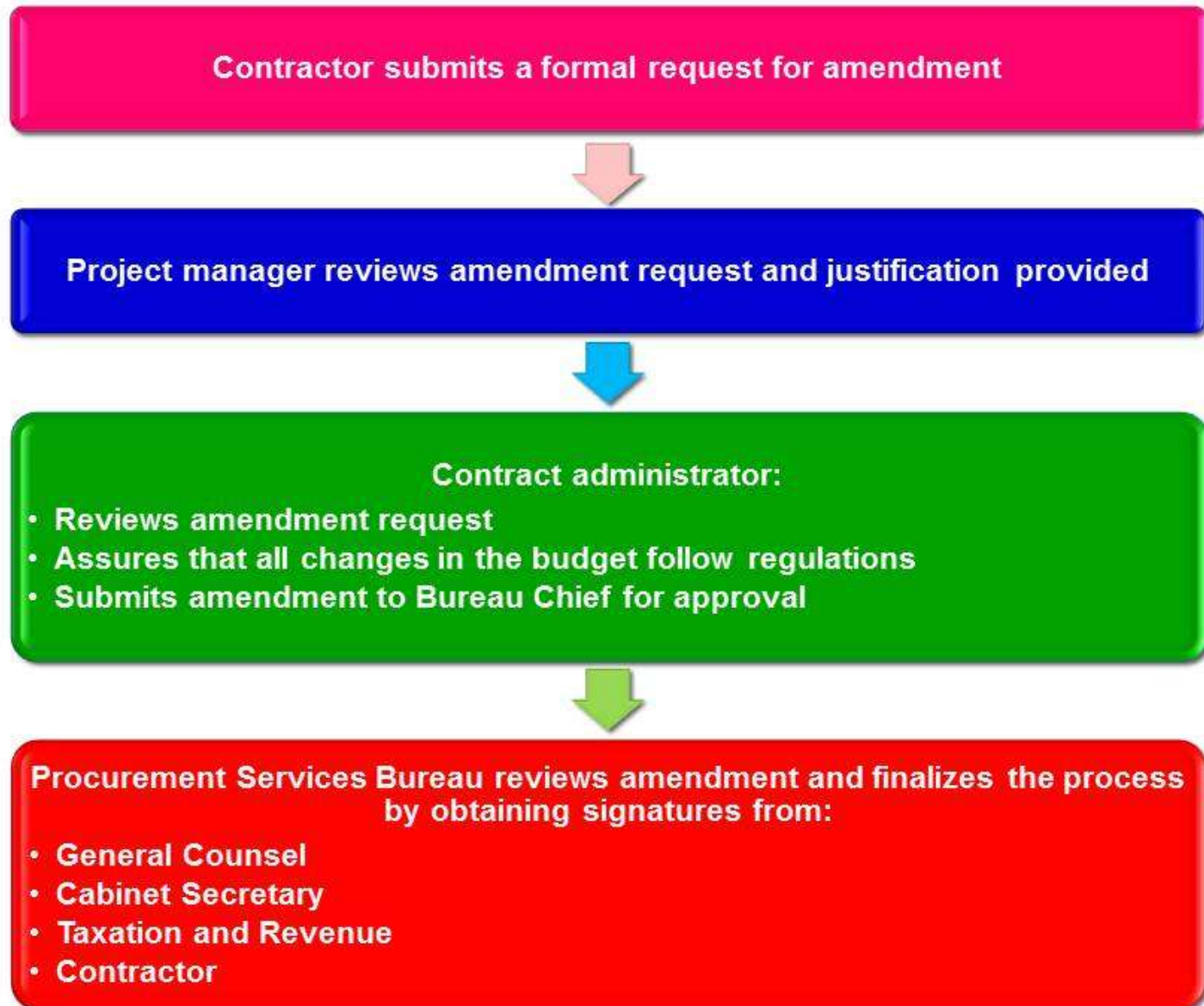
Monitoring Contracts

- Projects are monitored through technical reviews, progress reports and invoice accounting
- Receipt and acceptance or rejection of all deliverables should be documented
- Formal procedures for maintaining contract records should be followed
- Frequency of monitoring depends on the complexity, duration and funding commitments of the project
- Contract invoices should be checked for consistency with work performed
- Disputes should be resolved at the lowest possible level. Unresolved disputes should be brought to the attention of successively higher levels of authority until settlement
- Requests for changes in scope, key personnel, timeline extensions or fee amendments should be carefully scrutinized

Administrative Procedures for Contract Monitoring



Administrative Procedures for Contract Amendments





Concerns in implementing contract monitoring?



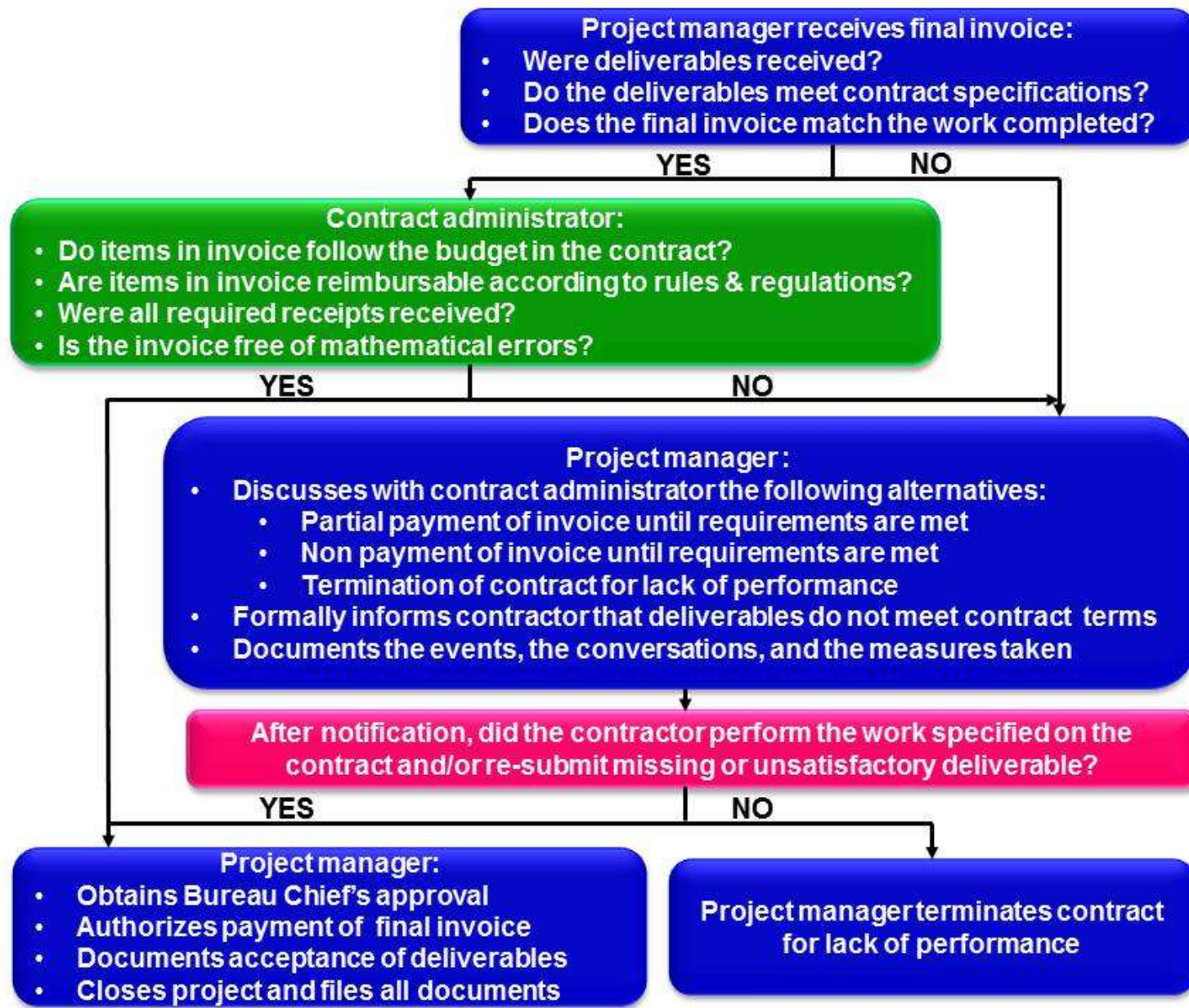
Contract Closure

- **Before closing a contract, project manager should verify that :**
 - work specified in contract has been satisfactorily completed
 - all deliverables have been received and formally accepted
 - every aspect of the project has been properly documented
 - documentation has been properly filed in a separate, organized and clearly labeled folder
- **A closure meeting involving the project manager, the contract administrator and other NMDOT personnel involved in the contract should be held to:**
 - revisit goals of contract
 - discuss how successful the contractor was in achieving these goals
 - discuss the quality and timeliness of deliverables received
 - determine the final steps of measures needed to conclude the project

other items on agenda could be:

 - Strengths and weaknesses of the project
 - possible causes for problems encountered and how to avoid them in the future
 - lessons learned

Administrative Procedures for Contract Closure





Concerns in implementing contract closure?

APPENDIX F

MULTIMEDIA PRESENTATION



IMPROVING CONTRACT MANAGEMENT BY END USERS

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**A Research Project Sponsored by
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**In Cooperation with
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Outline

- Introduction
- Objectives
- Project Tasks
 - Task 1 – Interview of Key Department Personnel
 - Task 2 – Evaluation of Sample of Contracts
 - Task 3 – Literature Review and Survey of Contract Management Principles
 - Task 4 – Development of a Contract Management Recommendations Handbook
 - Task 5 – Development of a Training Program for Contract/Project Managers and Initial Training
 - Task 6 – Development of an Implementation Plan for Improved Contract Management Techniques and a Contract/Project Management Training Program
- Conclusions
- Acknowledgments

Introduction

The New Mexico Department of Transportation (NMDOT) identified the need for improvement of both quality and consistency in developing and managing contracts.

Of particular concern were:

- **Absence of one or more of the following:**
 - **specific scopes of work**
 - **clearly defined deliverables**
 - **quantifiable performance measures**
- **Invoices not linked to contract scope or deliverables**
- **Payment of invoices when vendor had made inadequate progress**
- **Inconsistent monitoring of contracts**

Objectives

The objectives of this project were to:

- 1. examine the NMDOT contracting process**
- 2. determine aspects that could be improved**
- 3. develop recommendations that would ensure contracts are monitored effectively and public funds expended efficiently**

The focus of the research was on non architectural and engineering (non-A&E) professional services contracts.

Project Tasks

Task 1	<ul style="list-style-type: none">• Interview Key Department Personnel
Task 2	<ul style="list-style-type: none">• Evaluation of Sample of Contracts
Task 3	<ul style="list-style-type: none">• Literature Review and Survey of Contract Management Principles
Task 4	<ul style="list-style-type: none">• Development of a Contract Management Recommendations Handbook
Task 5	<ul style="list-style-type: none">• Development of a Training Program for Contract/ Project Managers and Initial Training
Task 6	<ul style="list-style-type: none">• Development of an Implementation Plan for Improved Contract Management Techniques

Project Tasks

Task 1	<ul style="list-style-type: none">• Interview Key Department Personnel
Task 2	<ul style="list-style-type: none">• Evaluation of Sample of Contracts
Task 3	<ul style="list-style-type: none">• Literature Review and Survey of Contract Management Principles
Task 4	<ul style="list-style-type: none">• Development of a Contract Management Recommendations Handbook
Task 5	<ul style="list-style-type: none">• Development of a Training Program for Contract/ Project Managers and Initial Training
Task 6	<ul style="list-style-type: none">• Development of an Implementation Plan for Improved Contract Management Techniques

Task 1 – Description

In this task, New Mexico Tech (NMT) requested from the Technical Panel a sample of contracts to be evaluated and the selection of Department personnel to be interviewed.

The goals of the research team in this task were to:

- gain a broad understanding of NMDOT contracting processes**
- conduct a thorough analysis of this process**
- identify its strengths and weaknesses**
- review key contract principles**

Task 1 – Methodology

- A sample of 19 contracts were received along with a list of NMDOT personnel associated with the contracts
- The NMT Research Team developed a questionnaire to survey NMDOT personnel responsible for developing and managing contracts
- The survey considered a range of questions to understand the administrative roles and expectations in managing and administering NMDOT contracts
- To ease concerns and assure interviewees that results of this project would not be used to evaluate their performance within NMDOT, questionnaires were forwarded to participants prior to the meetings
- The interviews took the form of a relaxed and friendly conversation, nevertheless, the interviewers made sure that all items on the list of questions were addressed

Task 1 – Interviewer's Impressions of Responses

- **Employees find contracting process confusing, particularly forms and documents required for the different types of contract**
- **Employees experienced in the contracting process learned it on their own (no training or orientation)**
- **Program management and contract administration duties are often conducted by the same person**
- **Person administering and managing contracts is often the one “that knows the most about this type of work”. Unfortunately, this person does not always have experience or training in program management and/or contract administration**
- **Filing procedure is inconsistent**
- **There is no procedure to assure that:**
 - **all necessary documents are filed and organized**
 - **documentation is transferred to appropriate personnel should individual in charge of the contract leave the Bureau**

Task 1 – Interviewer's Impressions of Responses (cont.)

- Bureaus that delegate contract administration duties to a single individual have a better understanding and a more positive view of the contracting process
- Position held by the person in charge of writing the RFP varies from Bureau to Bureau
- Personnel interviewed do not feel that scope creep is a problem
- Most interviewees are satisfied with contractors' performances
- Problems related to poor performance are usually resolved by notifying the contractor before an invoice is submitted
- Amendments are often viewed as unavoidable
- The amendment process is often considered lengthy, burdensome, and sometimes confusing
- Most amendments add personnel, grant time extensions or additional compensation. Changes in scope are not common

Task 1 – Findings

Contracts which were perceived to be functioning well also had the characteristics of addressing the research issues listed on the RFP and a satisfactory contract amendment process

Project Tasks

Task 1	• Interview Key Department Personnel
Task 2	• Evaluation of Sample of Contracts
Task 3	• Literature Review and Survey of Contract Management Principles
Task 4	• Development of a Contract Management Recommendations Handbook
Task 5	• Development of a Training Program for Contract/ Project Managers and Initial Training
Task 6	• Development of an Implementation Plan for Improved Contract Management Techniques

Task 2 – Description

The objective of this task was to conduct an independent review of a sample of non-A&E contracts provided by NMDOT

The review focused on the determination of the adequacy of:

- scopes of work**
- deliverables**
- budget**
- performance measures**

Results of this analysis were used to develop a Recommendations Handbook, a Training Program, and an Implementation Plan for the recommendations

Task 2 – Findings

Scopes, deliverables and performance measures

- Most contracts had specific and detailed scopes of work, lists of deliverables, and performance measures
- Some concerns were found in reporting timelines, budgets and milestones.
- One contract in particular exhibited serious deficiencies:
 - lack of details in the scope of work
 - vague performance requirements
 - absence of milestones
 - lack of a detailed budget
(only a maximum agreed upon hourly rate was included)

Task 2 – Findings Amendments

- Of the 19 contracts supplied, 5 were amended
- Justifications were presented for all amendments
- Justifications for amendments consisted in:
 - addition of information to scope of work
 - corrections to the original contract
 - inclusion of new budget line items
 - reallocation of funds
 - time extensions
 - increased compensation
- Time extensions and increased compensation were deemed essential to the completion of the contract
- Circumstances leading to these amendments were deemed unforeseeable
- Amendments granting time extensions and additional compensation were the most common, changes in scope were rare

Task 2 – Findings

Contract Monitoring

In general, contracts appeared to be properly monitored, with the following exceptions:

- **There was a lack of consistency in procedures followed by different project managers and contract administrators**
- **In some cases, the monitoring process was informal and not documented**
- **Responsibilities of contract administration and monitoring are unclear**
- **In most cases, the person who knew the most about the project was responsible for its monitoring and for managing the contract, regardless of this person's experience or training in contract administration and project management**

Task 2 – Findings

Contract Performance

Although most projects were ongoing, and success could not yet be determined, interviewees felt that:

- the contractors were performing satisfactorily**
- services provided fulfilled the contracts' terms**
- amendments to increase compensation were adequately justified**

Task 2 – Regression Analyses of Contract Data

First Analysis

- **A regression analysis was used to study average contract expenditures across the sample of contracts**
- **Results indicate that the mean value of contract cost increases by 8.2% given a 10% increase in monthly price of services**

Task 2 – Regression Analyses of Contract Data

Second Analysis

- **A logarithmic regression model was used to study the effect of contract life on contract cost**
- **Results indicate that the mean value of contract costs increases by 7.5% given a 10% increase in contract life**

Project Tasks

Task 1	• Interview Key Department Personnel
Task 2	• Evaluation of Sample of Contracts
Task 3	• Literature Review and Survey of Contract Management Principles
Task 4	• Development of a Contract Management Recommendations Handbook
Task 5	• Development of a Training Program for Contract/ Project Managers and Initial Training
Task 6	• Development of an Implementation Plan for Improved Contract Management Techniques

Task 3 – Description

- **The objective of this task was to search the literature for contract development and management best practices**
- **To this end, the NMT research team reviewed basic contract principles from the economics literature and visited websites of state DOTs and other entities issuing contracts similar to these let by the NMDOT**
- **Several documents were obtained regarding contract management best practices, lessons learned, and recommendations**
- **These recommendations were summarized and carefully considered in the development of the Contract Management Recommendations Handbook (Task 4), the Training Program (Task 5), and the Implementation Plan (Task 6)**

Task 3 – Basic Economic Principles

**Well managed contracts tend to reduce to basic causes of economic inefficiencies:
adverse selection risk and moral hazard risk**

- **Adverse selection risk arises when contractors are chosen on a no-bid basis, which can potentially escalate project costs**
 - **Adverse selection risk can be managed by choosing project contractors through competitive bidding**
-
- **Moral hazard risk occurs when contracts have no built-in incentives for efficient performance over the life of a project**
 - **Moral hazard risk can be managed by improving contract oversight, specifying contract terms which limit the burden of cost overruns**

Task 3 – Best Management Practices

Recurring recommendations encountered include:

- **Good communication should be maintained between all parties throughout the life of the contract**
- **Careful documentation should be kept of all aspects of the contract**
- **Proper filing practices should be followed throughout the project**
- **A monitoring plan should be in place before the contract begins**
- **Performance should be closely monitored and when necessary corrective measures should be taken**
- **Satisfactory performance should be assured before invoices are paid**
- **Clear definition and understanding of each participant's role and responsibilities should be ensured before the project begins**

Project Tasks

Task 1	• Interview Key Department Personnel
Task 2	• Evaluation of Sample of Contracts
Task 3	• Literature Review and Survey of Contract Management Principles
Task 4	• Development of a Contract Management Recommendations Handbook
Task 5	• Development of a Training Program for Contract/ Project Managers and Initial Training
Task 6	• Development of an Implementation Plan for Improved Contract Management Techniques

Task 4 – Description

Task 4 consisted in using the information obtained in the previous tasks to develop a Handbook that would assist NMDOT personnel in managing and administering non architectural and engineering professional services contracts

Task 1 - interviews of NMDOT personnel and Task 2 - evaluation of contract sample allowed the NMT research team to understand:

- **the contracting process at NMDOT**
- **the strengths and weaknesses of this process**
- **he challenges faced by NMDOT employees involved in contract administration and project management**

Task 3 - survey of the literature for best practices and lessons learned in contract management and administration provided a large number of useful information

Task 4 – Recommendations Handbook

The Handbook developed follows the chronology for a project's life:

- development of scope of work and request for proposals
- proposal evaluation and selection
- contract negotiation and processing
- monitoring the contract
- closure

To assist NMDOT personnel in the development and administration of non architectural and engineering professional services contracts, it includes, for each phase of the contract:

- guiding principles and recommendations
- flowcharts showing administrative procedures to be followed
- documentation required
- roles of project managers and contract administrators
- references to applicable rules
- ethical considerations

Project Tasks

Task 1	• Interview Key Department Personnel
Task 2	• Evaluation of Sample of Contracts
Task 3	• Literature Review and Survey of Contract Management Principles
Task 4	• Development of a Contract Management Recommendations Handbook
Task 5	• Development of a Training Program for Contract/ Project Managers and Initial Training
Task 6	• Development of an Implementation Plan for Improved Contract Management Techniques

Task 5 – Description

- The NMT research team developed a training program to assist NMDOT personnel in understanding the contracting process in the agency
- The program focused on the development, management and administration of non architectural and engineering (non-A&E) professional services contracts
- Like the Handbook, it follows the chronology for a project's life, from the point at which the initial solicitation is developed through monitoring of the ongoing project, and ending with closure and final evaluation of goals

Task 5 – Training Program Format

To create a training session that benefits and engages participants of different levels of experience with the contracting process, the NMT research team used a workshop approach, where participation of all attendees was encouraged:

- **Slides and brief explanations were used to familiarize inexperienced participants with each contract phase**
- **Participants were then asked to take part in small group discussions on the topics, focusing on:**
 - **problems encountered and possible solutions**
 - **lessons learned**
 - **challenges**
 - **concerns**
- **Groups were then asked to share the main points of their discussion with the entire audience**

Task 5 – Understanding the Audience

An initial training session was offered by the NMT research team on March 7, 2012 from 8:00 AM until 11:00AM

To better understand the needs of future participants, a survey was conducted at the beginning of the program. Results showed that:

- Half of the participants had previously written RFPs for NMDOT and 17% did so on a regular basis**
- 56.5% had evaluated proposals for NMDOT, and 21% did so regularly**
- 29% had negotiated contracts and 9% did so on a regular basis**
- 62% had monitored contracts and did so habitually**
- 69% understood the difference in duties of a project manager and a contract administrator and 73% were familiar with these duties**
- 92% were familiar with the process used to review invoices and 62.5% reviewed them regularly**
- Although 62.5% had received and evaluated deliverables for NMDOT, only 56.5% claimed to be familiar with the process used to evaluate and accept deliverables**
- Only 33% of the participants had been trained in the contracting process**
- 100% believed that a training program on the contracting process would benefit NMDOT employees**

Task 5 – Program Evaluation

To determine the effectiveness of the training program, an evaluation form was developed by the research team and distributed during the training program of March 7, 2012.

Results of the evaluation show that:

- 81% of the participants believed that time allocated to the training program was appropriate**
- 95% believed that time was used efficiently, however, responses to open-ended questions showed that some would like certain sections to be covered more extensively and for the training session to be longer**
- Although copies of the Recommendations Handbook were not distributed to the participants, the majority felt that current and new employees would benefit from such document**
- Finally, 96% of the participants believe that current and new employees would benefit from this particular training program**

Project Tasks

Task 1	• Interview Key Department Personnel
Task 2	• Evaluation of Sample of Contracts
Task 3	• Literature Review and Survey of Contract Management Principles
Task 4	• Development of a Contract Management Recommendations Handbook
Task 5	• Development of a Training Program for Contract/ Project Managers and Initial Training
Task 6	• Development of an Implementation Plan for Improved Contract Management Techniques

Task 6 – Description

- **The objective of this task is to develop an Implementation Plan (IP) that sets out a step-by-step approach for implementing the contract management recommendations described in the Contract Management Handbook and preliminary training workshop.**
- **In doing so the IP provides a checklist for integrating these recommendations into Department procedures and policies for effective management of non-A&E PSA contracts let by the Department.**
- **The IP also describes approaches for evaluating the cost effectiveness of these recommendations over the various phases of the contract management process, and lessons learned for avoiding deficiencies in past contract development, execution, management and performance.**

Task 6 – RFP Process

Goals for step one	Develop and issue RFPs which motivate contractors to offer detailed proposals for Department consideration.
Recommendations for avoiding deficient practices/procedures	Develop RFPs which specify precise terms and conditions. Rely on fixed-price contracts when possible. Open the RFP process to encourage competition for public projects.
Department staff implementing recommended practices/procedures	To be determined by NMDOT
Cost-effectiveness of implementing recommendations	Well-written RFP's avoid administrative costs of revising/reissuing RFPs. Specifying fixed-price contracts avoids cost overruns due to inefficient contractor behavior. Increasing the number of potential contractors may lower project costs by raising the degree of competition.

Task 6 – Proposal Evaluation and Selection

Goals for step two	Administer a fair/competitive proposal evaluation & selection process.
Recommendations for avoiding deficient practices/procedures	Limit evaluations to proposals submitted on time and conforming to RFP criteria; conduct oral presentations with top proposals for grasp of tasks and goals; scrutinize top proposals to avoid conflicts of interest or procurement code violations.
Department staff implementing recommended practices/procedures	To be determined by NMDOT
Cost-effectiveness of implementing recommendations	A fair and competitive evaluation/selection process avoids lawsuits from potential contractors; avoids administrative costs in duplicating steps one and two; avoids cost overruns from selecting inefficient contractors.

Task 6 – Contract Negotiation

Goals for step three	Negotiate contract terms to ensure desired tasks and services are conducted successfully, on time and within budget.
Recommendations for avoiding deficient practices/procedures	Review contract draft for consistency with scope of work in RFP; specify fixed-price contract agreements; ensure negotiated fees and payments coincide with schedule of tasks and deliverables;
Department staff implementing recommended practices/procedures	To be determined by NMDOT
Cost-effectiveness of implementing recommendations	Thorough review/specification of contract terms avoids costs of litigation; avoids cost overruns from poor understanding of project tasks; and lowers the costs of monitoring contracts.

Task 6 – Monitoring the Contract

Goals for step four	Enforce contract terms to ensure contractor performs tasks and provides deliverables consistent with tasks and goals outlined in the RFP.
Recommendations for avoiding deficient practices/procedures	Maintain documentation of technical reviews, progress reports and invoice accounting; resolve contract disputes at lowest possible level; follow formal review procedures for amending tasks, deliverables, project personnel, timeline extensions and fees; use purchase documents for payments to the contractor - never making direct payments.
Department staff implementing recommended practices/procedures	To be determined by NMDOT
Cost-effectiveness of implementing recommendations	Effective monitoring of contractor performance avoids cost overruns from inefficient contractor or Department behavior - such as late or incomplete tasks assignments or illegitimate payments for non-allowable expenses.

Task 6 – Contract Closure

Goals for step five	Verify work is completed satisfactorily.
Recommendations for avoiding deficient practices/procedures	Conduct a closure meeting to certify that all deliverables have been received and meet the Departments' expectations for the corresponding tasks outlined in the contract; certify that documentation for accounting and invoicing throughout the contract life conform with Department policies.
Department staff implementing recommended practices/procedures	To be determined by NMDOT
Cost-effectiveness of implementing recommendations	Help avoid the acceptance of poor or incomplete work, which would results in a poor value to the public.

Conclusions

This project aimed at improving the development and administration of New Mexico Department of Transportation non architectural and engineering professional services contracts to ensure that public funds are wisely and effectively expended.

Strengths and weaknesses of the current contracting process were determined via the review of a set of contracts and the interview of selected NMDOT personnel. In addition, literature on best practices in contract development and management was surveyed.

Guidelines and recommendations were developed and compiled into a Handbook that took a step-by-step approach in guiding NMDOT personnel in formulating, awarding and monitoring contracts. A training program was also developed and an initial session conducted on March 7, 2012. An implementation plan was prepared for implementation of these recommendations. A Final Report detailing each task of this project was prepared and submitted to the NMDOT.

Prospective Effectiveness of Recommendations

To determine the prospective effectiveness of the recommendations provided, pre- and post- training surveys were distributed at the workshop conducted on March 7, 2012

Responses obtained suggest that the training program was useful since a larger percentage of the participants answered that they were familiar with the different phases of the contracting process and with the duties of project managers and contract administrators after the workshop than before the session.

In addition, while 100% of the participants believe that current and new employees would benefit from a training program, 96% believe that these employees would benefit from the training program developed.

These are good indications that this program will be effective.

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