

## PREQUALIFICATION SUMMARY AND GUIDELINES

Modified: June 30, 2023

The following information shall be used by all Units of the Transportation Mobility and Safety Division (TMSD) when reviewing firms for prequalification in one or more discipline codes. Unit Heads are responsible for managing the discipline codes and prequalification processes related to their business units.

### **A. Departmental Overview**

1. Firms shall be prequalified with the Department in order to be eligible for work ([19A:02E.0703 \(b\)](#) and [19A:02D.0801 \(b\)](#)).
2. Prequalification requirements for a given discipline include (1) being able to “demonstrate the necessary experience, knowledge, and expertise” required for that discipline, (2) demonstrating sufficient resources (financial, equipment, and qualified personnel), and (3) demonstrating the knowledge and expertise to comply with state and federal contract laws ([19A:02E.0703 \(c\)](#) and [19A:02D.0801 \(c\)](#)).
3. The Department is required to maintain a directory of firms available to perform “professional engineering or other kinds of professional or specialized services for the Department in connection with transportation construction or repair”, and prequalification under Rule 19A:02E.0703 (above) is required for a firm to be included in the directory ([19A:02E.0702 \(a\)](#)).
4. Firms and vendors are required to “update their prequalification status annually” and to “re-qualify every three years” to ensure a current listing of staff, business licenses, and project experience ([19A:02E.0703 \(d\)](#), [19A:02E.0703 \(e\)](#), and [19A:02D.0801 \(e\)](#)).
5. Firms and vendors shall be disqualified (lose their prequalification) if they fail to continuously meet these requirements at all times ([19A:02E.0703 \(f\)](#) and [19A:02D.0801 \(f\)](#)).

### **B. Division Overview**

1. Units are responsible for managing (creating, revising, and retiring) their discipline codes.
2. Units should have a minimum of one (1) discipline code.
3. All discipline codes should be coordinated with the Division Staff Engineer, who shall liaison with the [Prequalification Management Unit](#) to ensure [discipline requirements](#) remain current.
4. Unit Heads shall identify a primary Subject Matter Expert (SME) for each discipline code. It is recommended that Unit Heads also identify a back-up SME for each discipline code to cover for the primary SME in cases of illness, etc.
5. Units shall coordinate SMEs with the Division Staff Engineer to ensure the most current information is listed on the [Discipline Code Reviewer List](#) in [TEPPL Topic L-17 \(“Limited Service Contracts”\)](#).

6. All SMEs (primary and back-up) have the authority to approve or reject requests for prequalification for the discipline code(s) they are responsible for. SMEs are under no obligation to approve prequalification if the firm does not demonstrate sufficient capabilities (see Item 2 in Section A, above).
7. Units shall maintain a list, by discipline code, of all individuals and firms that have been prequalified.

**C. Prequalification Application Process**

1. Firms are required to request prequalification through NCDOT's [Prequalification Application](#) system (PAS). No other methods shall be honored.
2. The PAS automatically routes the application to the TMSD point of contact (usually, the Division Staff Engineer) in SAP.
3. The TMSD point of contact shall forward the necessary information to the appropriate SMEs based on what discipline codes are being requested by the firm.
4. SMEs shall be provided a deadline for response (typically, two weeks).
5. Discipline codes not approved by the deadline shall automatically be rejected.

**D. Prequalification Management**

1. Prequalification in a discipline code is not permanent (see Item 4 in Section A, above).
2. Prequalification in a discipline code shall be removed from a firm if all the individuals prequalified for that discipline code no longer work for the firm. SMEs are responsible for informing the firm's point of contact (POC) listed in the [Directory of Firms](#) of the removal and the reason for it, with a copy going to the Division Staff Engineer.
3. Prequalification in a discipline code may be removed from a firm during their annual update/re-qualify periods if the firm does not have at least one individual that can demonstrate sufficient capabilities (see Item 2 in Section A, above). However, before removal, the probation process should be followed (see Section E, below).
4. Prequalification in a discipline code should be removed from a firm for poor performance and/or unacceptable evaluations by their prequalified individuals. However, before removal, the probation process shall be followed (see Section E, below).

## **E. Probation**

1. The Unit Head shall notify the affected individual(s) in writing (and copy the State Traffic Engineer, the Division Staff Engineer, the SMEs, and the [firm's point of contact](#)) of the probation as indicated below...
  - a. Specific discipline code(s) covered by the probation,
  - b. The reason(s) for the probation (failure to demonstrate sufficient capabilities and/or poor performance and/or unacceptable evaluations),
  - c. The time frame for the probation period (may last up to six months or longer depending on the reason(s) for the probation, and/or the number and frequency of items/actions to be evaluated, and/or the time it takes to complete an evaluation),
  - d. Specific items/actions needed during the probation period, and
  - e. Specific date for final determination to remove probation or prequalification.
2. The firm shall maintain their prequalification during the probation period, but no new work may be issued to the individual(s) on probation.
3. Demonstration of sufficient capabilities, acceptable performance, and/or receipt of acceptable evaluations during the probation period shall only be based on information, performance, and other items submitted or completed during the probation period. The revising or correction of previously submitted work is a legitimate activity during the probation period.
4. Firms shall bear the cost of any work during a probation period.
5. The business unit shall submit feedback (reviews, evaluations, etc.) to the firm/individual(s) as expeditiously as possible upon submittal of a work product/completion of work. All feedback shall be in writing. The business unit shall maintain a cumulative record of feedback (reviews, evaluations, etc.) completed during the probation period and shall provide it with each successive response to the firm/individual(s).
6. The Unit Head shall approve all feedback (reviews, evaluations, etc.) with copies being sent to the State Traffic Engineer and the Division Staff Engineer.
7. The firm/individual(s) may appeal feedback (reviews, evaluations, etc.) to the Unit Head. If the Unit Head has rendered a final decision on the appeal and the firm is still dissatisfied, then a second appeal may be made to the State Traffic Engineer. The decision of the State Traffic Engineer shall be final.
8. The firm/individual(s) may establish regular meetings with the business unit to keep communications open. The Unit Head should attend these meetings. Scheduling, agendas, and meeting notes shall be the responsibility of the firm/individual(s). If these meetings occur, copies of the agenda and meeting notes should be sent to the State Traffic Engineer and the Division Staff Engineer.
9. Once the probation period has ended, the Unit Head shall notify the firm/individual(s) in writing of their overall performance during the probation period and render a final decision to continue with prequalification or have it removed. The Unit Head should discuss their recommended final decision with the State Traffic Engineer prior to notifying the firm. Copies of the performance summary and final decision shall be sent to the State Traffic Engineer and the Division Staff Engineer.