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COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TRANSPORTATION
HIGHWAY DIVISION

MARION-WAREHAM

Federal-Aid Project No. HIP(NGB)-003S(786)X
Replacement of Bridges M-05-001=W-06-013 (CBJ)
Route 6 (Wareham/Marion Road) and W-06-016 (CBH)
Route 6 (Marion Road) over the Weweantic River
Design-Build

PARTNERING MANUAL

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Commonwealth of Massachusetts

PARTNERING MANUAL

PURPOSE

The purpose of this manual is to describe the concepts, characteristics and benefits of partnering. Detail has been included to enable agencies to use this guide to develop their own partnering program to meet their needs. The basic rudiments of partnering will be part of every job, but the partnering process for individual projects is likely to vary depending on the size and complexity of the contract.

This manual was developed in response to the recommendations of the **Construction Reform Task Force** convened by the Executive Office for Administration and Finance and participated in by all state transportation and construction agencies of the Commonwealth. The Task Force recommended partnering as an effective business strategy that minimizes the number of disputes and delays in construction projects by providing a regular forum for all project participants at the commencement of a job and throughout the life of the project.

WHAT IS PARTNERING?

Partnering is *a way of conducting business in which two or more organizations make long-term commitments to achieve mutual goals*. This sometimes requires changing attitudes and traditional adversarial relationships into team-based relationships, using a process that promotes open communication, trust, understanding and teamwork among participants. Partnering starts with an **attitude** that requires an open mind and a willingness to listen to, and work with other people. Its purpose is to develop and maintain non-adversarial working **relationships** in order to achieve mutually-agreed goals and objectives and to minimize disputes and avoid claims. Most importantly, Partnering is also a **process** that requires constant formal communication.

Partnering Attitude

The success of a partnering program will not be assured by simply following some prescribed steps. Half-heartedly "going through the motions" of a partnering program is not enough. As stated before, partnering is an attitude that requires the courage to change some things from the usual practices. Success of the partnering program requires from the participants: foresight, creativity, commitment, flexibility and collaborative leadership style.

Partnering Relationship

Partnering recognizes that every contract represents a good faith agreement. While contracts establish legal relationships, partnering addresses the working relationships between the people who will make the project successful. Partnering does not change the contractual legal relationship or encourage waiving contractual requirements, rather it allows all parties to talk openly about alternative ways to meet the requirements. This relationship calls for the development of common goals and objectives, flexibility, responsiveness and working towards building trust among the people involved in the project.

Partnering Process

Through the use of disciplined communication and widely accepted methods for making meetings successful and productive, the partnering process will improve the effectiveness of every contract. Trust and open communications are encouraged and expected from all participants. All parties address and resolve issues and problems promptly and at the lowest possible level. They strive to develop solutions that are agreeable and meet the needs of everyone involved (win-win approach).

All parties have identified common goals for the partnerships and at the same time are aware of and respect each other's goals and values. Partners seek input from each other in an effort to find better solutions to the problems and issues at hand. This creates a synergy in the relationship that fosters cooperation and improves productivity of the partnership.

GOALS

The use of partnering in the construction industry has grown significantly in recent years in both private and public sectors. Owners and Design-Builders/contractors are using partnering in an attempt to:

- Resolve Disputes
- Reduce Litigation
- Reduce Costs
- Improve Schedule
- Improve Quality
- Improve Safety
- Improve Project Performance

PARTNERING LEVELS

Not every project requires the same degree of partnering. The jobs will use a formal or an informal process based on factors such as the contract complexity, cost, time sensitiveness, high profile, previous relations of the parties or the relative importance for MassDOT.

- Informal Partnering - For jobs with fewer elements of complexity, partnering may be implemented in the pre-construction meeting. Two hours may be set aside to establish the basic principles of partnering. It may be determined that a half day is needed to set the foundation of partnering with the use of an internal facilitator. Follow-up workshops can be as informal. For bigger jobs, a one-day workshop in a neutral place can be scheduled.
- Formal Partnering - This level is utilized most for complex contracts. It includes a one or two day initial workshop with follow-up workshops, conducted by outside facilitators in a neutral location. During formal partnering a steering committee is created and regular executive partnering meetings are held.

Whatever the level of partnering the objective is to agree on mutual goals, develop an issue resolution process and action plans. This will help the parties to create a non-adversarial relationship and minimize disputes and delays.

PARTNERING PROCESS

The Partnering process includes the following stages:

- **Invitation to Partner** - Once a contract is awarded, the state will invite the Design-Builder/contractor to participate in partnering.
- **Training** - Key personnel will be trained in awareness workshops in order to explain the benefits of partnering, as well as the skills required for its success.
- **Selection of Facilitators** - The agencies may use facilitators to run partnering workshops. For informal partnering, the facilitator can be the engineer or an internal staff member from the MassDOT or other agencies of the Commonwealth. For more formal partnering, the use of outside facilitators is recommended. The decision to use an internal or external facilitator depends on many factors such as the size and complexity of the job as well as concerns that the parties may have regarding the impartiality of internal facilitators. Outside facilitators have the advantage of being perceived as more impartial, which is often more acceptable to organizations that are new to the partnering process.

The quality of the facilitator is key to the success of partnering. A good facilitator has knowledge and experience in the construction and engineering industries, and handling partnering workshops. The facilitator should be available not only to facilitate the initial workshop but to work with the team on an on-going basis.

- **Pre-workshop Activities**

Selection of Participants - The participants at the workshop include key players from all the stakeholders which are all the different organizations whose participation is required to make the project a success, either because they can help or are able to hinder it. An informal partnering meeting might include the project manager and resident engineer, the project engineers, claims and changes staff, scheduler and field personnel from the agency, the Design-Builder and key team members, and FHWA. A formal partnering workshop would also include corresponding personnel from top management, quality inspectors, safety supervisors, the city, local agencies, utilities, abutters, and others directly involved with the contract. Whenever possible corresponding personnel from each organization should be invited (See appendix 3)

Interviews and Questionnaires - If formal partnering is used or the project warrants it, the selected facilitator should call one or two key persons from each major organization in the partnership in order to get consensus on the proposed agenda and obtain understanding of the scope of work and issues that might be brought up, and to circumvent surprises that might occur. Some facilitators also choose to send pre-workshop questionnaires to all invitees. The purpose of the questionnaire is to provide information to the facilitator regarding objectives, issues, and previous experiences from all participants. The facilitator uses this information to prepare for the workshop and be informed of the issues. It also helps participants to think about the workshop ahead of time and be prepared to discuss issues right away.

- **Workshop Facilities** - *Informal partnering* meetings can be conducted in the field office or in a conference room. The parties can also decide to use a neutral location for the initial meeting. *Formal partnering* workshops are best conducted in off-site neutral locations, such as hotels. This removes participants from the disturbance of the office and allows them to concentrate on the partnering process.

The facility must be relatively convenient for participants, with free or reasonable priced parking and possibly accessible by public transportation. A typical formal partnering meeting requires the following: a main meeting room to accommodate 30-40 participants seated in a U-shaped or at several rounded tables, and one or two smaller breakout room.

- **Initial Workshop** - The initial partnering workshop can be scheduled shortly after Notice-to-Proceed. The length of the workshop varies with the level of partnering being used and the participant's past training and experience in partnering. There is not a standard agenda for the workshop, the basic elements of Partnering should be established. The format is flexible depending on the facilitator, the type of contract and the personnel attending. However, the workshop typically starts with all participants getting to know each other through individual introductions to the entire group. The facilitator briefs the participants on partnering and introduces them to some of the basic concepts of trust, communication, teamwork, win-win and synergy. The organizations then develop individual and common goals and action plans and an issue resolution process.
- **Documents Produced by the Workshop** - Participants at initial workshops should develop the following documents: a partnering agreement or charter, a goals statement, an issue resolution model, future action items and means of measurement.

The *partnering agreement* or charter is generally a one-page document that lists the goals for the team and the expectations for the partnership. It is essentially a mission statement. Everyone is expected to review the document and sign the agreement. This formalizes the partnership and commits the participants to the goals listed. A model of a partnering agreement is included on Appendix 5. It is important that team members periodically review the agreement and the commitments made.

As stated before, partnering does not guarantee that disputes will disappear. The *issue resolution model* is the process agreed to by all participants for dealing with problems before they occur. It also identifies the people from each organization who will be responsible for resolving issues at the field level, all the way up to the top managers. It should list each person by name and identify the time frames by which issues should be resolved or escalated to the next level. For informal partnering the agency may develop a generic issue resolution model. The issue resolution model might also include the use of the facilitator or another neutral third party when required by the situation. An example of an issue resolution process is included on Appendix 6.

A *goals statement* is the document that lists the goals for the team and clearly defines how each goal will be measured in specific terms. It also lists who is responsible for tracking the data related to each goal. A model of a goals statement is included on Appendix 9.

At the workshop, the team selects several problems or issues it thinks are important to talk about. They create *action plans* that describe the problem, the actions required to solve it, who is responsible for completing the action, and when the actions are required to be done. These are step-by-step roadmaps. A model of an action plan is included on Appendix 7.

- **Report** - A report is prepared after each workshop by the facilitator or the partnering coordinators. The report includes a list of all participants, their organizations, and contact information, as well as copies of the documents produced during the initial workshop. The purpose of this report is to clearly document the important elements of the meetings. MassDOT must determine who is responsible to produce this.
- **Facilitator Support** - During the partnership, some specific situations might need the support of the facilitator or a special mediator - such as the disputes review board- to help keep communication constructive and to try to solve issues at the lowest possible level. This resource should be available for anyone requesting it on a confidential basis during any stage of the issue resolution model.
- **Additional Activities of Formal Partnering**

Photograph - Formal partnering workshops usually close with the taking of a group photograph. The photo and the signed agreement are later framed and sent to the key organizations for display in their offices.

Follow-up Workshops - For formal partnering, follow-up workshops can be scheduled on a regular basis (every 6-12 months). Their number and frequency should be determined at the initial workshop. The purpose of follow-up workshops is to reinforce the goals and attitudes developed at the initial workshop and to work on specific issues which have since arisen. Follow-up workshops use the same process as the initial workshop but are a maximum of one day.

Partnering Steering Committee - A partnering steering committee will be created at the initial workshop. It consists of a volunteer from each key organization including the Resident Engineer and the Project Manager. This committee is responsible for monitoring the pulse of the partnership throughout the duration of the contract and between formal workshops. The steering committee meets every three months for approximately one hour in the field offices. A typical agenda includes reviewing and grading the agreement, the status of the goals statement and action plans, updating the issue resolution model, discussing new issues, how to introduce new personnel to partnering and potential follow-up workshops.

The steering committee is vital to keeping the partnership focused between workshops. Reports of the meeting are distributed to managers and others to keep them informed of the status of the partnership.

Executive Partnering Meetings - This consists of regular meetings among the most senior levels of the key stakeholders. These meetings are also an important component of formal partnerships. Their purpose is to discuss progress, sort out and prioritize issues, confront problems early on and keep the lines of communication open. Several projects can be reviewed in one meeting.

PARTNERING ADMINISTRATION

The Design-Builder's Project Manager or designee shall be responsible for the *coordination of the partnering process* including the screening and selection of the facilitators, initial contacts with key players, and recommendation of participants.

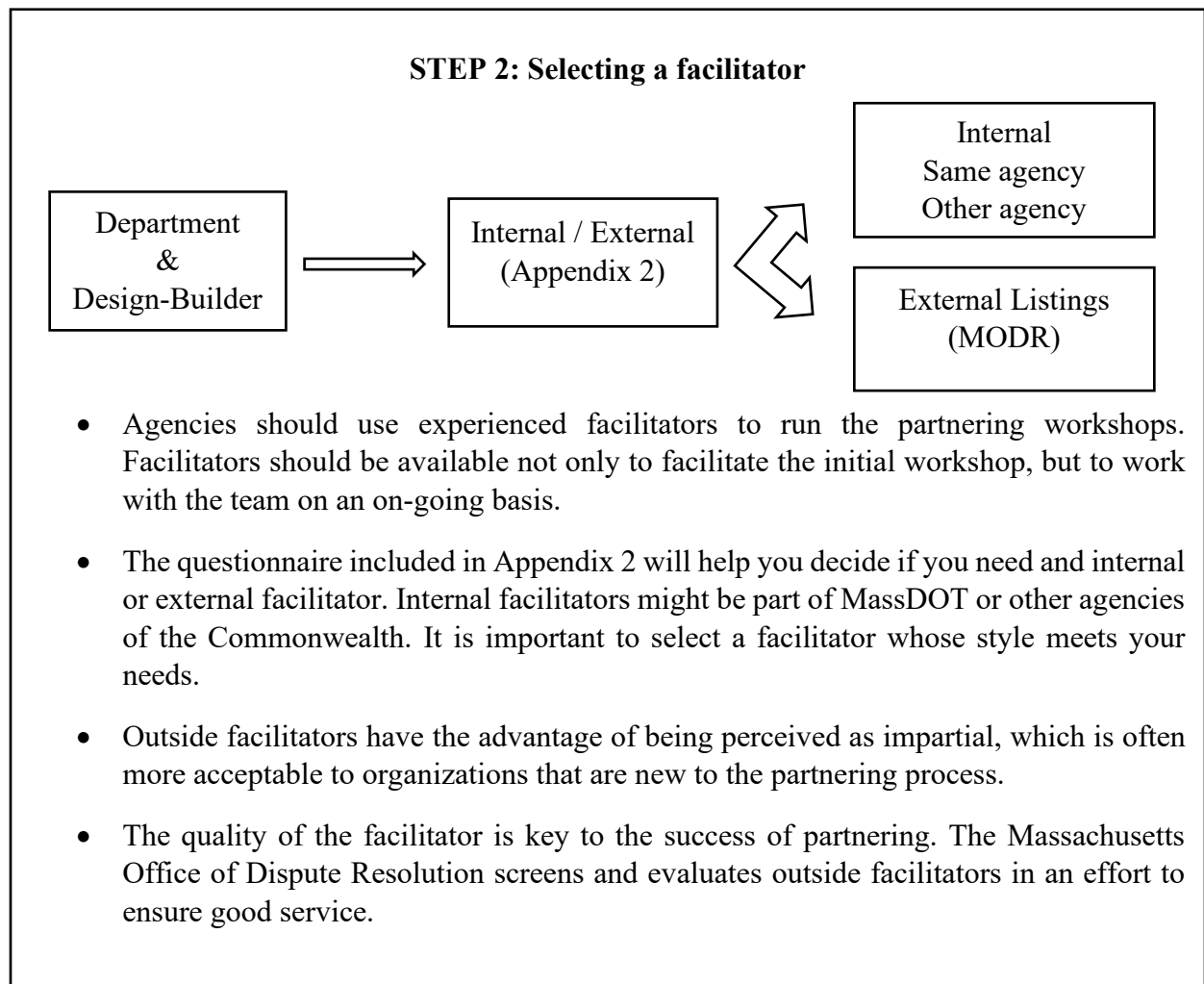
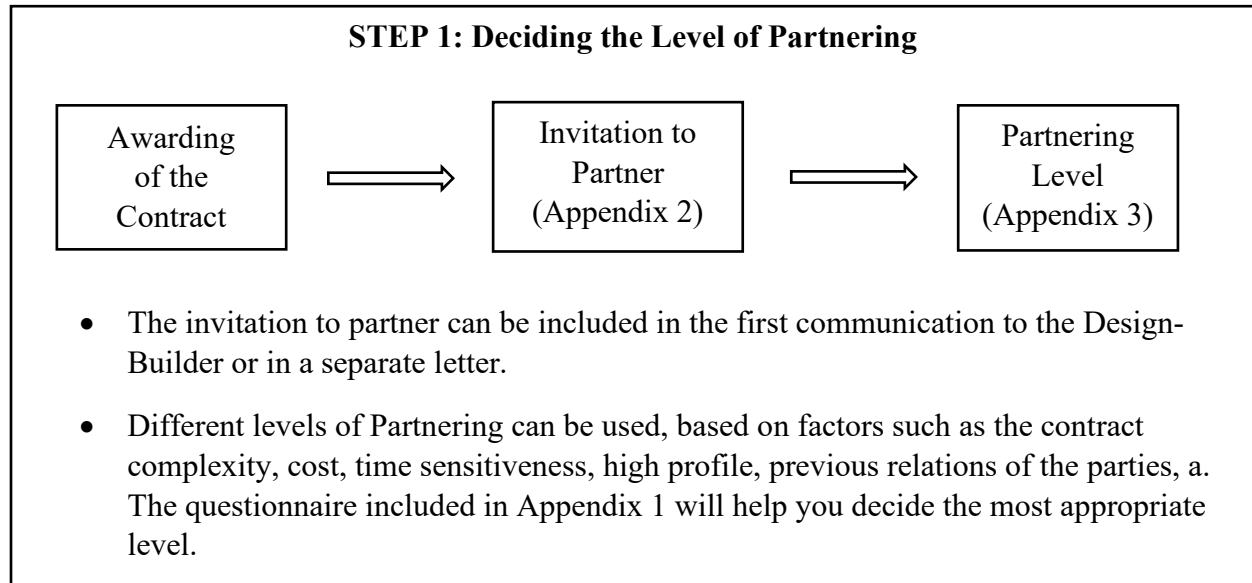
The *administration of the logistics* such as listings, invitations, reservations, booking, mailing, etc. that can be done by the coordinators. The reproduction of meeting minutes and distribution to all parties may be coordinated through the partnering administration.

COSTS

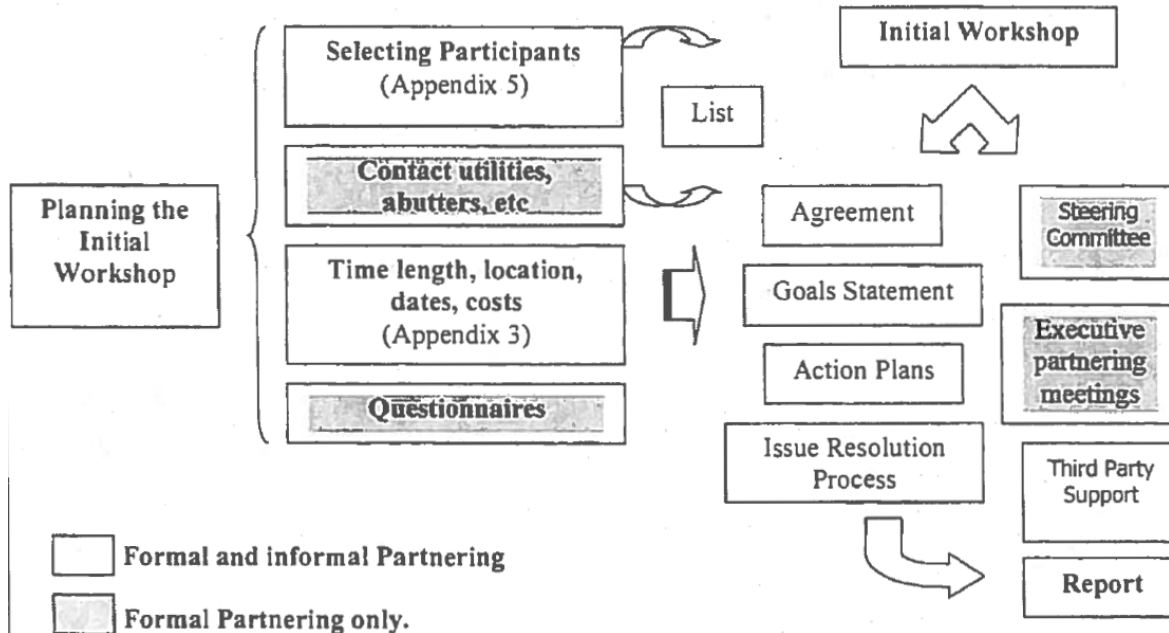
All direct expense costs associated with bringing the facilitator and holding workshops can be split 50-50 between the MassDOT and the Design-Builder. This commits both parties to the partnering relationship.

The cost of *informal partnering* using internal facilitators are often limited to personnel time. For *formal partnering*, the total direct expenses are usually less than 1% of the contract value. In general, the relative costs to participate in partnering are small, but the benefits can be tremendous.

PARTNERING PROCESS

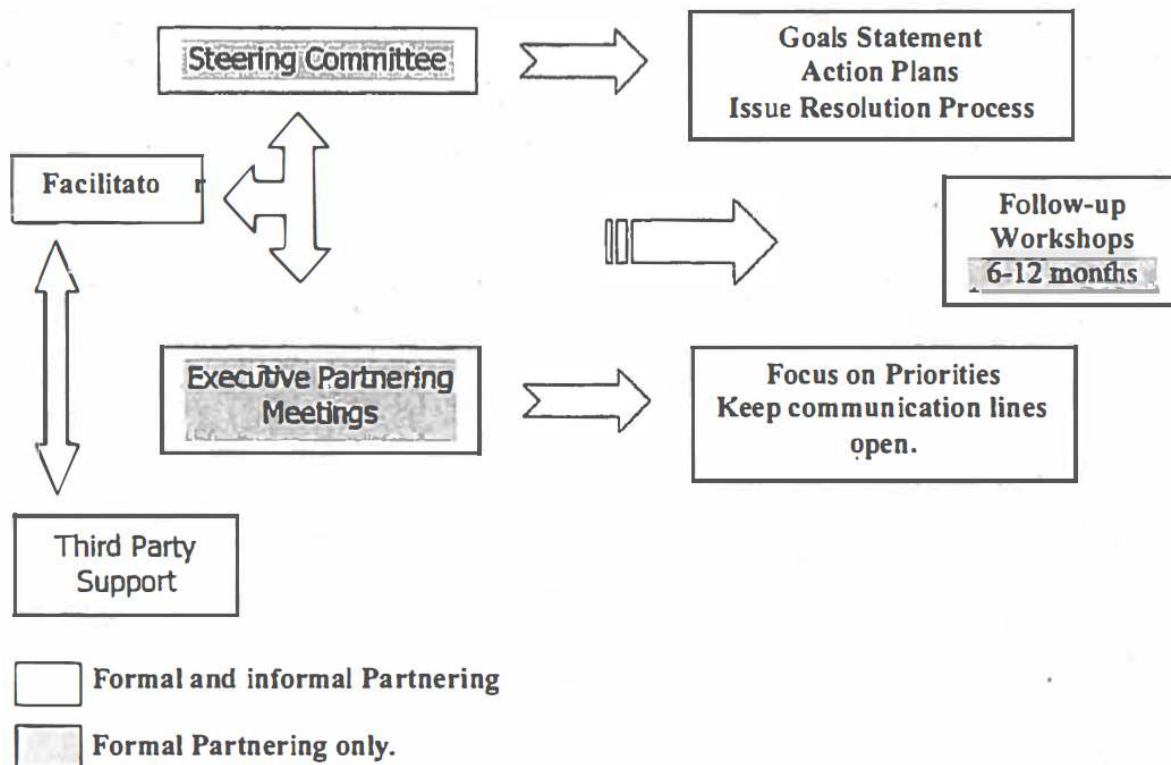


STEP 3: Initiating Partnering



- The participants to the partnering process include key players from all the stakeholders whose cooperation is required to make the project a success. Whenever possible corresponding personnel from each organization should be invited. A chart with suggested participants for the different levels of partnering is included in Appendix 5.
- *Informal partnering* meetings can be conducted in the field office or in a conference room. The parties can also decide to use a neutral location for the initial meeting. *Formal partnering* workshops are best conducted in off-site neutral locations. The appropriate length of the partnering session can be determined using the questionnaire included in Appendix 3. Follow-up workshops can also be planned.
- The facilitator should call one or two key persons from each major organization in the partnership in order to get consensus on the proposed agenda and obtain understanding of the scope of work and issues that might be brought up. For formal partnering, some facilitators send pre-workshop questionnaires to all invitees.
- Regardless of the partnering level, participants at initial workshops should develop the following documents: a partnering agreement or charter, a goals statement, an issue resolution model, future action items and means of evaluation. Models of the documents produced during formal partnering workshops are included in Appendix 5-7. A mechanism to provide the partnership with on-going support from the facilitator or another third party such as a dispute review board can be put in place during the initial session.
- A report is prepared after each workshop. The report includes a list of all participants, their organizations, and contact information, as well as copies of the documents produced during the initial workshop.
- For formal partnering, a steering committee consisting of a volunteer from each organization will be created during the initial workshop.

STEP 4: Partnering Maintenance and Administration



- All members should have available permanent support from the facilitator or another third party to keep lines of communication open and productive during the duration of the contract. One party or both might request the services of the third party during any step of the issue resolution model.
- Informal partners should follow-up the progress of the partnership in periodic meetings that evaluate the status of the goal statement, action plans and the use of the issue resolution process.
- In the more formal partnerships, the steering committee will be meeting every three months to monitor the pulse of the partnership by reviewing and evaluating the status of the goal statement, action plans and the use of the issue resolution process. The committee is also in charge of scheduling follow-up workshops every 4 months.
- During formal partnering, executive meetings will be held to discuss the progress, sort and prioritize issues, confront problems early on and keep the lines of communication open and productive.
- The *coordination of the partnering process* includes the screening and selection of the facilitators, initial contacts with key players, selection of participants, co-facilitation workshops, and evaluation. During the maintenance stage, this coordination involves the facilitation of the follow-up workshops, steering committee and executive meetings, as well as the permanent evaluation of the partnering process. This coordination should be done through an internal partnering unit or using the coordination services of the Massachusetts Office of Dispute Resolution (MODR).
- The *administration of the logistics* such as listings, invitations, reservations, booking, mailing, etc. can be done by the parties' staff.

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ADDITIONAL INFORMATION

GLOSSARY

Dispute - Perceived divergence of interest or a belief that the parties' current aspirations cannot be achieved simultaneously.

Alternative Dispute Resolution (ADR) - A broad range of processes designed to help people resolve disputes by means other than litigation in the courts. These processes include: mediation, facilitation, arbitration, case evaluation, neutral fact-finding, partnering and others. The use of such processes has been motivated in recent years by the increase in court caseloads and the high costs of litigation. Some have suggested that ADR should be called "appropriate dispute resolution," highlighting the idea that disputants should match the type of resolution process with the needs of their situation.

Partnering - Method of conducting business whereby two or more organizations make a long-term commitment to achieve mutually determined goals by increasing the quality of their communication and developing a non-adversarial relationship.

Facilitation - A collaborative process in which individuals and groups with divergent views meet to reach consensus on a goal or to solve a problem with the assistance of an impartial facilitator. The facilitator is concerned primarily with running the process, usually helping the parties establish ground-rules, design and follow an agenda, and communicate more effectively.

Mediation - A confidential, voluntary, informal dispute resolution process in which people in a dispute develop a mutually acceptable agreement with the assistance of an impartial person, called a mediator. A mediator has no authority to make decisions, but assists the disputants in identifying their interests, developing and evaluating options, and negotiating an agreement. The disputing parties may decide to have their resulting agreement be enforceable as a contract. The term "mediation" is sometimes incorrectly used as a synonym for "arbitration".

Arbitration - A form of ADR in which an impartial individual (or panel of individuals) is authorized to review evidence, hear the arguments of the disputants and render a decision. Depending on the arrangements, the arbitrator's decision may be either binding or non-binding, although in cases involving governments, arbitration is generally non-binding. The most basic difference between mediation and arbitration is that in arbitration, the arbitrator makes the decision, whereas the disputing parties make the decisions in mediation. Arbitration differs from litigation in that it usually requires less discovery, less-formal rules of evidence, and stricter time limits for rendering a decision.

Win-win approach - Negotiation attitude that searches for a solution that addresses the needs and interests of the parties instead of their positions.

COMMON MISCONCEPTIONS

“Partnering is just an excuse to 'give away the farm'!”

Partnering does not change contractual relationships nor is it an excuse to disregard contractual obligations. **Partnering does not require a government agency to act in a manner that is not in its best interest.** A contractor who requests that a government agency accept a change order or waiver that they would not normally agree to in the "spirit of partnering" in order to maintain good relationships is not acting in good faith. Under this scenario, the relationship becomes a "win-lose" situation. Partnering only encourages "win-win" relationships. While not all claims or waivers will be accepted on face value, the agency will listen with an open mind and work with the contractor to achieve the best possible solution for **all parties** involved.

“Partnering is just the glorification of what we have done in the past, which is to cooperate and have fun on the job”

Certainly, the partnering philosophy encourages the establishment of personal relationships such that interpersonal trust is more readily developed. However, partnering is more than having lunch and commiserating over job issues. Partnering is a defined process that clarifies the communication structure among all parties to a project. Partnering establishes a method for team problem solving that recognizes the benefits of win-win solutions.

“Partnering is too time consuming”

Partnering is an investment. Time spent on establishing roles and responsibilities, clear objectives, goals and an issue resolution process at the onset of a job can save time over the course of a project that would have spent clearing up misunderstandings and miscommunications.

“Partnering is no more than the initial session”

In order to be successful, partnering must be followed-up on. From the daily communications on the job to formal follow-up sessions, it is imperative that the goals set out in the initial session as well as the spirit of partnering be carried out throughout the life of the job.

“Partnering is soft management hugs and kisses”

Partnering is a process that recognizes the value of teamwork. As such teambuilding exercises are utilized to illustrate the importance and effectiveness of teamwork. Contrary to the notion that partnering is "soft" management, the partnering process allows for a group of individuals to address project issues in a more efficient manner than would normally be done under the "posturing, adversarial" method.

FREQUENTLY ASKED QUESTIONS

Is Partnering required?

Partnering is *encouraged for all projects*. It is not mandatory. Both the contractor and the agency must mutually agree to use the partnering philosophy on a project.

Is Partnering all relationship and no substance?

Partnering results in *tangible, measurable results*. There are demonstrable savings in cost, time and safety.

Does Partnering raise issues about Ethics or Standards of contact?

Partnering is by no means incompatible with ethical standards. The increased levels of communication are intended to *add to the transparency of the relationship* between the agencies and the contractor not to decrease it. Partnering search for solutions in which both parties win, therefore it *should benefit the interest of both parties*.

How can we build support for Partnering?

Organizational change requires training, incentives, and peer pressure. Many people welcome the opportunity of innovation. Management may also need to issue clear policy guidance and provide incentives for those people who engage in partnering. When possible it is important to create a partnering team with people who are enthusiastic about partnering.

What if other stakeholders fear that the agency will dominate the relationship?

To allay this fear, it is useful to provide these stakeholders with names and phone numbers of persons that have participated in partnering. It can also help to bring in people who have participated to talk with concerned stakeholders. Ultimately, of course, the only proof that partnering is a process for equals is actual experience of the process.

What about people who don't want to take any risk?

One of the primary reasons people refuse to accept risk is because they have no strong incentives in doing so. If they work in an organizational climate in which there are few personal rewards and lots of dangers in taking risks, then their response makes sense. Management must provide strong incentives for taking risks, and when there is a problem, fix the problem rather than fixing blame.

What do we do if a dispute occurs after partnering efforts?

Experience shows that once a dispute arises, it is important to address it promptly and resolve it before it escalates. If collaborative problem solving is not effective, other methods such as formal mediation and arbitration should be used. Often, the fact that such methods are in place keeps the impasse from occurring.

HISTORY OF PARTNERING

In the 1980's, claims and lawsuits were growing at an alarming rate in the construction industry. Companies found themselves spending vast amounts of money and time fighting disputes in the courtroom. This forced the industry to seek new business methods and management processes to reduce litigation and improve cost-effectiveness. Subsequently, alternative dispute resolution (ADR) methods such as dispute review boards and partnering were developed.

In the United States, partnering, in its present form in private sector construction, started in the mid-1980's. Dupont Engineering was the first organization to use partnering on a large-scale construction project with contractor Fluor Daniel. The U.S. Army Corps of Engineers was the first public agency to use partnering in its construction projects. In 1988, the Corps decided to use partnering on an \$80 million project with a duration of approximately four years. The Corps proposed the idea to the contractor, Fru-Con Construction Corp., which agreed to try this new approach to business. The process used to develop that partnership established the framework by which many public-sector partnerships are formed today.

Partnership has become a nationwide and industry-wide movement. Many state Departments of Transportation (like the Arizona Department of Transportation or ADOT) and federal agencies are supporting the idea and changing the way they are doing business. Although partnering is a new initiative for much of the industry, it is important to note that some individuals have always done business this way. It makes good sense. The precepts of partnering are supported by professional organizations such as the **American Consulting Engineers Council (ACEC)**, the **American Institute of Architects (AIA)**, the **Associated General Contractors of America (AGC)**, and the **Construction Industries of Massachusetts (CIM)**.

In Massachusetts the Central Artery/ Tunnel project started implementing partnering in 1992. Top management recognized early in the construction that they needed to find ways to meet tight schedules, keep cost down and minimize disputes and litigation. The decision was made jointly by Massachusetts Highway Department (MHD), the management consultant Bechtel Corp. and Parsons Brinckerhoff Co (B/BP) and the Federal Highway Administration (FHWA). As of January 1998 the project has successfully partnered 45 construction contracts, 5 design contracts, 6 internal relations, 8 interagency agreements and 2 inter-contract agreements; making this project a forerunner in the use of partnering in Massachusetts.

The Massachusetts Highway Department (MHD) has implemented a separate partnering program as a commitment to promote construction partnering on a statewide basis. Forty contracts were identified and a pilot program implemented and evaluated with positive results for all the parties involved.

CONSTRUCTION REFORM TASK FORCE

In November of 1997, the Executive Office for Administration and Finance convened a Task Force to review existing agency practices with regard to public construction management. Representatives from over a dozen state agencies met weekly to share improvement opportunities, and make recommendations. In May 1998 the Task Force presented a Final Report.

Among the *issues* studied by the Task Force "Alternative Methods" sub-group, was the following: "Awarding Authorities need to employ more business strategies that minimize the number of disputes and delays in construction projects."

The *recommendations* made to address this issue included:

1- *Partnering* should provide a regular forum for all project participants to foster teamwork and discuss issues at the commencement of a job and throughout the life of the project, before communication breakdowns can develop into disputes and costly delays. Therefore the recommendations included establishing a partnering program and training state and local construction project staff and managers to participate successfully. Encourage industry professional groups to train general contractors and subcontractors in partnering methods.

TASK FORCE RECOMMENDATIONS
<ul style="list-style-type: none"> • Partnering • For all construction jobs. • With an outside facilitator. • Pre-construction sessions. • At shared cost. • Mediation and Arbitration.

The Commonwealth's approach to partnering will emphasize: regular meetings of the project team both pre-construction and throughout the duration of the project, open discussion of current and anticipated on-the-job issues, team problem solving, informal dispute resolution and expeditious completion of the project.

Partnering should be implemented on all jobs. Partnering with an outside facilitator should be required for certain jobs (i.e., particularly complex, costly, time sensitive, high profile jobs or those designated by the construction agency).

Initial pre-construction partnering sessions that are facilitated should be conducted by a neutral, outside facilitator at shared cost to the construction agency and general contractor.

2- Incorporate a non-binding *arbitration and/or mediation* program into contracts to resolve claims or disputes which could not be resolved in partnering session.

PARTNERING ATTITUDE

The success of a partnering program will not be assured by simply following some prescribed steps. Half-heartedly "going through the motions" of a partnering program is not enough. As stated before, partnering is an attitude that requires the courage to change some things from the usual practices. Success of the partnering program requires from participants:

- **Foresight** - Partnering requires the ability to anticipate the needs of a project and the potential problems associated with it.
- **Commitment** - Organizational change takes time. Implementing partnering programs will require patience and perseverance while everyone learns new skills and ways of interacting.
- **Creativity** - Partnering call for finding solutions that meet each stakeholders' interest in an environment where everyone feels like they are contributing to a successful project.
- **Flexibility** - Partnering needs the ability to step back and take an objective look at how well things are working. Being able to receive constructive criticism and responding to feedback allows the process to be self-correcting. Setting criteria for success ahead of time allows the evaluation of the progress at intervals along the way.
- **Collaborative Leadership Style** - Partnering requires leaders with the courage, maturity, creativity and self-confidence to empower their people and rely on team recommendations and decisions.

PARTNERING ATTITUDE
<ul style="list-style-type: none">• Foresight• Commitment• Creativity• Flexibility• Collaborative Leadership Style

PARTNERING RELATIONSHIP

Partnering does not require a formal contract but recognizes that every contract represents a good faith agreement. While contracts often establish legal relationships, partnering addresses the working relationships between the people who will make the project successful. All of the stakeholders in any project ultimately want the same things: a high quality job performed safely and within the budget in a manner that will lead to a continued relationship.

The partnering relationship requires:

PARTNERING RELATIONSHIP
<ul style="list-style-type: none"> • Mutual commitment • Mutual trust • Mutual goals and objectives • Flexibility • Responsiveness

- **Mutual Commitment** - to the principles of collaborative problem solving.
- **Mutual Trust** - Trust is a necessary ingredient of a good-faith working relationship.
- **Shared Goals and Objectives** - All stakeholders' interests are identified and a list of shared goals and objectives are developed.

- **Flexibility** - Partnering is not a one-shot panacea that begins and ends with the partnering workshop. Instead it is a continuous process of setting and evaluating goals. The stakeholders might plan to have periodic meetings for joint evaluation of the project, based upon mutually developed goals and objectives.
- **Responsiveness** - Timely communication and feedback can prevent difficult situations from escalating into full-blown disputes. For the sake of the partnering relationship, the stakeholders might establish mechanisms for anticipating and dealing with routine difficulties and protocols for raising the most complex issues to higher administrative levels or to use the services of a facilitator to re-establish broken communications.

KEY INGREDIENTS TO PARTNERING SUCCESS

- **Upper Management Support** - Top management must demonstrate their commitment to partnering. It is not enough to make speeches of support at workshops or during a signing celebration for a partnering agreement. For maximum success, they must believe wholeheartedly in the possibilities of partnering. Top management commitment is often exhibited by their selecting contract managers who are competent and possess successful team leadership styles. Top management must empower the lowest possible levels and support those making the calls on the job-site.
- **Leadership Style** - An adversarial "in your face" attitude and leadership style do not promote partnering. The leader who has this style and reputation will dampen partnership potential. Current management philosophy encourages the team management style and partnering requires it. Teamwork, communication and cooperation are the foundations of partnering.

Often employees will assume the same attitudes as those of their managers. Therefore, it is important that project leaders and managers possess and exhibit positive attitudes that support the principles of partnering.

Top management should select key leaders that have the courage, maturity, creativity, and self-confidence to empower their people and rely on team recommendations and decisions. Top management must have the confidence in their people to encourage them to make decisions and be willing to support those decisions. Good leadership eliminates fear of failure and encourages open communications.

- **Trust** - Partnering requires leadership that trusts and respects subordinates. Leaders must believe people are creative and have the experience and expertise to make quality decisions.
- **Communications** - Open communication is both a means and a benefit of partnering. Effective partnering requires open communication at all levels and across organizations, not just at workshops but in day-to-day interactions among parties. Open communication ensures issues are being addressed regularly and keeps all team members involved. It is key to teamwork and necessary for developing new ideas and better solutions to problems.

Several tools and methods are utilized in partnering to enhance communication. For example, some facilitators provide exercises on communication at workshops. An enlightening exercise shows how people can interpret very differently the meaning of words we say every day. For example the word "possibility" may mean a 10% likelihood of occurrence to one person but 70% to another. Often at workshops participants establish letter-writing policies for the contract, such as: *"no organization will send bad news letters to another organization without discussing the issues by phone or in person first."*

Often participants agree to hold more frequent meetings on a particular issue or involve more organizations in existing meetings to enhance communication.

An e-mail system that allows communication between the partners is a good measure that has proven very valuable in the CA/T project.

- **Win-Win Approach** - All parties must continually seek ways to improve partnering and project performance. Many people think partnering is natural and "the way we have always done business." The facts tell us otherwise. Unfortunately, people do not always work well together. People can misinterpret the best intentions and often the parties become preoccupied with animosity and antagonism to the point that problem-solving is impossible. Sometimes, top management must adjust attitudes and even be prepared to make personnel changes. No one person should be allowed to hinder teamwork.

For maximum success, the stakeholders must demonstrate maturity, integrity and belief that a win-win is possible. Team members must be loyal to each other. They may disagree but they must always demonstrate team spirit. The relationship exists for the life of the project. Partners must be hard on the problem and easy on the people.

- **Issue Resolution** – The issue resolution model is a proven tool for partnering success. It is effective in ensuring that the issues will be solved with or without outside support at the lowest level possible or moved to higher levels according to the timetable. It allows either side to request escalation of the problem. It also ensures that problems do not sit unresolved for long periods of time. The model of Appendix 4 shows that as issues arise in the field, engineers from the parties are expected to work to resolve the issue within the timeframe specified. Otherwise, they would have to use the support of the facilitator or another third party. If this cannot solve the issue, they are expected to pass the issue up to the next level immediately.

Major causes of disputes on non-partnered contracts are issues that have been left buried and un-discussed on a job until late in the contract, when a win-win solution is often impossible. Inaction can never be an option. If team members cannot come to closure on an issue within a reasonable amount of time, they must pass it. The problem will be only more difficult to resolve without timely attention by top management.

PARTNERING KEYS TO SUCCESS
<ul style="list-style-type: none">• Upper Management Support• Leadership Style• Attitude• Trust• Communication• Win-win approach• Issue Resolution

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APPENDICES

1. Establishing the Partnering level and length of the session (questionnaire)
2. Selection of the kind of Facilitator (questionnaire)
3. Workshop Matrix (chart)
4. Partnering Agreement (model)
5. Issue Resolution Process (model)
6. Goal Statement Model
7. Action Plan

Appendix 1

Establishing the Partnering level and the Length of the Session

(questionnaire)

Many newcomers to the partnering process have questions about the "degree of formality" which will be required. Many have expressed concerns that the nature of the contract does not warrant having a two-day offsite "neutrally facilitated" session. The following is a tool that recognizes the inherent differences in contracts and personalities. It is meant to serve, as a guideline in assisting the partnering coordinator in establishing what an "appropriate" partnering effort would be for a particular contract while still preserving the main principles of partnering.

1. What is the size of the job
 - a. Big
 - b. Average
 - c. Small
2. What is the technical complexity of the project?
 - a. Highly Complex
 - b. Complex
 - c. Simple
3. How many other stakeholders other than the State and Contractor are involved?
 - a. Many
 - b. Few
 - c. None
4. Can any of the stakeholders impede the progress of the project?
 - a. Yes
 - b. No
5. The State and the Contractor have had previous partnering experience in general?
 - a. One session
 - b. Two-five sessions
 - c. More than five sessions
6. The front line personnel from the State (RE / AE) and from the contractor (Superintendent / PM) have previously partnered a contract with one another.
 - a. One contract
 - b. 2-5 contracts
 - c. More than five contracts

Once you have answered the above questions, you need to make a determination on the kind of partnering that you want to use and whether or not your session will be 2 days or 1 day, ½ day or 2 hours from the pre-construction meeting dedicated to Partnering.

If you have answered mostly A's, especially in questions 1 or 2, then formal partnering and a 2 day session in a neutral location would be most appropriate. If you have answered mostly C's, then informal partnering with a ½ day or a 2 hour session would be adequate.

Appendix 2

Selection of the kind of Facilitator

(questionnaire)

1. Does the contract warrant a:
2 or 1 day workshop ½ day or 2 hours session

 2. Has the Contractor or any State personnel expressed concern over the neutrality of an inside facilitator?
 Yes NO

 3. Has the Contractor or any State personnel expressed concern over the neutrality of an inside facilitator?
 Yes NO

 4. Is the relationship between the State and Contractor contentious in nature?
 Yes NO

 5. Are the issues involved in the contract extremely complex, difficult in nature?
 Yes NO
- For the first answer: If the contract warrants a 2 days or a 1 day workshop, the use of outside facilitators is recommended. For ½ a day or 2 hour session inside facilitators can be used
 - For the other answers: If one or more answers are "Yes" the use of an external facilitator should be considered.

Appendix 4

Partnering Agreement

(Contract ID)
Partnering Charter

(Date)

As a team, working in harmonious partnership, we pledge to each other and the community to construct with quality and pride, the (Contract ID) project safely, on schedule and within budget while fostering personal growth of all team members. We are committed to open, honest communication; to professionalism, expedient resolution of disputes; to be good neighbors in the community; and to the creation and maintenance of a positive supportive environment.

Major Goals: (general samples)

Build a project with high construction standards.

Recognize each other's schedules and milestones

Operate a safe construction site and keep public safety a priority

Operate in an environmentally responsible manner.

Be fiscally responsible

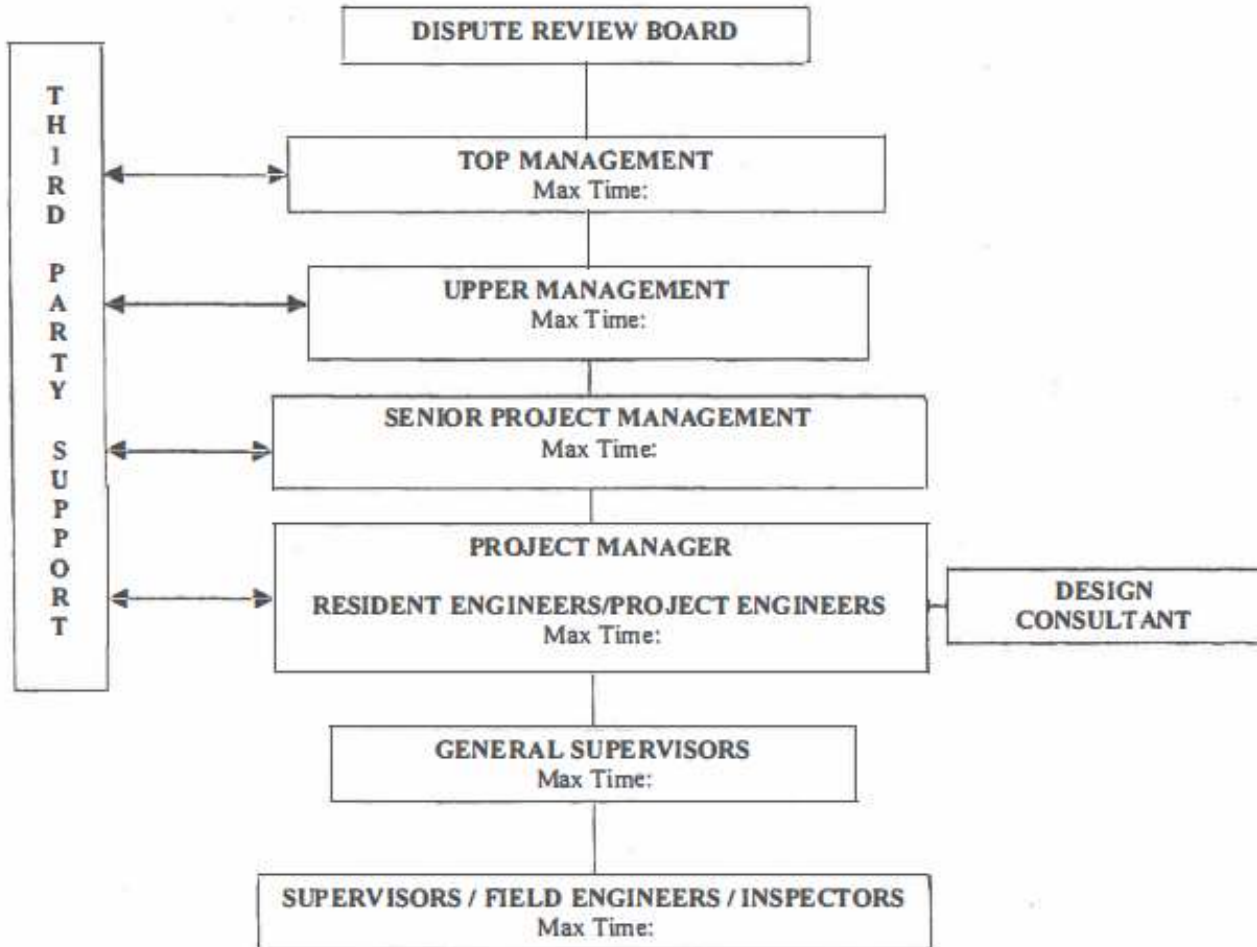
Fair profit with minimum cost growth

Deal with each other by being fair and reasonable, open to new ideas and having win-win attitudes.

Appendix 5

Issue Resolution Process

This Issue Resolution Model is applicable for **Partnering Level One**. For other partnering levels, the model should be adapted accordingly.



Appendix 6

Goal Statement Model

GOAL	MEASURE(S)	OBJECTIVE	RESPONSIBILITY

Appendix 6

Action Plan

Issue, concern or Problem

Action Steps	Who	Timeframe	Monitor

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