

THE INDIANA DEPARTMENT OF TRANSPORTATION PROCEDURES FOR SUBMITTING ISSUES TO THE PREQUALIFICATION COMMITTEE

The following steps will be taken when an INDOT employee receives or has a complaint or issue (Issue) pertaining to a contractor and seeks action by INDOT's Prequalification Committee:

1. The employee will draft a written summary of the Issue. The summary must include all relevant facts, including, but not limited to:
 - a. The reasons for requesting Committee action;
 - b. Name of contractor and contractor personnel who were involved in the Issue;
 - c. A description of events leading up to the Issue;
 - d. List of INDOT personnel who were involved in the Issue;
 - e. Dates or an approximate time line for the events;
 - f. Attempts, if any, made to resolve the Issue; and
 - g. When appropriate, a recommendation to the Committee of what action it should take in response to the Issue.
2. The employee will compile all relevant documents necessary to substantiate the Issue. The necessary documentation will depend on the nature of the Issue, but may include such items as:
 - a. CR-2s or other performance reports;
 - b. Photographs of a project site;
 - c. Certified payrolls; and
 - d. Records of communications with the contractor.
3. The employee will submit the summary of the Issue and compiled supporting documentation to his or her Deputy Commissioner or Division Director for signature.
4. The employee's Deputy Commissioner or Division Director will submit copies of the Issue and supporting documentation to the Committee Chair (currently Martha Kenley), the Prequalification Engineer (currently Karen Macdonald), and Counsel to the Committee (currently Tiffany Mulligan). If supporting documentation is voluminous, the Deputy Commissioner or Division Director may choose to send the documentation only to the Committee Chair but should provide a copy of the summary of the Issue to the Prequalification Engineer and Counsel for the Committee.
5. The Prequalification Engineer and Counsel for the Committee will review and evaluate the Issue and supporting documentation and provide a recommendation to the Committee Chair, either in writing (email) or during a meeting with the Chair.
6. After consultation with the Prequalification Engineer and Counsel for the Committee, the Committee Chair will decide the following:
 - a. the Issue warrants consideration by the Committee;
 - b. the Issue does not warrant consideration by the Committee; or

- c. more information is needed to evaluate the Issue for possible Committee action.
- 7. The Committee chair will notify the INDOT employee and Deputy Commissioner or Division Director who submitted the Issue of the above decision in writing (email or letter).
- 8. If the Chair determines that the Issue warrants consideration by the Committee, the Chair will ask the Prequalification Engineer to place the Issue on the Committee's agenda. A contractor will appear on the Committee's agenda only after a full review of the Issue by the Chair, the Prequalification Engineer and Counsel for the Committee.
- 9. The Prequalification Engineer may either place the Issue on the agenda of a regularly scheduled Committee meeting or schedule a special meeting if facts warrant immediate consideration. In either case, the Prequalification Engineer must do the following:
 - a. Send written notice to the contractor named in the Issue at least one week before the Committee meeting. The Prequalification Engineer may fax or email a written letter to the contractor but should follow it with a letter sent by certified mail prior to the meeting. The notice will include the following:
 - i. A description of the Issue;
 - ii. The date, time, and place of the Committee meeting;
 - iii. An invitation for the contractor to attend the meeting; and
 - iv. A copy of the Prequalification Committee Meeting Procedures.
 - b. Send written (email) notice to the Deputy Commissioner or Division Director who submitted the Issue.
- 10. The Deputy Commissioner or Division Director will ensure that the appropriate INDOT employees are available to present the Issue to the Committee. If the Deputy Commissioner or Division Director believes legal assistance is necessary to present the Issue to the Committee, he or she will submit a request to INDOT's Managing Attorney (currently George Dremonas).