

# Partnering Community of Practice

## Meeting Agenda

Google Meet Virtual Meeting

July 14, 2022 @ 10:00 to 12:00 PM Arizona Time

Facilitator: Nichole Jenks, ADOT

## Meeting Purpose:

Partnering Community of Practice members share ideas, best practices and engage in open discussions to develop and enhance partnering efforts to improve the successful delivery of transportation projects.

## Introductions and welcome new members:

## Current members in attendance:

Chase Wells	Ohio Department of Transportation - Division of Construction Management	Claims & Statewide Partnering Coordinator	<a href="mailto:Chase.Wells@dot.ohio.gov">Chase.Wells@dot.ohio.gov</a>
Christopher Goins	Alaska DOT&PF	Southcoast Region Construction Engineer	<a href="mailto:christopher.goins@alaska.gov">christopher.goins@alaska.gov</a>
Clarissa Martin	Montana Department of Transportation	Partnering Program Manager	<a href="mailto:clmartin@mt.gov">clmartin@mt.gov</a>
Jace Mecham	Utah Department of Transportation	State Construction Engineer	<a href="mailto:jmecham@utah.gov">jmecham@utah.gov</a>
James L "Jim" Szatkowski	Idaho Transportation Dept	Tech Eng 2	<a href="mailto:james.szatkowski@itd.idaho.gov">james.szatkowski@itd.idaho.gov</a>
Jason Duncan	TxDOT	Deputy Director Construction Division	<a href="mailto:jason.duncan@txdot.gov">jason.duncan@txdot.gov</a>
Jon Keeth	Washington State Department of Transportation	Lead Construction Engineer for Projects	<a href="mailto:keethj@wsdot.wa.gov">keethj@wsdot.wa.gov</a>
Julia Voight	ADOT	Partnering Facilitator	<a href="mailto:jvoight@azdot.gov">jvoight@azdot.gov</a>
Katherine (Kadi) Bradfield	WYDOT	Construction Staff Engineer	<a href="mailto:katherine.bradfield@wyo.gov">katherine.bradfield@wyo.gov</a>
Kent Ketterling	Wyoming Department of Transportation	State Construction Engineer	<a href="mailto:kent.ketterling@wyo.gov">kent.ketterling@wyo.gov</a>
Laura Webb	Arizona Department of Transportation	Partnering Facilitator	<a href="mailto:Lwebb@azdot.gov">Lwebb@azdot.gov</a>
Matney Juntunen	Montana Department of Transportation	Partnering Program Managers	<a href="mailto:mjuntunen@mt.gov">mjuntunen@mt.gov</a>

## Welcome to our new members:

- Benjamin Landes, Alaska Dept. of Transportation and Public Facilities  
Southcoast Region Construction, Engineering Assistant I:  
Working to learn and incorporate partnering into construction projects with agendas, surveys and workshops. Would like to impart partnering when working with other regions.
  - Chris Goins provided an update on Alaska's partnering program. He is working to create surveys and a more structured program with new projects.
- Charlie Bauer, Wyoming DOT - Working with Kent Ketterling and Kadi Bradfield to establish a new partnering program in Wyoming. Looking to gain some insight and gather information.
- James L "Jim" Szatkowski, Idaho Transportation Department. Jim is working with Chad Clawson to reinvigorate the partnering program, fulfill project functions and create add-on benefits to projects.
- Mike Brown, Nevada DOT Manager Construction Administration. Mike is Tonia A. replacement for the partnering program. Will oversee partnering meetings, work with project managers and crew and will be responsible for administrative oversight of the partnering program. Here to gain information and share ideas.

## Agenda Items:

### Expectations related to being a WASHTO subcommittee. - Jon Keeth, Washington State DOT

- **ACTION ITEM:** Nichole Jenks will work on collecting information from members as follows:
  - Focus on creating a "Partnering Best Practices" collection.
    - A. Methods to evaluate and score projects to determine the partnering format and approach.
    - B. Scheduling and conducting the workshop based on above criteria.
    - C. Project reporting, surveys and follow up activities.

### How partnering is moving along in your construction season - are you doing more facilitated or non-facilitated partnering kickoffs? Jace Mecham, Utah DOT

- Utah is working with a Steering Committee to revamp their program including other divisions, planning, design, foreman, RE, PM, bridge group, etc.
  - Working with construction consultants in the field to better understand partnering.
- Alaska is working with CMCG to implement partnering during solicitation to hire a contractor, equipment services, risk analysis, and build the contract with assigned risk established with a plan to implement resolution as needed.
- Utah working with alternative delivery, CMCG/design build projects to establish criteria for partnering. They work with a steering committee inclusive of construction, designers, utility and railroad entities to give them an opportunity to share information.
- Ohio DBB projects excel with partnering. It gives key stakeholders a "seat in the room." teams are more collaborative on DBB or "mega" projects. Ohio also meets quarterly with project level construction, structures, pavement, designers and material supplier personnel to discuss findings that may lead to specification changes.
- Most states agree there are more facilitated meetings however partnering in the precon approach is common for low risk projects
  - Many partnering workshops are informal.

- The RE/PM relationship is a factor when considering partnering in the precon.
- Low risk projects rarely have formal/professional facilitation.
- Relationships are the key - How well does the owner and contractor work together?
- Consistency is the key in effective partnering in the precon meetings.
- Montana provides an agenda for precon meetings, offering to lead part of the meetings to capture risks, goals and the resolution ladder (required components at minimum).
  - They encourage teams to “make it their own.”
  - The score matrix is provided to the District Engineer to complete due to their extensive knowledge of the project and potentially assigned staff.
  - MT is working to create a training program with MTDOT, contractors, supplies, subcontractors, etc with follow up every 3-5 years (still in the preliminary stages).
  - Matney and Clarrisa are diligent in keeping in contact with project teams, including face to face visits despite a sometimes 6 hour drive (Montana east to west borders are 10 hours apart).
  - “Our Level 2 projects have the most freedom for State Engineering Project Managers. This is the guide we distribute and model for them to continue as informal, unfacilitated kick-off meetings. These meetings last between 20 min to an hour. At a minimum, we guide them to discuss goals, risk, and the issue resolution ladder.” (See attached)
- Washington requires partnering on larger projects with a hired professional facilitator to review with the RE/PM. Focus is on building relationships at the workshop.
  - Fundamentals training has been provided with a maximum of 40 people (20 agency, 20 contractor) with classes at capacity each scheduled training.
  - Training focuses on soft skills, role playing in “mock” negotiations, listening skills, responding to outcomes and building trust.
  - Training includes discussion on “what partnering is and what it isn’t.”
- Ohio - Chase is an “office of one” with 12 district partnering champions who oversee partnering efforts on 95% of approximately 750 projects annually.
  - Wide spectrum of partnering approaches dependent on project duration, intensity and the district and contractor relationship.
  - There remains a need for additional training to work with new districts.
  - Ohio is working on a new 3 year training plan due to a current lack of consistency in partnering efforts and application.
- Arizona, Nevada and Montana have staff dedicated specifically to the Partnering Programs.
  - Identify risk + define goals + establish escalation process.

**How do other states deal with the AGC really pushing for less 'level 1 facilitation' and more just the GM and the RE? Seems like that puts us back to where we are already at instead of moving towards partnering. Katy Bradfield, Wyoming DOT**

- Wyoming has a steering committee made up of 6 AGC members after the AGC approached WYDOT about restarting the partnering program.
  - The AGC wanted to participate and encourage partnering then changed their position on partnering and minimized the need/impact of partnering.
  - Currently there is no training course. Considering a training refresher on partnering every 3-5 years to include soft skills training (much like Utah’s approach).
  - AGC encouraged less level 1 facilitations.
- Arizona used to have a formal training program and instructor.
  - Training requirements were met by attending a partnering workshop which proved to be ineffective.

- Utah requires that everyone take the training and be certified although there is no expiration date.
  - Partnering training and fundamentals are provided by an independent contractor which is hired by the AGC and training is held in the AGC building with full support of the AGC.
  - Utah pays a fee to the AGC for UDOT staff to attend and tracks completion certificates for staff.
  - Utah holds mobilization money back if the project team/contractor has not completed the required training.
- Washington state is supported by the AGC who host training (currently on hold due to COVID).
  - Partnering is mandatory on all projects but partnering workshops include “informal” and “formal” formats depending on project matrix scores.

#### **Partnering through inflation. Chase Wells, Ohio DOT**

- Ohio is seeing contractor delays (COVID related), price increases of materials and material shortages thus increasing prices above the bid amounts.
  - Rising cost creating excusable delays.
  - Price adjustments for materials, fuel, paving materials on the contractors side.
  - Specs allow time, not money.
  - Ohio is trying to work with contractors to maintain strong relationships with contractors and ensure contractors continue to maintain business operations through these challenging times.
  - Material specs are rigid but flexibility is required due to material shortages.
  - **Chase: Please share the “Partnering Done Right” presentation when complete.**
- Montana - Eastern districts have had to change mix designs to allow for material shortages.
- Washington is looking at cost adjustments as necessary.
- Texas is holding the contractor accountable to the original contract bid amounts.
  - Texas batch tests material samples and takes cores on site making testing more efficient.
- **See attached article** “How to Deal with Increasing Material Prices.”

#### **AASHTO meeting in August in Seattle. Jon Keeth, Washington State DOT**

- Chris G. from Alaska will be attending the AASHTO meeting in August.

#### **Kady B. - Emailed questions about training.**

- Kady agreed her questions had been answered during the course of today's conversations.

#### **Open Discussion: Any questions, comments or suggestions for the team**

- **New Member Feedback:**
  - Benjamin Lanedes, Alaska: Great information regarding training programs. He is looking forward to attending partnering training himself.
  - Jim Szatkowski, Idaho: Good meeting. Absorbed a lot of good information.
  - Mike Brown, Nevada: Good discussion on inflation, supply chain issues and other challenges. He is looking forward to moving forward to tackle these challenges.

**Next Meeting: Oct 2022 (Nichole will send a date and time poll)**

# Level 2 Partnering Agenda

## MONTANA PARTNERING PROGRAM

**Job Name:** \_\_\_\_\_

**Contact No.** \_\_\_\_\_

**Date:** \_\_\_\_\_

### Introductions:

Name.

Role on Job.

How long have you lived or worked in Montana?

### Partnering Objectives: Discuss 1-2 most important to you and why.

*Successful coordination, profitable for contractor, long-term relationships, job satisfaction, efficient problem solving, enjoy each day, quality job, build trust, no delays, zero accidents.*

### Partnering Values: Discuss important values for the project. What does this look like?

*Team adaptability and collaboration, honesty/trust, respectful communication, solve issues at lowest level possible, communicating weekly work schedule, safe traffic control, PPE.*

### Partnering Through Risk: Open discussion of any potential risks on the project.

*Weather, fire/dust mitigation, traveling public, landowners, seasonal constraints, material supply, rural/urban location, permitting, utilities, site materials, understaffing, nightwork, current road condition, submittal timelines.*

### Common Goals: Discuss at least one goal to achieve together.

### Communication Plan: What are your preferred ways to communicate with this project team? What and when?

*Text, Email or Call? Daily/weekly schedule, test results, PI firm, etc.*

### Issue Resolution Ladder:

Step	Time	MDT Contact (Position)	MDT Contact (Name)	Prime Contractor Contact (Position)	Prime Contractor Contact (Name)	Phone, email, text, in-person?
1	1 day	Lead Inspector		Superintendent/ Foreman		
2	1 day	EPM		Project Manager		
3	2 days	District Construction Engineer		Project Manager		
4	5 days	District Administrator		Owner/ President		

## How To Deal With Increasing Material Prices

1 message

**Sue Dyer** <suedyer@sudyco.com>  
To: Nichole Jenks <njenks@azdot.gov>

Tue, Jul 12, 2022 at 5:00 AM



Dear Construction Nation,

I met [Alex Barthet](#) a few years back, when he was on my first podcast, [Construction Dream Team](#), and I was on his, [The Lien Zone](#). Alex is a construction attorney in South Florida and I was very excited when I saw that Alex was gathering a group of industry folks to offer advice on how to deal with the fast-increasing materials prices. I immediately asked him to come share with you, Construction Nation. Here is a summary of his overview and best advice.

### An Overview of the Industry and Increasing Material Prices

Alex explained that in the private sector, the contractors and owners are working through the price escalations. This is because the owner sees that they can offset the costs with higher selling or leasing prices.



In the public sector, it is much more difficult to work through these issues. But, some public owners are addressing this issues in a fair manner. It takes more effort and more time.

Of course, most of the issues are for projects that were bid/NTP'd, and underway, when the inflation and escalations started skyrocketing. Alex does not see a great deal of litigation spawning from the price escalations, and he includes the supply chain issues that are creating project delays. Alex believes it is like "mutual destruction." Both sides need to work together.

Alex is hearing from primes and subs that they are refusing to do the work. Or they are saying they WON'T do the job at the price they bid/gave. They are telling owners to "sue me, because I just can't afford to do the job at that price." For the owner, the escalated price is going to be cheaper than trying to put it out for rebid. And, according to Alex, there just aren't enough contractors to do the work that already exists. So, an owner will have to pay more if they can even find anyone to do the work.



Here a couple actions Alex suggests Contractors take:

1. **Get firm quotes.**

Document the number you got from the supplier when you bid. Too many times you just get a quote, but no paper to back it up. You need to make sure that you can show the owner what the bid price was, and what the price quoted now has become.

2. **Don't sign the contract.**

Once your bond has been issued, you are really into the project, and pretty committed. Alex is seeing bonds being used on private jobs because of the price risks. If you have signed the contract, then you are into negotiations with the owner.

Here are couple actions Alex suggests Owners Take:

1. **Owners can set up a dual contingency.**

You can set up a dual contingency. One contingency for the project, and one for cost escalation (including time delays because of supply chain delays). This means the funds can be available as costs increase.

2. **Get a policy in place to deal with the cost escalation.**

Help your decision-making body understand that paying the cost escalation is going to be significantly cheaper that starting all over. If you can get them to understand and get a policy in place to deal fairly with the cost escalation, you won't lose momentum on your project, that adds even more cost and delay.

I hope you will check out [Episode #38](#) and listen to Alex share his insights with you Construction Nation!!

In trust,

If you liked this topic today, why not listen about it on our [Episode 38 of the Lead with Trust Podcast](#).

You can find Alex at <https://barthet.com/> e Barthet Firm: Miami Construction Lawyers  
|305.347.5290

Trust is the new Currency for construction, as we move toward collaborative delivery.  
ARE YOU READY? [Click here](#) to take the Trusted Leader Assessment and find out your personal results.



Sue Dyer, MBA, MIPI has been a leader in construction for 4 decades, and is known as the "Godmother of Partnering." She is the author of the Wall Street Journal, USA Today, and Amazon bestselling book, [The Trusted Leader: Use the Partnering Approach to Become the Leader people Want to Follow](#). She has helped more than 48,000 executive leaders improve their results by building a high-trust business and project culture.

For more information please contact Sue Dyer, [sudyer@sudyco.com](mailto:sudyer@sudyco.com), or (510) 504-5877.



Sent to: [njenks@azdot.gov](mailto:njenks@azdot.gov)

[Unsubscribe](#)

sudyco LLC, 291 McLeod Street, Livermore, CA 94550, United States