

Contractor Oversight Considerations

Contractor:	
Reviewer Name:	
Date:	

This contractor oversight tool may be used to assist Coronavirus State and Local Fiscal Recovery Funds (“CSLFRF”) recipients (“Recipient” or “Recipients”) in their review and evaluation of their contractor’s performance and adherence to contract terms. Answers to the below questions may provide guidance on how to evaluate contract progress, performance, and compliance with contract terms and applicable policies, regulations, and laws. For each question, the Recipient should determine if the answer is Yes, No, or N/A. The Recipient should answer each question within each category and provide a written conclusion based on its review and analysis of documentation.

This tool is not intended as an exhaustive list of all considerations, nor does it constitute legal advice or a substitute for advice from licensed local legal counsel and certified accounting professionals.

A. Contract Award: The following questions may assist with the Recipient’s consideration of whether the contractor’s administration of the contract is sufficient.

A.1 Project Schedule:

Does the contractor have a project schedule that includes milestones sufficient to implement, progress, and complete the project, program, or activity? _____

A.2 Compliance:

Does the contractor comply with contract terms? _____

A.3 Change Orders:

If there have been any change orders, are these change orders necessary due to unforeseen project changes? *Note that unnecessary change orders may indicate that the contractor did not appropriately bid the job or perform sufficient project management. Recipients should document any such instances in their conclusions and handle in accordance with their policies and procedures.* _____

Summary of Assessment: The Recipient (or any entity engaged in monitoring on the Recipient’s behalf) should summarize in writing any documents, interviews, or other materials it considered in assessing and responding to the above question and subparts, along with the Recipient's methodology for considering and/or weighing the materials. The Recipient should preserve the summary, along with any relevant documents, notes, or other materials, in an organized, centralized, and easily located repository or file specific to each relevant project.

B. Contractor Requirements: The following questions may assist with the Recipient's consideration of whether the contractor meets any licensing, insurance, and/or permit requirements set forth in the contract.

B.1 Licenses:

Does the contract require the contractor to be licensed?

Are the contractor's occupational licenses, professional licenses, and/or other required licenses in good standing? _____

B.2 Insurance:

What type of insurance does the contract require the contractor to have? Is the contractor's general liability insurance in good standing? _____

Does the contract require the contractor to have a bond? Is the contractor's bond in good standing? _____

What type of worker's compensation insurance is required of the contractor? Is the contractor's worker's compensation insurance in good standing? _____

B.3 Permits:

Has the contractor filed necessary permits with the building department? _____

Has the building department issued necessary permits? _____

Summary of Assessment: The Recipient (or any entity engaged in monitoring on the Recipient's behalf) should summarize in writing any documents, interviews, or other materials it considered in assessing and responding to the above question and subparts, along with the Recipient's methodology for considering and/or weighing the materials. The Recipient should preserve the summary, along with any relevant documents, notes, or other materials, in an organized, centralized, and easily located repository or file specific to each relevant project.

C. Performance Reports: The following questions may assist with the Recipient's consideration of whether performance shows progress sufficient to complete tasks, deliverables, and/or services by the contract due date.

Does the contractor submit all required reports to allow the Recipient to assess progress in a timely fashion, including progress reports, photographs, and any required CSLFRF documentation?

Does the contractor achieve milestones identified in a

project schedule? _____

Does the contractor describe delays, issues, and/or adverse conditions with related solutions? _____

Does the contractor provide oversight (*e.g.*, review of reports and site visits) over subcontractors? _____

Summary of Assessment: The Recipient (or any entity engaged in monitoring on the Recipient's behalf) should summarize in writing any documents, interviews, or other materials it considered in assessing and responding to the above question and subparts, along with the Recipient's methodology for considering and/or weighing the materials. The Recipient should preserve the summary, along with any relevant documents, notes, or other materials, in an organized, centralized, and easily located repository or file specific to each relevant project.

D. Invoices/Withdrawals: The following questions may assist with the Recipient's consideration of whether the contractor's submitted invoices or withdrawal requests accurately demonstrate costs incurred and progress of the project, program, or activity.

Do the contractor's invoices and withdrawal request documentation adequately support the costs incurred? _____

Do the contractor's invoices and withdrawal request documentation align with the work progress that has been done? Do they align with performance reports? _____

Summary of Assessment: The Recipient (or any entity engaged in monitoring on the Recipient's behalf) should summarize in writing any documents, interviews, or other materials it considered in assessing and responding to the above question and subparts, along with the Recipient's methodology for considering and/or weighing the materials. The Recipient should preserve the summary, along with any relevant documents, notes, or other materials, in an organized, centralized, and easily located repository or file specific to each relevant project.

E. Site Visit: The following questions may assist with the Recipient's consideration of whether site visits that have been conducted and related discussions show performance sufficient to meet the contract due date and comply with the contract terms.

Has the Recipient conducted site visits? _____

Does the project, program, or activity's progress as determined on the site visit align with the schedule and milestones? _____

Does the project, program, or activity's progress as determined on

the site visit align with the invoice description of the work progress? _____

Was work completed according to the agreed-upon scope of work? _____

Summary of Assessment: The Recipient (or any entity engaged in monitoring on the Recipient's behalf) should summarize in writing any documents, interviews, or other materials it considered in assessing and responding to the above question and subparts, along with the Recipient's methodology for considering and/or weighing the materials. The Recipient should preserve the summary, along with any relevant documents, notes, or other materials, in an organized, centralized, and easily located repository or file specific to each relevant project.

Name: _____

Date: _____

Signature: _____