**AASHTO-AGC-ARTBA Joint Committee**

**Joint Position Statement JPS-1-16**

**Title: Partnering Revisited: Avoiding and Resolving Project Disputes**

Partnering in the construction industry began in the late 1980s in response to the growing amount of construction disputes that ended in litigation. The objective of construction partnering is to improve communication between a project’s owner, the design professionals, the contractor(s), and other key project stakeholders to create a cooperative project environment with a team committed to understanding one another. In this environment, the team works together to develop and follow processes and procedures which will optimize the successful completion of the project. Executive level commitment and participation are critical to a partnering program’s success.

By developing mutually agreed upon project and partnership success goals and by monitoring the achievement of these goals for the duration of the project and developing an agreed upon process for resolving disputes should they arise, the net result is reduced project costs, expedited project delivery times, improved project quality and elimination of change orders and claims.

In the past 30 years, partnering has grown. Twenty-four of the 50 state transportation programs have adopted Partnering as an important process to improve outcomes. Several state transportation departments require a partnering process by specification. Some have expressed concern, however, that after 30 years of utilization and because it has become a routine practice in construction partnering may have it lost its effectiveness.

In discussion around the country it was apparent that both state DOTs and the construction industry believe that partnering, whether through a formal process or as a standard part of the construction process, is still an effective means for speeding decisions, limiting and resolving disputes and generally enhancing project completion.

The Joint Committee is interested in working cooperatively to encourage a new emphasis on partnering and to update the principles of partnering based on current project delivery methods. Some opportunities to accomplish this include:

Federal Highway Administration (FHWA) has identified construction partnering as one of innovations of interest for round four of the Every Day Counts initiative. AASHTO, AGC and ARTBA should look for opportunities to participate in the regional summits planned by FHWA on EDC implementation to encourage creative ways to revitalize and expand on the use of partnering.

The Nevada DOT, in cooperation with FHWA, has scheduled a conference titled; “Innovative and Effective Partnering Practices” which will look at the use of partnering in alternative delivery systems but also at new approaches to partnering on traditional design-bid-build projects. AASHTO, AGC and ARTBA should promote participation in this April 4-6, 2017 conference with our collective memberships and look for ways to participate in the conference program. The three groups should also help disseminate the conference’s content afterward, and schedule related sessions at their own respective meetings, especially for emerging professionals who may be less familiar with partnering principles.

NCHRP project 19-10 is underway to develop the 2nd edition of AASHTO’s Partnering Manual. The manual will update the current manual to include design-build and other alternative delivery methods but will be quantifying the costs and benefits of partnering in terms of time, cost, safety, and quality. The three organizations should use the release of this document to encourage more wide spread use of partnering principles.

The Joint Committee recommends that AASHTO and FHWA survey the states on partnering practices and encourage states to participate in the April conference on Innovative and Effective Partnering Practices.