

SECTION 113 -- PARTNERING

113.01 -- Description

1. "Partnering" is an approach to contract administration whereby all parties to the contract, as well as individuals and entities associated with or affected by the contract, commit themselves to working together to complete the contract in the most cost effective ways possible while preserving the standards of quality and professionalism called for by the specifications.

2. a. The "partnering" approach is expected to be utilized on all projects. It may be informal in nature, or it may be expressly called for in the proposal (formal partnering program).

b. When provisions for a formal partnering program are not included in the contract, one may be initiated if all parties to the contract agree to its inclusion in the contract.

113.02 -- Contract Requirements

1. Formal partnering programs shall include a preconstruction "partnering workshop" and regularly scheduled meetings throughout the construction period stated in the contract.

2. a. The Contractor shall be responsible for employing a facilitator trained in the recognized principles of partnering to conduct the partnering workshop. The workshop is expected to be of no more than one or two days duration.

b. The facilitator shall be responsible for:

(1) Encouraging open discussions which examine the concerns of both parties.

(2) Guiding the parties to establish a hierarchical protocol for resolving disputes through discussion rather than litigation.

(3) Achieving an understanding between both parties that will help define fundamental responsibilities of each party.

(4) Training all parties to be sensitive to the limitations of the other parties while trying to find ways to help each other perform at an optimum level.

(5) Assisting with the preparation of a non-binding "partnering agreement" to be signed by the parties attending the workshop.

3. The Contractor shall provide a location for regularly scheduled meetings during the construction period. The Contractor shall encourage the attendance of Subcontractors, affected utilities, concerned businesses, residents, and the Engineer's staff at these meetings so that any and all conflicts can be resolved at the earliest possible date and at the lowest managerial level possible.

113.03 -- Method of Measurement and Basis of Payment

1. Informal partnering will not be measured for payment and is considered subsidiary to other items of work for which direct payment is made.

2. a. When a formal partnering program is called for in the proposal or when the Contractor and the Department mutually agree to implement a formal partnering program, the Department will share equally in the cost of the facilitator, the facility, meals, and incidentals directly associated with the partnering workshop.

b. The Department will prepare a supplemental agreement to reimburse the Contractor for the Department's share of the costs for the facilitator, the facility, meals, and incidentals directly associated with the partnering workshop.

c. The Department will not share in the Contractor's or any other participant's (except the facilitator) travel, lodging, or per diem costs.