

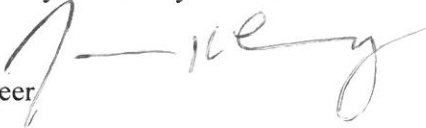


STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

JAMES H. TROGDON, III
SECRETARY

MEMO TO: Unit Heads
Transportation Mobility and Safety Division

FROM: Kevin Lacy, P.E. 
State Traffic Engineer

DATE: September 13, 2017

SUBJECT: Experience Rate Modifier Requirement for Outsourced Work

In order to promote a climate of safety with our partners in the private sector, it is now the policy of the Transportation Mobility and Safety Division to only allow outsourced work to contractors with an experience rate modifier (ERM) of 1.30 or less.

Effective immediately, all Units shall verify the current ERM of prospective contractors prior to enacting any service procurement (purchasing) contracts (initial, extension, and supplemental), and this shall be done by having the prospective contractor(s) complete and submit the attached form as part of any scoping, specification, procurement, and/or bid process.

Note that the ERM is protected information under statute, shall be kept confidential, and shall not be released to the public in accordance with §58-36-16.

The ERM shall also be used as part of the selection criteria for the future solicitation and award of on-call convenience limited service contracts (LSCs) with private engineering firms (PEFs) for professional engineering services. This requirement applies equally to any prime contractor or subcontractor.

Please inform your staff and contact our Division Safety Coordinator, Jeff Jaeger, if you have any questions.

Attachment

JKL/rjj

cc: Jeff Jaeger, P.E., Mobility and Safety Information Engineer
Jarvis Gray, MSOS, MM, Deputy Director, Safety & Risk Management
Dom Ciaramitaro, P.E., Branch Staff Engineer

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EXPERIENCE RATE MODIFIER

Name of current or potential contractor/vendor: _____

For internal State agency processing, please indicate your company's current Experience Rate Modifier (ERM) as determined by the insurer providing your worker's compensation insurance, the North Carolina Rate Bureau (NCRB), or the National Council on Compensation Insurance (NCCI).

Experience Rate Modifier eligibility for contracts with the North Carolina Department of Transportation is based solely in accordance with the Experience Rating Eligibility criteria set forth by the North Carolina Rate Bureau. No other State or Territorial criteria shall apply.

Pursuant to N.C.G.S. §58-36-16 the experience rate modifier shall not be released to the public. This page shall be kept confidential and shall not be made available for public inspection.

**This form is required for any contractor/vendor desiring to perform work.
This includes primes and any subconsultants.**

Enter most current ERM here: - OR - Not eligible for an ERM*

Check one of the following: intrastate interstate

Rating effective date: _____

** Any contractor/vendor indicating they are not eligible for an Experience Rate Modifier in accordance with the criteria set forth by the North Carolina Rate Bureau (NCRB) shall submit written documentation from either the NCRB or their Worker's Compensation insurance carrier verifying that they are not eligible, and such documentation shall be provided on the letterhead of the NCRB or the insurance carrier, respectively.*



Signature Date

Printed Name Title

[This Form Must Be Signed]