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BOARD NOTICE 154 OF 2015

Construction Industry Development Board

Standard for Contractor Performance Reports for use on Construction Works Contracts (Grade 1)

In terms of sections 5(2) of the Construction Industry Development Board Act, 2000 (Act No. 38 of 2000) (the Act), the Construction Industry Development Board is empowered to promote best practice Standards. This best practice Standard for Contractor Performance Reports for use on Construction Works Contracts (Grade 1) provides for a uniform and consistent method of assessment of the performance of a contractor with respect to the following project parameters:

- time management;
- cost management;
- quality management;
- health and safety management; and
- management of site conditions.

The standard is limited to General Building and Civil Engineering classes of construction works within tender values equivalent to cidb Grade 1.

MS LINDELWA TERESA MYATAZA
CHAIRPERSON: CONSTRUCTION INDUSTRY DEVELOPMENT BOARD

Standard for Contractor Performance Reports for use on Construction Works Contracts (Grade 1)

1. Scope

This standard for contractor performance reports provides for a uniform and consistent method of assessment of the performance of a contractor with respect to the following project parameters:

- time management;
- cost management;
- quality management;
- health and safety management; and
- management of site conditions

Subject to sufficient contractor performance reports being available, contractor performance reports can be used, amongst others, for the purpose of managing procurement risks through:

- assessing the suitability of contractors and
- adjudication for the award of a contract.

Contractor performance reports also allow for the contractor to benchmark its performance against national norms – thus encouraging performance improvement.

This standard sets out:

- the process and responsibilities by which the contractor performance report is to be completed; and
- the information required.

The standard is limited to General Building and Civil Engineering classes of construction works within tender values equivalent to cidb Grade 1.

2. Terms and Definitions

For the purposes of this document, the following terms and definitions apply:

class of construction works: the class of construction works referred to in Schedule 3 of the Construction Industry Development Regulations 2004 as amended and published in terms of the Construction Industry Development Board Act of 2000 (Act 38 of 2000);

Construction Industry Development Board (CIDB): the board established in terms of the Construction Industry Development Board Act of 2000 (Act 38 of 2000);

contract amount: financial value of the contract at the time of the award of the contract, exclusive of all allowances and any value added tax or sales tax which the law requires the employer to pay to the contractor;

contractor: person or organization that contracts to provide the goods, services or engineering and construction works covered by the contract;

employer: person or organization entering into the contract with the contractor for the provision of goods, services, or engineering and construction works;

employer's representative: person authorized to represent the employer and named as such in the contract data;

practical completion certificate: a certificate issued in terms of a contract by the employer, signifying that the whole of the construction works have reached a state of readiness for occupation or use for the purposes intended, although some minor work may be outstanding;

NOTE: Practical completion is commonly understood to be a state of readiness for occupation of the whole works although some minor work may be outstanding. Practical completion in a construction works contract occurs when:

a) FIDIC Short Form of Contract: the date when the Employer considers that the Works have been completed in accordance with the Contract, except for minor outstanding work and defects which will not substantially affect the use of the Works for their intended purpose;
b) GCC 2010: "Practical Completion" means the date when the Engineer certifies that the whole or portion of the Works has reached a state of readiness, fit for the intended purpose, and occupation without danger or undue inconvenience to the Employer, although some work may be outstanding;
c) JBCC Minor Works Agreement: the date when the principal agent decides that the completion of the works has substantially been reached and can be used for the purpose intended;
d) NEC3 Engineering and Construction Short Contract: the date when the Employer decides that the Contractor has completed the works in accordance with the Works Information except for correcting notified Defects which do not prevent the Employer from using the works and others from doing their work.

reporting officer: employer's representative or his/her delegated representative that is authorized to complete the contractor performance reports on behalf of the employer.

3 Requirements

3.1 Submission of Contractor Performance Reports

Completed contractor performance reports (see Annex 1) must be submitted by the reporting officer to the employer's representative:

i) where no dispute exists, within 15 working days of the date of issuance of a certificate of practical completion of a contract; or
ii) where a dispute exists, within 15 working days of the date of receipt of the outcome of the dispute (see Item 3.3).

NOTE: Contractor performance reports should only be completed for contracts which reach practical completion.

3.2 Completion of Contractor Performance Reports

The reporting officer is responsible for the completion of the contractor performance reports on behalf of the employer on issuance of a certificate of practical completion. To be in a

position to make factual assessments against the evaluation criteria in the contractor performance report on the contractor's performance, the reporting officer must:

- be experienced in contract management; and
- have frequent and direct liaison with the contractor.

Taking cognizance of the time requirements of Item 3.1, each contractor performance report must be discussed with the contractor, who must be given the opportunity to comment on the assessment. The reporting officer must respond to any issues raised by the contractor in writing, and the contractor's comments and the written response by the reporting officer must form part of the contractor performance report. The contractor performance report must then be signed off by the employer's representative.

The contractor performance reports must be signed off by the reporting officer, the contractor and the employer's representative.

3.3 Right of Reply / Appeal

Where significant differences of opinion exist between the reporting officer and the contractor which cannot be resolved by the parties, the contractor has the opportunity to a review of the contractor performance report by a senior member within the employer's organization, and who is not associated with the project concerned.

The resulting contractor performance report after the review must be signed by the senior member within the employer's organization and witnessed by the reporting officer and the contractor.

The reporting officer will forward this copy of the contractor performance report to the employer.

Annex 1: Contractor Performance Report; Grade 1

ISSUE OF A CONTRACTOR PERFORMANCE REPORT

Section A: Employer Information

cidb Employer Number (if applicable)

Employer Name

Section B: Contract Data

cidb Contract Number (if applicable)

Purchase Order Number (if applicable)

Is copy of Purchase Order for works attached? Y E S or N O

Contract Title

Desription of work

Class of work

Contract amount R –

Contract start date Y Y Y Y - M M - D D

Date of Practical Completion Y Y Y Y - M M - D D

Section C: Reporting Officer's Information

Organisation Name

Name of Reporting Officer Title Initials Surname

Designation

Professional Registration Body

Registration Number

e-mail

Mobile 0 - -

Office Telephone 0 - -

Date submitted to Employer Y Y Y Y - M M - D D

Signature

Continued over

Section D: Contractor Performance Information

Please select the appropriate prompt that reflect the contractor's performance on the project

Indicator	Prompt for judgement		
	Poor (-1)	**Adequate (0)**	**Good (1)**
TIME MANAGEMENT			
Skill and commitment in managing time	Significant delay attributable to contractor	Some delay attributable to contractor	On time, no delays attributable to contractor
	x	x	x
COST MANAGEMENT			
Skill and commitment in managing cost	Significant cost over-run, disputed by client	Some cost over-runs, with limited client dispute	Completed for contract sum plus agreed extras only
	x	x	x
QUALITY MANAGEMENT			
Skill and commitment in managing quality on site	• Need for close attention by inspectors • Significant re-working required • Handover subject to list of defects • Slow attention to defects after handover	• Inspections regarded as necessary • Little rework required • Some defects at handover • Defects attended to efficiently after handover	• Inspections largely a formality • Some rework required, but all initiated by contractor • Few defects, very efficiently cleared
	x	x	x
HEALTH AND SAFETY MANAGEMENT			
Skill and commitment in managing health and safety	• Plan expressed in generalities or not fully comprehensive • No evidence of consistent review of health/safety incidents	• Plan expressed in generalities or not fully comprehensive • Review of all incidents • Thorough investigation of all incidents with potential for serious injury	• Plan specific and comprehensive regarding site operations • Regular, company-wide review of procedures • Using internal reviews and external sources
	x	x	x
MANAGEMENT OF SITE CONDITIONS			
Skill and commitment in managing conditions on site	• Untidy, dusty, noisy site • Soil and/or water contamination • Wastage of materials • Lack of respect for natural environment	• Site in reasonable order • No evidence of soil or water contamination • Minimum wastage of materials • Impact of activities on natural environment minimised	• Dust, air and noise minimised • Preventative measures in place for soil and water contamination • Minimum wastage of materials, separation of waste, storage areas fenced off • Impact of activities on natural environment minimised
	x	x	x

Continued over

Section E: Contractor Information

cidb CRS Number contractor

Name of contractor

Contact Person Title Initials Surname

Designation

e-mail

Mobile 0 - -

Office Telephone 0 - -

I / we agree disagree with the Performance Assessment by the Reporting Officer

I / we appeal the Performance Assessment by the Reporting Officer Y N

Signature

Date Y Y Y Y - M M - D D

Section F: Employer's Representative Information

Name of Employer's Representative Title Initials Surname

Designation

e-mail

Mobile 0 - -

Office Telephone 0 - -

Date Y Y Y Y - M M - D D

I agree disagree with the Reporting Officer's Assessment of the Contractor Assessment

Signature

Section G: Reviewer's Information (If Applicable)

Name of Reviewer Title Initials Surname

Designation

e-mail

Mobile 0 - -

Office Telephone 0 - -

Date Y Y Y Y - M M - D D

Signature

Continued over

Section H: Outcome of Review (If Applicable)

	Employer's Rating	Contractor's Rating	Review
Time Management			
Cost Management			
Quality Management			
H&S Management			
Site Conditions			

I, the undersigned warrant that:

- I am duly authorised to act as a reviewer;
- In my opinion, the outcome of this review represents a fair outcome.

Signature

Date Y Y Y Y - M M - D D

On behalf of the employer, I note the outcome of the Review process

Signature; Employer's Representative

Date Y Y Y Y - M M - D D