



DEPARTMENT OF THE ARMY

U.S. Army Corps of Engineers  
WASHINGTON, D.C. 20314-1000

REPLY TO  
ATTENTION OF:

AUG 14 1995

CEPR-P (715)

MEMORANDUM FOR COMMANDER, ALL MAJOR SUBORDINATE COMMANDS,  
DISTRICT COMMANDS, FIELD OPERATING ACTIVITIES  
AND LABORATORIES, ATTN: DIRECTORS/CHIEFS,  
CONTRACTING DIVISION

SUBJECT: PARC Instruction 95-10 - Architect-Engineer (AE) and  
Construction Contractor Performance Evaluations

1. Reference:

- a. FAR, DFAR, EFARS 36.201 Evaluation of Contractor Performance.
- b. FAR, DFAR, EFARS 36.604 Performance Evaluation.
- c. ER 715-1-17 Architect-Engineer Performance Evaluations.
- d. ER 415-1-17 Construction Contractor Performance Evaluations.

2. The use of Special Clause-6 (SC-6) Performance Evaluation of Contractor (1985 Jan OCE) (see enclosure) or any other similar type clause for construction or AE is to cease immediately. This or any similar type clause is outdated and no longer applicable.

3. The above references govern the use of architect-engineer and construction contractor performance evaluations within the Corps of Engineers. The design of these regulations is to intentionally keep performance evaluations within federal administrative procedure guidelines. The referenced documents contain the only allowable procedures to be used for contractor performance evaluations.

4. Any mentioning of contractor performance evaluations within the contract itself may imply that an evaluation may be contested through the disputes clauses of the contract. A contractor might argue that this in effect negates the above regulations and provides a costly second dispute alternative to the contractor. Consequentially the use of SC-6 or any similar type special clause is prohibited.

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5. This memo was coordinated with the Directorate of Military  
Programs and the Office of the Chief Counsel. Point of contact  
for this action is Major Jeffrey W. Hills, CEPR-P, 202-761-8644.

FOR THE COMMANDER:

Encl



KENNETH J. LOEHR

Principal Assistant Responsible  
for Contracting



95008/cs

panels at Buildings 1317 and 265 shall be interconnected such that each annunciation for each vault and defuel tank is annunciated at Building 1317. NOTE: Buildings 265 and 1317 both have annunciator panels (see Plate E-10 for system diagram)."

Drawing, Sheet 26, Plate M-5: In Note 2, change "48 Volt" to "480 Volt."

Drawing, Sheet 27, Plate M-6: In legend, change "Government Furnished" to "Contractor Furnished."

Drawing, Sheet 31, Plate M-10: Delete hand pump from magnetic switch can.

Drawing, Sheet 31, Plate M-10: At existing hydrant adaptor, change "Cla-Val" to "OPW."

STANDARD DETAILS BOUND IN THE SPECIFICATIONS

SECTION 01501 - CONSTRUCTION FACILITIES AND TEMPORARY CONTROLS

1 & 2	U.S. Air Force Project Construction Sign	84JUN20
1	Hard Hat Sign	10SEP90

SC-6. PERFORMANCE EVALUATION OF CONTRACTOR (1985 JAN OCE): As a minimum, the Contractor's performance will be evaluated upon final acceptance of the work. However, interim evaluation may be prepared at any time during contract performance when determined to be in the best interest of the Government.

The format for the evaluation will be SF 1420, and the contractor will be rated either outstanding, satisfactory, or unsatisfactory in the areas of Contract Quality Control, Timely Performance, Effectiveness of Management, Compliance with Labor Standards, and Compliance with Safety Standards. The Contractor will be advised of any unsatisfactory rating, either in an individual element or in the overall rating, prior to completing the evaluation, and all Contractor comments will be made as part of the official record. Performance Evaluation Reports will