

SECTION 5: CONTROL OF WORK

5-1.012 PARTNERING

5-1.012A General

The Department strives to work cooperatively with all contractors; partnering is our way of doing business. The Department encourages project partnering among the project team, made up of significant contributors from the Department and the Contractor, and their invited stakeholders.

For a project with a total bid greater than \$1 million, professionally facilitated project partnering is encouraged.

For a project with a total bid greater than \$10 million and over 90 working days, professionally facilitated project partnering is required.

In implementing project partnering, you and the Engineer manage the contract by:

1. Using early and regular communication with involved parties
2. Establishing and maintaining a relationship of shared trust, equity, and commitment
3. Identifying, quantifying, and supporting attainment of mutual goals
4. Developing strategies for using risk management concepts
5. Implementing timely communication and decision making
6. Resolving potential problems at the lowest possible level to avoid negative impacts
7. Holding periodic partnering meetings and workshops as appropriate to maintain partnering relationships and benefits throughout the life of the project
8. Establishing periodic joint evaluations of the partnering process and attainment of mutual goals

Partnering does not void any contract part.

The Department's "Field Guide to Partnering on Caltrans Projects" current at the time of bid is available to the project team as reference. This guide provides structure, context, and clarity to the partnering process requirements. This guide is available at the Department's Partnering Program website at:

<http://www.dot.ca.gov/hq/construc/partnering.html>

In implementing project partnering, the project team must:

1. Create a project team charter that includes:
 - 1.1 Mutual goals, including core project goals and may also include project-specific goals and mutually supported individual goals.
 - 1.2 Partnering maintenance and close-out plan.
 - 1.3 Dispute resolution plan that includes a dispute resolution ladder and may also include use of facilitated dispute resolution sessions.
 - 1.4 Team commitment statement and signatures.

2. Participate in monthly partnering evaluation surveys to measure progress on mutual goals and may also measure short-term key issues as they arise.
3. Evaluate the partnering facilitator using the Partnering Facilitator Evaluation form. The Engineer provides the evaluation forms to the project team and collects the results. The Department makes evaluation results available upon request. Facilitator evaluations must be done twice:
 - 3.1 Following the initial partnering workshop.
 - 3.2 At the project close-out partnering session.
4. Hold a project close-out partnering session.
5. Document lessons learned before contract acceptance.

5-1.012B Partnering Facilitator, Workshops, and Monthly Evaluation Surveys

The Engineer sends you a written invitation to enter into a partnering relationship after contract approval. Respond within 15 days to accept the invitation and request the initial and additional partnering workshops. After the Engineer receives the request, you and the Engineer cooperatively:

1. Select a partnering facilitator that offers the service of a monthly partnering evaluation survey with a 5-point rating or grade and agrees to follow the "Caltrans Partnering Facilitator Standards and Expectations" available at the Department's Partnering Program website
2. Schedule the initial partnering workshop
3. Select the initial workshop site and duration
3. Agree to other workshop administrative details

Additional partnering workshops are encouraged throughout the life of the project as determined necessary by you and the Engineer, recommended quarterly.

5-1.012C Training in Partnering Skills Development

For a project with a total bid of \$25 million or greater, training in partnering skills development is required.

For a project with a total bid between \$10 million and \$25 million, training in partnering skills is optional.

You and the Engineer cooperatively schedule the training session and select a professional trainer, training site, and 1 to 4 topics from the following list to be covered in the training:

1. Active Listening
2. Building Teams
3. Change Management
4. Communication
5. Conflict Resolution
6. Cultural Diversity
7. Dealing with Difficult People
8. Decision Making
9. Emotional Intelligence
10. Empathy
11. Ethics

12. Facilitation Skills
13. Leadership
14. Partnering Process and Concepts
15. Project Management
16. Project Organization
17. Problem Solving
18. Running Effective Meetings
19. Time Management
20. Win-Win Negotiation
21. Effective Escalation Ladders

Before the initial partnering workshop, the trainer conducts a 1-day training session in partnering skills development for the Contractor's and the Engineer's representatives. This training session must be a separate session from the initial partnering workshop and must be conducted locally. The training session must be consistent with the partnering principles under the Department's "Field Guide to Partnering on Caltrans Projects."

Send at least 2 representatives to the training session. One of these must be your assigned representative as specified in Section 5-1.06, "Superintendence," of the Standard Specifications.

5-1.012D Partnering Dispute Resolution

The Department encourages the project team to exhaust the use of partnering in dispute resolution before engagement of an objective third party. For certain disputes, the use of a facilitated partnering session or facilitated dispute resolution session may be appropriate and effective in clarifying issues and resolving all or part of a dispute.

To afford the project team enough time to plan and hold the session, a maximum of 21 days may be added to the Dispute Review Board (DRB) or Dispute Resolution Advisor (DRA) referral time following the Engineer's written response to a supplemental notice of potential claim as specified in Section 5-1.15 "Dispute Resolution."

To allow this additional referral time, the project team must document its agreement and intention in the dispute resolution plan of the project team charter. The team may further document agreement of any associated criteria to be met for use of the additional referral time.

If the session is not held, then the DRB or DRA referral time remains in effect as specified in Section 5-1.15 "Dispute Resolution."

5-1.012E Payment

The Department reimburses you for 1/2 of partnering workshop costs. The Department determines the cost of a workshop based on the facilitator and workshop site invoice prices minus any available or offered discounts.

The Department reimburses you for 1/2 of the monthly partnering evaluation survey service costs. The Department determines the survey costs based on the survey invoice price.

The Department reimburses you in full for the partnering skills development trainer and training site. The Department determines the partnering skills development training cost based on the trainer and training site invoice prices minus any available or offered discounts.

All other costs associated with the partnering workshops, monthly partnering evaluation surveys, and training in partnering skills development will be paid separately by the party

incurring the costs, such as wages and travel expenses. No additional compensation will be provided, and no markups are allowed.