



**STATE OF HAWAII
STATE PROCUREMENT OFFICE**

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February 9, 2022


PROCUREMENT CIRCULAR NO. 2022-10

TO: Office of the Governor, Chief Operating Officer
Office of the Lieutenant Governor, Chief of Staff
Executive Department Heads
Hawaii State Public Library System, State Librarian

Chief Procurement Officers (CPOs):
Department of Education, Superintendent
University of Hawaii, President
Office of Hawaiian Affairs, Chairperson of the Board
Hawaii Health Systems Corporation, President and Chief Executive Officer
Judiciary, Administrative Director of the Courts
Senate, President
House of Representatives, Speaker

Counties of Hawaii, Kauai, and Maui, and City & County of Honolulu
Executive Branch, Finance Director
Legislative Branch, City/County Council Chair
Board/Departments of Water Supply, Manager/Chief Engineer
Honolulu Authority for Rapid Transportation, Executive Director

CC: Administrative Services Offices

FROM: Bonnie Kahakui, Acting Administrator 

SUBJECT: State Procurement Office (SPO) Procurement Review Request
Past Performance HARs and Questionnaire Pursuant to Act 188/SLH 2021

Act 188 of the 2021 Regular Legislative Session requires the State Procurement Office (SPO) to implement and administer a past performance database by December 31, 2023, and adopt rules regarding information and procedures associated with a past performance database. The purpose of considering a contractor's past performance in the procurement process and maintaining a past performance database is to help to address issues of repeated inefficiencies, substandard work, and eliminate awarding contracts to poor performing vendors.

You have been identified as an important stakeholder in the State procurement process, and we are requesting your review of the draft Hawaii Administrative Rules (HARs) and questionnaire for past performance. It is important to hear your concerns and feedback on how past performance should be evaluated and implemented into a database.

To ensure your input will be taken into consideration please submit your feedback, to the attached draft rules and questionnaire, to the state.procurement.office@hawaii.gov **no later than COB Thursday, March 31, 2022.**

Thank you in advance for your support of this project.

If there are any questions, your staff may contact Stacey Kauleinamoku at (808) 586-0571, or stacey.l.kauleinamoku@hawaii.gov, or you may contact me at (808) 587-4700, or bonnie.a.kahakui@hawaii.gov.

Attachment

[Download Questionnaire](#)

DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
Amendment to Chapter 3-122

Interim (DRAFT)
Hawaii Administrative Rules

(DATE)

SUMMARY

1. §3-122-1, Hawaii Administrative Rules, is amended.
By adding new definitions to read as follows:

"Past performance" means any available recent and relevant performance of a contractor, including positive, negative, or lack of previous experience, on contracts that shall be considered in a responsibility determination within the relevance of the current solicitation, including the considerations of section 103D-702 (b)."
(Auth: HRS §103D-202) (Imp: HRS §§103D-310(b))

"Recent" means performance information in which all or some of the performance has occurred within 3 years or as determined by the procurement officerⁱ that is closely connected and appropriate to consider for the type of requirement being solicited or evaluated."
(Auth: HRS §103D-202) (Imp: HRS §§103D-310(b))

"Relevant" means performance information that is similar in size, scope, and complexity to the requirement being solicited or evaluated."
(Auth: HRS §103D-202) (Imp: HRS §§103D-310(b))

"Rating" means the assessment rating system utilized by the policy board in contractor past performance assessment forms as follows:
a. Unsatisfactory. Performance does not meet most contractual requirements and recovery

is not likely in a timely manner. The contractual performance of the element or sub-element contains serious problems for which the contractor's corrective action appear or were ineffective.

- b. Satisfactory. Performance meets minimum contractual performance. The contractual performance of the element or sub-element may contain some minor problems for which corrective actions taken by the contractor appear or were satisfactory.
- c. Exceptional. Performance exceeds contractual requirements. The contractual performance of the element or sub-element being assessed was accomplished with few minor issues for which corrective actions taken by the contractor was highly effective.
- d. Not applicable. There is no information or did not apply to contract requirements."
(Auth: HRS§103D-202) (Imp: HRS §§103D-104, 103D-202)

"Offeror" means a potential vendor submitting a bid or offer to any type solicitation under HRS 103D, including but not limited to proposals under 103D-303 or multi-step invitation for bids under 103D-302. Auth:
HRS§103D-202) (Imp: HRS §§103D-104, 103D-202)

2. §3-122-33, Hawaii Administrative Rules, is amended to read as follows:

§3-122-33 Bid evaluation and award. (a) The award shall be made to the lowest responsive, responsible bidder as determined by the procurement officer pursuant to Subchapter 13.5, Contractor's Past Performance Assessment Form. ~~[and shall be based on the criteria set forth in the invitation for bids].~~

(b) Only objectively measurable criteria which are set forth in the invitation for bids shall be applied and may include but not be

limited to:

- (1) Discounts;
- (2) Transportation costs; and
- (3) Total or life cycle costs.

(c) Evaluation factors need not be precise predictors of actual future costs, but to the extent possible the evaluation factors shall:

- (1) Be reasonable estimates based upon information the government jurisdiction has available concerning future use; and
- (2) Treat all bids equitably.

(d) The invitation for bids shall set forth any evaluation criterion to be used in determining product acceptability:

- (1) The solicitation may require the submission of samples, descriptive literature, technical data, or other material to verify product acceptability;
- (2) The solicitation may also provide for accomplishing any of the following prior to award:
 - (A) Inspection or testing of a product for characteristics as quality or workmanship;
 - (B) Examination of elements as appearance, finish, taste, or feel; or
 - (C) Other examinations to determine whether the product conforms to any other purchase description requirements;

- 3) The acceptability evaluation is not conducted for the purpose of determining whether one bidder's item is superior to another but only to determine that a bidder's offer is acceptable as set forth in the invitation for bids;

[5] (4) Any bidder's offering which does not meet the acceptability requirements shall be rejected as nonresponsive.

- (e) The award shall be issued to the lowest

responsive, responsible bidder whose bid meets the requirements and criteria set forth in the invitation for bids and posted pursuant to section 1030-701, HRS, for five working days.

(f) In the event all bids exceed available funds, the provisions of section 1030-302(h), HRS, shall apply. [Eff 12/15/95; am and comp 11/17/97; am and comp 3/21/2008] (Auth: HRS §1030-202) (Imp: HRS §1030-302)

3. §3-122-61.06, Hawaii Administrative Rules, is amended to read as follows:

§3-122-61.06 Preparing a multi-step invitation for bids. (a) The multi-step sealed bidding process uses an invitation for bids consisting of two phases, and combines the receipt of technical proposals of the competitive sealed proposals process and the low priced bid award of the competitive sealed bidding process.

- (1) Phase one is composed of one or more steps in which bidders submit answers to standard form qualification questionnaires andⁱⁱ unpriced technical proposals to be evaluated based on criteria set forth in the invitation for bids; and
- (2) Phase two is to consider the priced bids from bidders whose unpriced technical proposals are determined to be acceptable in phase one, and award is made to the lowest responsive, responsible bidder.

(b) The two-phase invitation for bids shall conform to the requirements of section 3-122-21, including the following:

- (1) That unpriced technical proposals are requested;
- (2) Whether priced bids are to be submitted at the same time as unpriced technical proposals, and if they are, that the

- priced bids shall be submitted in a separately sealed envelope;
- (3) That the priced bids will be considered only in phase two and only from those bidders whose unpriced technical proposals and answers to standard form qualification questionnaires are found acceptable in phase one;
 - (4) That the State, to the extent the procurement officer finds necessary, may conduct discussions pursuant to section 3 122-53; and
 - (5) That the good, service, or construction being procured shall be furnished generally in accordance with the bidder's unpriced technical proposal as found to be finally acceptable and shall meet the requirements of the invitation for bids. (Auth: HRS §§103D-202, 103D-302) (Imp: HRS §103D-302)

4. §3-122-61.07, Hawaii Administrative Rules, is amended to read as follows:

§3-122-61.07 Phase one. Phase one shall be conducted in accordance with subchapter 6, with the exception of the rules relating to the priced offer and the following:

- (1) The procurement officer may require bidders to submit answers to qualification questionnaire and contractor past performance assessment(s) sufficient to make a preliminary determination that the contractor is qualified to perform the requisite work. The procurement officer may utilize the standard qualification questionnaire and shall utilize contractor past performance assessment for offerors issued by the procurement policy board, performance

assessment forms, and any additional questions as directed by their procurement officer.ⁱⁱⁱ

- (2) The procurement officer may initiate phase two of the procedure if there is only one acceptable unpriced technical proposal. If no proposals are submitted, the procurement officer may make a determination pursuant to section 3-122-59(b);
- (3) The procurement officer shall notify the bidder in writing when oral or written discussions are not conducted, and upon written request from the bidder, the bidder shall be given the opportunity to review the evaluation of its offer and meet with the evaluator(s) to discuss the evaluation at least five working days prior to the deadline for receipt and opening of the priced offers. (Auth: HRS §103D-202, 103D-302) (Imp: HRS §103D-302)

5. §3-122-108, Hawaii Administrative Rules, is amended to read as follows:

§3-122-108 Responsibility determination^{iv} and ~~[Qualification]~~qualification of offeror or prospective offeror. (a) Pursuant to section 103D-310, HRS, a responsibility or nonresponsibility of an offeror or prospective offeror to perform the work called for in the solicitation shall be made by the procurement officer on the basis of available information. Before making a responsibility determination, the procurement officer shall possess or obtain any available information (i.e., sufficient to be satisfied that a prospective offeror meets the requirements of §103D-310, HRS, as well as the applicable standards set forth in the solicitation and pursuant to the requirements of the designated source selection method of

procurement).

(b) If an offeror or prospective offeror receives two or more unsatisfactory assessments, within a three year period, then the offeror shall not be considered for award.

(c) If the procurement officer requires additional information, the offeror or prospective offeror may be required to answer questions contained in the standard questionnaire provided by the policy board.

(d) The contractor past performance assessment includes information on the following categories:

- (1) Technical (quality of product or service);
- (2) Schedule/Timeliness of Performance;
- (3) Cost/Financial Management;
- (4) Management/Personnel/Labor; and
- (5) Additional information necessary for a determination of responsibility in accordance with subchapter 13.5.

(e) The requested information shall be furnished upon request within two working days or longer at the discretion of the procurement officer. Failure to furnish the requested information within the time allowed may be grounds for a determination of nonresponsibility.

(f) The procurement officer may, in their discretion, consider available recent and relevant past performance of the contractor from any available source in support of the responsibility determination for the current solicitation.^v The offeror or prospective offeror may be required to answer questions contained in the contractor past performance assessment provided by the procurement policy board as noted in HAR 3-122-109.

(g) When in the course of a procurement officer's due diligence, it appears that the offeror or prospective offeror is not fully qualified with the financial ability, resources, skills, capability, and business integrity

necessary to perform the work called for in the solicitation, the head of the purchasing agency or designee shall make a written notice of determination of nonresponsibility, notify the offeror in writing within 5 working days, and place in the contract file. ~~[(d) Upon determination of non responsibility, the offeror or prospective offeror shall be notified in writing.]~~ The decision of nonresponsibility shall be final unless the offeror or prospective offeror applies for administrative hearing pursuant to section 3-126-42. (Auth: HRS §§103D-202, 103D-310) (Imp: HRS §§103D-310)

6. §3-122-109, Hawaii Administrative Rules, is amended to read as follows:

§3-122-109 Standard qualification
[Questionnaire] questionnaire.^{vi} The questionnaire shall request information for the following categories:

- (1) Financial ability to deliver the goods or perform the work required;
- (2) Material, equipment, facility, and personnel resources and expertise available, or the ability to obtain them, in order to meet contractual requirements;
- (3) References for the determination of a satisfactory record of performance;
- (4) References for the determination of a satisfactory record of integrity;
- (5) Legal qualifications to contract with the State; and
- (6) Additional information necessary for a determination of responsibility.

Auth: HRS §§103D-202, 103D-310) (Imp: HRS §§103D-310)

7. Subchapter 13.5, Hawaii Administrative Rules, is added to read as follows:

SUBCHAPTER 13.5

Contractor Past Performance Assessment Form

§ 3-122-115.01 Purpose. (a) The purpose of this subchapter is to provide guidance for the contractor past performance assessment form.

(Auth: HRS§103D-202) (Imp: HRS §§103D-104, 103D-202)

§ 3-122-115.02 Contractor past performance assessment.^{vii} (a) Except for any contract entered into pursuant to sections 103D-307 or 103D-305, HRS or as directed by the Chief Procurement Officer, all state and county procurement officers or agents shall complete a contractor past performance assessment form approved by the procurement policy board which shall utilize the following rating system:

- (1) Unsatisfactory. Performance does not meet most contractual requirements and recovery is not likely in a timely manner. The contractual performance of the element or sub-element contains serious problems for which the contractor's corrective action appear or were ineffective.
- (2) Satisfactory. Performance meets minimum contractual performance. The contractual performance of the element or sub-element may contain some minor problems for which corrective actions taken by the contractor appear or were satisfactory.
- (3) Exceptional. Performance exceeds contractual requirements. The contractual performance of the element or sub-element being assessed was accomplished with few minor issues for which corrective actions taken by the contractor was highly effective.
- (4) Not applicable. There is no information or did not apply to contract requirements.

(b) The contractor past performance assessment form shall include the following:

- (1) Procurement officers shall prepare the contractor past performance assessment form at the end of each contract period and annually for multi-term contracts, or more frequently as designated by the CPO or designee:
 - (A) Procurement officer shall begin preparing the Contractor past performance assessment form 90 days prior to contract completion and shall enter information into an electronic past performance database system within twenty working days of final delivery or contract completion;
 - (B) Procurement officer who rates a vendor an unsatisfactory performance assessment is required to document the action (i.e., notice to cure) used to notify the vendor of the contractual deficiencies and may submit a statement to the Chief Procurement Officer for suspension and debarment;
 - (C) Agency assessments of contractor past performance shall be provided to the contractor as soon as practicable after completion of the assessment. The contractor shall receive a database system generated notification when an assessment is ready for comment;
 - (D) Contractor shall review the Contractor past performance assessment form within 10 working days from the date of notification of the contractor past performance assessment and submit comments, rebutting statements, or additional information, or the Contractor past performance assessment form shall be considered accepted by the contractor;
 - (E) Procurement officer shall submit a copy of the final Contractor past performance assessment form in the

agency's contract file and electronically in the past performance database system within five working days of receipt;

(F) The procurement officer shall finalize the contractor past performance assessment form prior to accepting a final invoice.

(2) Contractor's past performance assessment form dispute process:

(A) Contractor shall submit a request with substantial evidence to the procurement officer for reconsideration within 10 working days from the date of notification of the past performance assessment;

(B) The procurement officer shall update the past performance database system taking into consideration any contractor comments;

(C) The final determination on the contractor's past performance assessment shall be the decision of the head of the purchasing agency or designee.

(Auth: HRS§103D-202) (Imp: HRS §§103D-104, 103D-202)

8. Material, except source notes, to be repealed is bracketed. New material is underscored. *Changes are inked red for easy identification in this draft.*

9. Additions to update source notes to reflect these amendments are not underscored.

ⁱ *“Recent” time periods for consideration may be different according to the type of requirement, however the Contractor Past Performance Assessment Report shall only be available on the database for three years. If the procurement officer determines that the requisition justifies seeking past performance information that is older than three years (i.e., by request of the offeror or the chief procurement officer), then they may seek specific contract files from the contracting agency which would contain the assessment report information.*

ⁱⁱ *Adds guidance to utilize the qualification questionnaire form.*

ⁱⁱⁱ *Adds guidance to utilize the qualification questionnaire form.*

^{iv} *Clarifies the importance & relevance of making responsibility determinations as a qualification for award.*

^v *Mirrors language of HRS to give clearer guidance.*

^{vi} *Consistent language with HRS.*

^{vii} *Although it is not required, it is recommended that a new clause of consent to assessment and evaluation process should be included in the solicitation and the contract’s general conditions, identifying the process by which the contractor specifically consents to the process of performance assessment, review, finalization, and posting of final Contractor Past Performance Assessment to be accessible for the following three years for future solicitation evaluations as a condition of award for applicable methods of procurement.*



CONTRACTOR PAST PERFORMANCE ASSESSMENT

Section 1. GENERAL INFORMATION - To be completed by each Procuring Agency.

Please complete form, by providing the information requested below, for whom the Contractor has provided or is currently providing products, services and/or construction specified herein.

PROCURING AGENCY INFORMATION			
Procuring Agency Name:			
Procuring Agency Contact Name:		Procuring Agency Contact Title:	
Procuring Agency Postal Address:		Procuring Agency Contact Phone:	
Procuring Agency Contact Email:		Procuring Agency Contact Fax:	
Procurement Officer Name:			
CONTRACTOR INFORMATION			
Contractor/Business Name:		Contractor Contact Name:	
Contractor Contact Phone:		Contractor Contact Email:	
Name(s) of Responsible Managing Employees for Project:			
SOLICITATION/PROJECT INFORMATION			
Solicitation Title:		Term of Contract/Project Date(s), including all supplemental periods, if applicable:	
Solicitation/Contract No.:		Original Awarded Amount (Size of the Project):	
Notice of Award Date:		Notice to Proceed Date:	
Brief Description of the Project:			
Operating Budget of the Procuring Agency:			
Estimated Start & Completion Dates:		From:	To:
Actual Start & Completion Dates:		From:	To:

Reason(s) for Difference Between Estimated and Actual Dates, if applicable:	
Project's Authorized Budget:	Project's Final Cost:
Positive or Negative Difference, if applicable:	
Reason(s) for Change in Cost, if applicable:	

CONTRACTOR PAST PERFORMANCE ASSESSMENT GUIDANCE (to be used to best reflect your assessment of the contractor's performance):

Rating	Definition + General Factors	Notes
Exceptional (E)	<p>Performance exceeds contractual requirements. The contractual performance of the element or sub-element being assessed was accomplished with few minor issues for which corrective actions taken by the contractor was highly effective.</p> <p><i>This rating represents contractors with consistent exceptional performance.</i></p> <p>To justify an Exceptional rating, identify multiple significant events that were of benefit to the Government:</p> <ul style="list-style-type: none"> • Met and exceeded performance/contract requirements. • Delivery of quality results. • Reduced costs while meeting contractual requirements. • All deliveries on-time with some early. • Highly professional, responsive, and proactive. • High user satisfaction. • Significantly exceeded expectations. 	<p>A singular benefit, however, could be of such magnitude that it alone constitutes an Exceptional rating. Also, there should have been NO significant weaknesses identified.</p>
Satisfactory (S)	<p>Performance meets minimum contractual requirements. The contractual performance of the element or sub-element contains some minor problems for which corrective actions taken by the contractor appear or were satisfactory.</p> <p><i>This rating represents contractors meeting expected performance to support the project.</i></p> <p>To justify a Satisfactory rating, there should have been only minor problems, or major problems the contractor recovered from without impact to the contract/order:</p> <ul style="list-style-type: none"> • Meets standards, objectives, and all performance requirements. • Stayed within project's authorized budget. • Deliveries on-time. • Schedule not impacted. • Met expectations. • Adequate user satisfaction. • Met goals and expectations of the project. 	<p>There should have been NO significant weaknesses identified. A fundamental principle of assigning ratings is that contractors will not be assessed with a rating lower than Satisfactory solely for not performing beyond the requirements of the contract/order.</p>
Unsatisfactory (U)	<p>Performance does not meet most contractual requirements and recovery is not likely in a timely manner. The contractual performance of the element or sub-element contains serious problems for which the contractor's corrective action appear or were ineffective (i.e., reports, letters, etc.).]</p> <p><i>This rating represents contractors whose performance</i></p>	<p>A singular problem, however, could be of such serious magnitude that it alone constitutes an unsatisfactory rating. An Unsatisfactory rating should be supported by referencing the management tools used to notify the contractor of the contractual deficiencies (e.g., management,</p>

	<p><i>consistently does not meet requirements defined in the contract.</i></p> <p>To justify an Unsatisfactory rating, identify multiple significant events in each category that the contractor had trouble overcoming and state how it impacted the Government:</p> <ul style="list-style-type: none"> • Work consistently fails to meet contract requirements. • Close supervision of the contractor was necessary to progress/complete the work. • Many performance requirements were not met. • Did not stay within project's authorized budget. • Missed multiple schedule deadlines which negatively impacted cost. • Lack of cooperation. • Unnecessary changes. • Delayed • Lack of user satisfaction. <p>NOTE: If a vendor is deemed "unsatisfactory," the rating must be accompanied with multiple letters (department head) sent to the vendor to cure the problem. If no results occur by the vendor, it can be stated that the department will submit its recommendation to SPO for suspension and debarment.</p>	quality, safety, or environmental deficiency).
Not Applicable (N/A)	No information or did not apply to contract requirements.	NOTE: Rating will be neither positive nor negative.

Section 2. ASSESSMENT - To be completed by each Procuring Agency.

Please provide an adjectival rating for the following questions (the adjectival rating is defined above. In addition, please provide comments to substantiate the assigned rating. At a minimum, provide comments to substantiate any rating that is checked Exceptional (E), Unsatisfactory (U), or Not Applicable (N/A).

1. Technical (Quality of Product and/or Service):				
	E	S	U	N
Quality of technical data/report preparation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ability to meet quality standards specified for technical performance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Timeliness/effectiveness of contract problem resolution without extensive customer guidance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Adequacy/effectiveness of quality control program and adherence to contract quality assurance requirements (without adverse effect on performance)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Please provide comments to substantiate the assigned rating. At a minimum, provide comments to				

substantiate any rating that is checked Exceptional (E), Unsatisfactory (U), or Not Applicable (N/A).

2. Schedule/Timeliness of Performance (for Goods, Services, & Construction):

	E	S	U	N
Compliance with contract delivery/completion schedules including any significant intermediate milestones. (If liquidated damages were assessed or the schedule was not met, please address below)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rate the Contractor's use of available resources to accomplish tasks identified in the contract	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please provide comments to substantiate the assigned rating. At a minimum, provide comments to substantiate any rating that is checked Exceptional (E), Unsatisfactory (U), or Not Applicable (N/A).

3. Cost/Financial Management (for Goods, Services, & Construction):

	E	S	U	N
Ability to meet the terms and conditions within the contractually agreed price(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Contractor proposed innovative alternative methods/processes that reduced cost improved maintainability or other factors that benefited the State of Hawaii	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Contractor's timeliness and accuracy in submitting monthly invoices with appropriate back-up documentation, monthly status reports/budget variance reports, compliance with established budgets and avoidance of significant and/or unexplained variances (under runs or overruns)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Contractor's accounting system adequate for	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

management and tracking of costs? If no, please explain below				
Rate Contractor's financial management abilities to pay subcontractors/suppliers timely.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Please provide comments to substantiate the assigned rating. At a minimum, provide comments to substantiate any rating that is checked Exceptional (E), Unsatisfactory (U), or Not Applicable (N/A).				
4. Management/Personnel/Labor (for Goods, Services, & Construction):				
	E	S	U	N
Effectiveness of on-site management, including management of subcontractors, suppliers, materials, and/or labor force	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ability to hire, apply, and retain a qualified workforce to this effort	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Government Property Control	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Knowledge/expertise demonstrated by Contractor personnel	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ability to simultaneously manage multiple projects with multiple disciplines	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ability to implement changes in requirements and/or priority, including planning, execution, and response to Government changes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Effectiveness of overall management (including ability to effectively lead, manage, and control the program)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Effectively transition personnel and operations when taking over from the incumbent Contractor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Please provide comments to substantiate the assigned rating. At a minimum, provide comments to substantiate any rating that is checked Exceptional (E), Unsatisfactory (U), or Not Applicable (N/A).				

5. Customer Satisfaction (for Goods, Services, & Construction):				
	E	S	U	N
To what extent were the end users satisfied with the project	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Contractor was reasonable and cooperative in dealing with your staff (including the ability to successfully resolve disagreements/disputes; responsiveness to administrative reports, businesslike and communication)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Contractor was cooperative, businesslike, and concerned with the interests of the customer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Overall customer satisfaction	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Please provide comments to substantiate the assigned rating. At a minimum, provide comments to substantiate any rating that is checked Exceptional (E), Unsatisfactory (U), or Not Applicable (N/A).				
6. Safety/Security (for Goods, Services, & Construction):				
	E	S	U	N
Contractor was able to maintain and/or exceed an environment of safety, adhere to its approved safety plan, and respond to safety issues? (Includes: following the user's rules, regulations, and requirements regarding housekeeping, safety, correction of noted deficiencies, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Contractor complied with all security requirements for the project and personnel security requirements	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Please provide comments to substantiate the assigned rating. At a minimum, provide comments to substantiate any rating that is checked Exceptional (E), Unsatisfactory (U), or Not Applicable (N/A).				

7. General (for Goods, Services, & Construction):				
	E	S	U	N
Ability to successfully respond to emergency and/or surge situations (including notifying HOPA, Project Manager, or Procurement Officer in a timely manner regarding urgent contractual issues)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Compliance with contractual terms/provisions (explain if specific issues)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Please provide comments to substantiate the assigned rating. At a minimum, provide comments to substantiate any rating that is checked Exceptional (E), Unsatisfactory (U), or Not Applicable (N/A).</p>				
8. Overall Assessment (for Goods, Services, & Construction):				
	E	S	U	N
Likelihood of you hiring or working with this firm again? If no, please explain below	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
In summary, provide an overall rating for the work performed by this Contractor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Please provide comments to substantiate the assigned rating. At a minimum, provide comments to substantiate any rating that is checked Exceptional (E), Unsatisfactory (U), or Not Applicable (N/A).</p>				

Section 3. CONTRACTOR COMMENTS - To be completed by the Contractor

Contractor Name:

Procuring Agency Name:

Comments, Rebuttals, or Additional Information by Contractor assessed in Section 2.

Comments, Rebuttals, or Additional Information from the Contractor
Please cite specific assessment criteria you are providing comments, rebuttals, or additional information to.
<i>Pursuant to HAR section 3-122-XX, Contractor shall review the Contractor past performance assessment form within 10 working days, from the date of notification of the contractor past performance assessment, and submit comments, rebutting statements, or additional information, or the Contractor past performance assessment form shall be considered accepted by the contractor.</i>

Section 4. PROCUREMENT OFFICER DETERMINATION - To be completed by the Procuring Agency

Keep a copy of this assessment in your agency's procurement/contract file.

Validation of Referenced Project Data assessed herein.

Comments from Procuring Agency	
As a Buyer/Contract Administrator/Project Manager, etc. of the Procuring Agency listed above, I approve the responses to the statements and ratings about the performance of the Company/Contractor listed above on the project identified in Section 2 of this Contractor Past Performance Assessment.	
Name:	Title:
Signature:	Date:
<i>Pursuant to HAR sections 3-122-XX (2)(B), The procurement officer shall update the past performance database system with any contractor comments; (2)(C), The final determination on the contractor's past performance assessment shall be the decision of the head of the purchasing agency or designee.</i>	
As a Procurement Officer of the Procuring Agency listed above, I approve the responses to the statements and ratings about the performance of the Company/Contractor listed above on the project identified in Section 2 of this Contractor Past Performance Assessment.	
Name:	Title:
Signature:	Date:

Thank you for providing this valuable feedback. Please keep a copy of this assessment in your agency's procurement/contract file.