



**SPECIAL PROVISIONS
FOR
PROJECT PARTNERING**

NHS-080-6(329)239--11-52
NHS-080-6(332)239--11-52
NHS-080-6(336)239--11-52
NHS-080-6(339)239--11-52
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NHS-080-6(401)239--11-52
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NHS-380-6(373)1--11-52

**Effective Date
July 30, 2019**

THE STANDARD SPECIFICATIONS, SERIES 2015, ARE AMENDED BY THE FOLLOWING MODIFICATIONS AND ADDITIONS. THESE ARE SPECIAL PROVISIONS AND THEY SHALL PREVAIL OVER THOSE PUBLISHED IN THE STANDARD SPECIFICATIONS.

150539.01 DESCRIPTION.

- A.** The Contracting Authority encourages the foundation of a cohesive partnering process between itself, the Contractor, and its subcontractors and suppliers. Partnering is not a legal partnership, but is intended to draw on the strengths of each party to identify and achieve mutual goals. Partnering is a project management practice where the Contracting Authority, the Contractor, their subcontractors and material suppliers, and other stakeholders create a team relationship of mutual trust and improved communications. Partnering builds relationships and connections among stakeholders to improve outcomes and successful completion of projects built on time and within budget, focused on safety, and profitable for contractors.
- B.** Objectives are effective and efficient contract performance and completion within budget, on schedule, and in accordance with the contract documents. Partnering shall be initiated prior to starting work and prior to the preconstruction conference. The Contractor's management

personnel and the Engineer will initiate a partnering development seminar/team building workshop.

150539.02 PARTNERING.

- A. Partnering does not change the legal relationship of the parties to the Contract, and does not relieve either party from terms of the contract.
- B. The Department encourages the formation of a strong partnership among the Department, Contractor, and Contractor's first tier subcontractors. This partnership draws on the strengths of each organization to identify and achieve mutual goals.
- C. Implement partnering concepts on all phases of the project. Determine jointly between the Contractor and Engineer to either bring in a professional facilitator or to initiate internal partnering by jointly sharing in facilitation responsibilities.
- D. The Contractor shall contact the Engineer within 30 calendar days of Notice of Award and before the pre-construction meeting to implement a professionally facilitated partnering initiative. Determine jointly between the Contractor and Engineer, a facilitator for the meeting, attendees, agenda, duration, and location of a partnering workshop.
- E. Both the Department and Contractor agree to, and share equally any costs to accomplish partnering.
- F. In addition to the initial partnering workshop, a follow-up meeting shall be held around the end of project construction. The purpose of such discussions is the improvement of procedures resulting from experience developed during construction; improvement of the mutual understanding of design, construction procedures and operating characteristics; and the exchange of ideas and experiences between field and central office personnel.
- G. Follow-up workshops may also be held periodically during construction as agreed by the Contractor and Engineer.

150539.03 ROLE OF PROFESSIONAL FACILITATOR.

- A. The professional facilitator assists the Engineer and PM to develop an effective partnering process and partnering workshop(s) for the project; the professional facilitator is not the leader of the partnering effort. The Engineer and PM shall act as the project leaders. The Engineer and PM are encouraged, with the guidance of the facilitator, to take an active role in leading and facilitating the partnering workshop. The professional facilitator works for both the Contracting Authority and Contractor and use of their expertise is encouraged.
- B. If a professional facilitator is used, the project team will decide if partnering surveys are used for feedback on team performance.

150539.04 SETTING UP THE PARTNERING WORKSHOP.

- A. The Engineer and PM are responsible for determining the length of the workshop and designing the workshop agenda. If a professional facilitator is used, the professional facilitator should assist the Engineer and PM in developing the agenda to meet the specific needs of the project and helping to keep the workshop on track.
- B. Following are sample agendas for 1/2 and full day workshops:

1. Sample 1/2 Day Partnering Workshop Agenda.

8:00 a.m.	Welcome (Engineer and PM) Individual Introductions and Project Organization Partnering Overview - Define Partnering Values Specific to Project/Team Project Overview Potential Project Issues Key Issues for Success
Break	Creative Problem Solving/Commitments for Key Issues Development of a Dispute Resolution/Evaluation Process Introduction of collaborative pre-activity planning discussion (use example of first activity on the project)
Noon	End of Session

2. Sample Full Day Partnering Workshop Agenda.

8:00 a.m.	Welcome (Engineer and PM) Individual Introductions and Project Organization Expectations/Rules Partnering Overview – Define Values Specific to Project/Team Team Building Activity (if appropriate)
Break	Partnering Lessons Learned/Paradigms Partnering Vision/Mission
Noon	Break
1:00 p.m.	Experience - Project Overview Potential Project Issues Key Issues (three to five) Creative Problem Solving for Key Issues Introduction of collaborative pre-activity planning discussion (use example of first activity on the project) Problem Finding Fact Finding Solution Finding Goal Setting and Action Planning
Break	Development of a Dispute Resolution Process Establish Maintenance (follow-up) plan for team. Closing Remarks (Engineer and PM)
4:00 p.m.	End of Session

C. Workshop Attendance.

- One of the most important contributors to the success of the partnering workshop is the invitation and attendance of all the stakeholders who can impact the project. The Engineer and PM develop a list of who needs to attend the partnering workshop given the challenges they are facing and the nature of the project. A “notice of meeting” or invitation should be sent out by the Engineer in advance of the partnering session. The Engineer and PM sign the invitation and request that each invitee confirm their attendance.
- Persons who should be considered to attend the partnering workshop:
 - Contractor’s corporate level manager (PM).
 - Contractor’s key project supervisory personnel.
 - First tier subcontractors.

- Department's District Construction Engineer.
- Department's Resident Construction Engineer and key project personnel.
- Project Design Engineer.
- FHWA
- Local government personnel.
- Major utilities.

150539.05 METHOD OF MEASUREMENT AND BASIS OF PAYMENT.

No direct payment will be made for project partnering. The Contractor's portion of the cost shall be included in the cost of mobilization.