



AD-A281 241



Case Study 10



US Army  
of Engineers

Inventory  
Resolution

DTIC  
ELECTE  
JUL 06 1984  
S F D

Reproduced From  
Best Available Copy

This document has been approved  
for public release and sale; its  
distribution is unlimited

January 1984

IVR Case Study 95ADFC-510

***The Corps Commitment to  
Alternative Dispute Resolution (ADR)***

*This case study is one in a series of publications describing techniques for Alternative Dispute Resolution (ADR). This series is part of a Corps program to encourage its managers to develop and utilize new ways of resolving disputes. ADR techniques may be used to prevent disputes, resolve them at earlier stages, or settle them prior to formal litigation. These case studies are a means of providing Corps managers with up-to-date information on the latest ADR processes, and the information here is designed to encourage innovation by Corps managers in the use of ADR techniques.*

*The ADR Program is carried out under the auspices of the U.S. Army Corps of Engineers, Office of Chief Counsel, Lester Edelman, Chief Counsel, and Frank Carr, Chief Trial Attorney. The program is under the guidance of the U.S. Army Corps of Engineers' Institute for Water Resources (IWR), Alexandria VA. C. Mark Dunning, Ph.D., Chief, Program and Analysis Division of IWR supervised the ADR program during the development of this study, assisted by Trudie Wetherall, ADR Program Manager. Jerome Delli Priscoli, Ph.D., Senior Policy Analyst of IWR is currently supervising the program. James L. Creighton, Ph.D., Creighton & Creighton, Inc., serves as Principal Investigator of the contract under which this study has been produced.*

*Other ADR case studies, pamphlets, and working papers available are listed at the end of this report.*

*For further information on the ADR Program and publications contact:*

*Dr. Jerome Delli Priscoli  
Institute for Water Resources  
Casey Building  
7701 Telegraph Road  
Alexandria, VA 22310-3868  
Telephone: (703) 355-2372  
FAX: (703) 355-8435*



**SMALL PROJECTS PARTNERING:  
THE DRAYTON HALL STREAMBANK PROTECTION PROJECT  
CHARLESTON COUNTY, SOUTH CAROLINA**

**Susan L. Podziba  
Principal Investigator**

**Prepared by  
Susan Podziba & Associates  
21 Orchard Road  
Brookline, MA 02146**

Accession For	
NTIS CRA&I	<input checked="checked" type="checkbox"/>
DTIC TAB	<input type="checkbox"/>
Unannounced	<input type="checkbox"/>
Justification	
By	
Distribution /	
Availability Codes	
Dist	Avail and/or Special
A-1	

**DTIC QUALITY INSPECTED 3**

**January 1994**

**94-20385**



2098

**IWR Case Study 94-ADR-CS-10**

**94 7 5 050**

## TABLE OF CONTENTS

INTRODUCTION . . . . .	1
DESCRIPTION OF SMALL PROJECTS PARTNERING . . . . .	3
DESCRIPTION OF THE DRAYTON HALL PROJECT . . . . .	5
PARTNERING WORKSHOP DESCRIPTION . . . . .	7
The Participants . . . . .	7
Workshop Format . . . . .	7
The Facilitator . . . . .	8
THE PARTNERING WORKSHOP GOALS AND CONCERNS. . . . .	9
Key Concerns -- User . . . . .	9
Key Concerns -- Contractor . . . . .	9
Key Concerns -- USACE . . . . .	10
POST-WORKSHOP ISSUES . . . . .	11
Access Road . . . . .	11
Modified Site Design at Upstream End of Project . . . . .	11
Use of Dumped Riprap (Large Stones) . . . . .	11
ASSESSMENT . . . . .	13
The User . . . . .	13
The Contractor . . . . .	13
The U.S. Army Corps of Engineers . . . . .	13
Partnering as a Dispute Prevention Mechanism . . . . .	14
CONCLUSION . . . . .	15
Advantages . . . . .	15
Difficulties in Implementing Partnering in Small Projects . . . . .	15
Ingredients for Success . . . . .	16
Lessons Learned . . . . .	16
APPENDIX . . . . .	19
LIST OF ADR PUBLICATIONS . . . . .	21



## **INTRODUCTION**

The United States Army Corps of Engineers (USACE) began using Partnering, a process that seeks to promote dispute prevention, in construction contracts in 1990. Initially, Partnering was used primarily in large projects. As of early 1992, USACE policy is to develop, promote, and practice Partnering on all contracts (Commanders Policy Memorandum #16 on Partnering, February 18, 1992.) Some districts have effectively implemented Partnering on small projects.

The USACE Charleston District has developed a set of standard operating procedures for Partnering on all projects. It identifies four levels of Partnering, based on the size and complexity of the project and the Partnering experience of the involved individuals.

A three-hour Partnering workshop with an internal USACE facilitator was arranged for the Drayton Hall Streambank Protection Project, a small and relatively straightforward project, complicated by the existence of a third-party customer with a cost sharing arrangement. The Partnering workshop served to create lines of communication, build trust among the participants, address a range of subtle issues that had the potential to derail the project, and set the tone for effectively handling problems that arose during the life of the project.

This case study will: describe small projects Partnering as illustrated by the Drayton Hall Streambank Protection Project; provide examples of the kinds of issues that were raised by the partners and that developed during the project; and assess the value of Partnering in small projects. In addition, it will illustrate how Partnering can contribute to the success of a small project, especially when: 1) a user has little or no experience with USACE contract

administration; 2) at least one party has a series of subtle concerns that are not easily discernible by the others; and 3) there is a need to build relationships among the individuals involved with the project.



## **DESCRIPTION OF SMALL PROJECTS PARTNERING**

Partnering is a process that attempts to foster cooperative relationships among USACE, its contractors, and users or "customers", by creating an environment that allows individuals to address issues and concerns through communication, trust, and responsiveness.

The goal of Partnering is a successful project defined by satisfactory work, completed on schedule and within budget. Partnering also helps to manage conflicts as they arise, to reduce and to prevent litigation and contract claims. These results can be achieved by identifying common and individual goals among the agencies and organizations responsible for the project, by discussing potential problems and solutions prior to construction, and by creating a team approach to the project. According to the USACE Pamphlet on Partnering (December 1991):

"Partnering, designed to create a positive, disputes prevention atmosphere during contract performance, uses team building activities to help define common goals, improve communication, and foster a problem solving attitude among a group of individuals who will work together throughout contract performance. ... A central objective of Partnering is to encourage contracting parties to change from their traditional adversarial relationships to a more cooperative, team-based approach and to prevent disputes (p.1)."

The Partnering workshops for small projects, defined as under \$1 million, are similar to those of large projects in that both are attended by high and mid-level USACE managers, the contractor, and the user. In addition, the workshops result in Partnering charters, which list shared goals and objectives of the participants.

Small project Partnering workshops, however, require significantly less time and resources than large project workshops. Large project workshops typically are held over a full two or three days, but positive results of Partnering in small projects can be achieved in half-day workshops. Most importantly, Partnering in large projects requires hiring an outside consultant as a facilitator, but an internal USACE facilitator can effectively run a small project Partnering workshop.

As illustrated by the Drayton Hall Streambank Protection project, a commitment of one-half day by each of the major players on the project, plus the time of a USACE facilitator, can greatly contribute to the success of a project.



## **DESCRIPTION OF THE DRAYTON HALL PROJECT**

Drayton Hall is a National Historic Landmark and a museum property of the National Trust for Historic Preservation (a non-profit, public service organization chartered by Congress). The property includes a Georgian-Palladian plantation house, built between 1738 and 1742 on 350 acres of land, and numerous archeological sites. The most significant of these is the foundation of a 1747 orangerie, a 17-by-32 foot building, which is the oldest known solar-heated greenhouse in the Southeast. There is evidence to suggest that the orangerie may have served not only as a means to protect citrus and other subtropical trees from the cold, but as one of the Nation's earliest "agricultural experimental stations." Recent archeological testing revealed the orangerie to be in excellent condition and protected by a layer of brick rubble.

The orangerie, located close to the Ashley River, was threatened by accelerated erosion of the Ashley River streambank due to powerboat traffic on the river. Hurricane Hugo of 1989 stirred additional fears of losing the site. In fact, Drayton Hall was identified as an endangered National Historic Landmark in the National Park Service's Reports to Congress in 1991 and 1992.

The Drayton Hall project involved the stabilization of the Ashley River bank through a 410-foot long rock revetment, or refacing, of the riverbank. The project was a collaborative effort among the Charleston Soil and Water Conservation District, the U.S. Department of Agriculture Soil Conservation Service, the U.S. Army Corps of Engineers, the National Trust for Historic Preservation, and Drayton Hall. It was sponsored by the Charleston Soil and Water

Conservation District, a subdivision of the South Carolina state government. The contract value was \$189,625<sup>1</sup> and was 75% funded by USACE and 25% funded by the Friends of Drayton Hall, a private organization. The contractor, L-J, Inc. of Columbia, South Carolina, has worked with USACE on numerous projects for almost 40 years, and was selected through a competitive bidding process.

Actual construction associated with the revetment project began on March 22, 1993 and the project was completed on June 14, 1993.

---

<sup>1</sup> This includes a \$13,000 modification order to cover the costs of daily surveying of the project. After signing a contract with L-J, Inc., USACE recognized that it would be cost effective for the contractor, rather than USACE, to be responsible for the surveying.



## **PARTNERING WORKSHOP DESCRIPTION**

The three-hour Partnering workshop was held on the afternoon of February 18, 1992 at Drayton Hall offices, following the morning's pre-construction meeting at USACE offices.

### **The Participants**

Fifteen people attended the workshop: seven from USACE, including the Facilitator, the Project Manager, Chief of Construction, Contracting Officer, and the Design Engineer; four from Drayton Hall, including its Director, Assistant Director, and Superintendent; three from L-J, Inc., including the Project Manager; and one representing both the United States Department of Agriculture Soil Conservation Service and the Charleston Soil and Water Conservation District.

Of the participants, only a few of the USACE personnel had prior experience with Partnering. The facilitator and the Chief of Construction had both been to numerous Partnering workshops, including two-day workshops for large projects.

### **Workshop Format**

The workshop was designed as an informal meeting for participants to discuss and make explicit their interests, concerns, and goals for the project. The workshop agenda included self-introductions by all present; a review of the project by the project manager; a brief lecture on Partnering by the facilitator; and group exercises to define success, identify potential problems, develop solutions to problems, and develop a Partnering charter.

Due to the brevity of the workshop, some of the standard elements of the longer workshops were discarded. For example, rather than ask everyone to briefly converse with and then introduce another participant, all introduced themselves and spoke about their own expectations for the workshop.

During his brief lecture on Partnering, the facilitator talked about USACE's use of Partnering to help ensure a smooth project with satisfactory results. He then asked each participant to define success from his/her point of view. As each participant identified individual and team goals for the project, the facilitator listed them on newsprint. Examples of goals included a fair profit, no scheduling delays, no accidents, and no destruction of the site. Next, the facilitator asked each member of the group to identify potential problems. After a problem was stated, the group sought to identify the individual who would be responsible for handling such a problem. This person was then asked to describe what actions he or she would take should such a situation arise. For example, one problem raised concerned the safety of Drayton Hall visitors who might be curious about the project. The contractor agreed to put yellow caution tape around the site to keep visitors away from the work space. All of these exercises were designed to create lines of communication among the participants to support the project.

Unlike large project Partnering workshops, the group was together for the entire workshop rather than dividing into small groups for such exercises as problem identification and generating solutions. The workshop did not include the team building exercises or personality testing of the large project Partnering workshops because these were considered unnecessary for the size of the Drayton Hall project. In addition, the facilitator played an active role in helping to identify potential concerns because of the limited timeframe of the workshop.



***Small Projects Partnering***  
***The Drayton Hall Streambank Protection Project***



In sum, the Partnering workshop, as implemented, attempted to make the time and resource commitment it required, commensurate with the size of the project. The participants without previous exposure to Partnering found the workshop very useful and well-organized. Some of the participants with greater exposure to Partnering agreed that, given the constraints, the workshop was handled well, but they also commented that a lot had been squeezed into a short timeframe.

**The Facilitator**

The Chief of Construction, the Charleston District's advocate for construction Partnering, selected the Chief of Construction Operations of the Charleston District, the district in which the project took place, to serve as the facilitator. The facilitator was well-informed about the specifics of the project. His training included a one-week dispute resolution course provided by USACE, and this was the third workshop he had facilitated.

The facilitator knew most of the people present and had previously worked on many projects with the contractor. Though he maintained his neutrality, he did not attempt to pretend he was an outsider, without knowledge of the project and the inner workings of USACE contract administration and project management.

All the participants agreed that the facilitator did a good job and remained neutral with respect to the substance of the project. By his own estimation, the facilitator felt the session was a little rushed, and that he was forced to lead the group a bit more than he would have liked, rather than give them time to generate more questions and ideas on their own.



## **THE PARTNERING WORKSHOP GOALS AND CONCERNS**

The overall goals of the participants at the workshop, as recorded in the Partnering charter, included a commitment to open communication, joint problem-solving, and teamwork to complete the project within the contract schedule, with no lost time accidents, and with maximum protection of the site.

### **Key Concerns -- User**

Drayton Hall is an historic site that is visited by over 65,000 tourists each year. The concerns of the Drayton Hall officials centered on reducing the impact of the project on the property and its visitors. Success meant minimizing any negative impacts to the property, including its gardens, as well as providing lasting protection for the riverbank and orangerie site.

The project required the use of heavy equipment around the river and the orangerie. Drayton Hall representatives asked that particular trees and shrubs be protected. The contractor agreed to use hand shovels under the trees on undercut areas of the river bank to protect their root systems and to be careful not to drive heavy equipment over sensitive tree root systems.

Another concern involved the noise associated with the project. Drayton Hall is a quiet expanse of land and many visitors enjoy its peaceful surroundings. Drayton Hall officials were concerned, for example, that idling trucks waiting to dump gravel would greatly impact the Drayton Hall visitors' experiences. In response, the contractor agreed to schedule only a single truck in the work area at a time, and to have as many trucks as possible make deliveries prior to 9:30 a.m., Drayton Hall's daily opening time. In addition, Drayton Hall officials gave the

contractor a schedule of their concerts and special events, and the contractor agreed not to allow any noisy operations during those times. Thus, as a result of the Partnering workshop, the noise associated with the project had little impact on Drayton Hall's visitors.

Finally, Drayton Hall officials also used the Partnering workshop to explain that the contractor might unearth archaeologically significant finds around the orangerie and how to identify and protect such areas and objects of importance.

The concerns raised by Drayton Hall officials, and the manner in which they were handled during the Partnering workshop, made an enormous contribution to the success of the project. Many of the issues, such as the protection of particular tree root systems and shrubs, were of such a subtle nature that no other forum would have allowed them to be aired. Rather, without the workshop, these issues likely would have been raised only after irreparable damage had occurred.

### **Key Concerns -- Contractor**

The contractor's concerns involved his ability to work in and around the site, interactions with Drayton Hall personnel, the speed of paperwork, and a fair profit from the project. L-J, Inc. raised questions about the access road to the Ashley River, the place to store materials during the project, and the size of the workspace necessary to get trucks in and out.

L-J, Inc. was also concerned about the safety of Drayton Hall visitors, who were likely to be curious about the project. The contractor did not want curiosity seekers obstructing workers or getting injured. As a response, all agreed that the contractor would put yellow caution tape around the perimeter of the workspace and project area to keep visitors away from the site. Drayton Hall agreed to hire a person to route visitors to

***Small Projects Partnering  
The Drayton Hall Streambank Protection Project***



alternative parking areas and away from the workspace.

Another issue was the clarity of the chain of command with regard to the project. The contractor was concerned that some Drayton Hall employees, who would be present at the site everyday, might not understand that the contractor worked for, and therefore only took orders from, USACE. The Partnering workshop allowed the chain of command to be explicitly and clearly articulated. The contractor felt that this avoided many potential disputes whereby Drayton Hall personnel might have been tempted to come on-site with requests or orders.

In sum, the key concerns of the contractor revolved around safety and education of the user, most of whose personnel were new to USACE contracting, and his ability to achieve the team goal of completing the project on schedule. Again, many of the issues that L-J, Inc. identified might not have been raised in another forum until actual disputes were underway.

**Key Concerns -- USACE**

The key concerns raised by USACE at the Partnering workshop centered on communication issues and the ability to complete the project on time, within contract costs, and with no accidents. USACE also wanted to be sure that the Partnering workshop accomplished the task of dispute prevention. To this end, USACE personnel clarified the lines of communication and the chain of command to ensure clarity regarding how to address problems. USACE personnel sought to delineate for the contractor and the user, who was in charge, the responsibilities of each party, and the contacts for problems, should they arise. These communication issues were identified as major contributing factors to satisfy USACE's ultimate concern -- a satisfactory product completed on time and within budget.



## **POST-WORKSHOP ISSUES**

As a result of the Partnering workshop, a number of issues were raised and effectively resolved during the life of the project.

### **Access Road**

After the Partnering workshop, a number of workshop participants walked the site. A portion of an 18th or 19th century brick wall, exposed by recent rains, was found on the planned temporary access road between the staging area and the upper end of the worksite. The contractor proposed locating the staging area closer to a point midway along the length of the river bank that was being refaced, to enable materials to be dumped directly over the edge of the bank and eliminate the need for the additional access road.

This change created minor adverse effects on some ornamental shrubs, but was approved by the Drayton Hall officials. It was, in fact, ultimately beneficial to both the user and contractor, and was made at no additional cost to the Government or Drayton Hall.

### **Modified Site Design at Upstream End of Project**

During construction at the upstream end of the project, Drayton Hall officials expressed concern that erosion could occur in the river bank at the end of the revetment. The original project design for this area had been amended because of possible adverse effects of placing stone and riprap materials over the roots of two large live oak trees located on the bank. At a meeting convened to discuss these issues, the USACE design engineer, resident engineer, contracting

officer, the contractor's project manager, and representatives of Drayton Hall decided to extend the revetment an additional 30 feet around a corner and along the bank of a creek. No formal change order or additional funds were necessary because the work was accomplished within the material amounts originally estimated for the project.

### **Use of Dumped Riprap (Large Stones)**

The contractor's survey located a hole in the river bank extending for about 150 feet along the bank. If this section had been completed according to the plans, it would have required a considerable amount of coarse aggregate fill to be placed beneath the bedding stone (gravel) and riprap. Because of the depth of the hole and the swift current, there was concern that much of the coarse aggregate would be lost before the hole was actually filled. L-J, Inc. proposed using dumped riprap, as specified by the South Carolina Department of Highways and Public Transportation, to fill the hole and form a toe for the remainder of the slope protection. USACE and Drayton Hall officials agreed because the large stone, up to 24 inches in size, was much less susceptible to washout by the current, while it was being put into place, than the coarse aggregate was. No contract modification was required because the variations in quantities did not exceed the plus or minus 15% limits specified in the original contract.



## **ASSESSMENT**

The user and the contractor both agreed that the Partnering workshop was of great value. The potential disputes they felt were prevented far exceeded their limited costs for Partnering, which was one afternoon for their top personnel. All of the USACE personnel felt there were benefits to the Partnering workshop.

### **The User**

The User was overwhelmingly supportive and satisfied with the use of Partnering. Drayton Hall officials felt that the Partnering workshop set the right tone for the project by providing an opportunity to express their concerns and have them met, especially about protecting the site. They also felt that the clear articulation of the chain of command to all in the Drayton Hall organization probably prevented a host of conflicts. In addition, as a result of the Partnering workshop, those Drayton Hall senior staff members who were not so intimate with the project as others, became convinced that USACE and the contractor were doing everything possible to reduce impacts to the property. This pre-empted likely attempts to micro-manage the project.

The staff at Drayton Hall felt that the project represented a much more positive experience than they had had with past contractors, and they would seek to use Partnering in other projects, including non-USACE projects.

### **The Contractor**

L-J, Inc. was also very satisfied with the Partnering workshop and its results. In one representative's words, "This probably has gone

as smooth as any project we ever did." He felt that, due to the uniqueness of the location and the user's concerns, Partnering was extremely worthwhile. Without the workshop, the contractor would not have been aware of particular needs of the user such as protection of vegetation and archeological resources. In fact, after learning of the Drayton Hall concerns, the contractor made staffing decisions based on who he felt would understand, and be sensitive to, the needs expressed by Drayton Hall.

The change in the access road at the earliest point in the project -- immediately after the Partnering meeting -- meant savings for the contractor, USACE, and Drayton Hall. As the contractor said, "It's a lot cheaper to move a stake than a road that's already been built."

The L-J, Inc. project manager went into the workshop "blind" and somewhat suspect of the time required of him and his staff. However, after the workshop and especially after seeing the results of Partnering throughout the project, the contractor felt the time at the workshop had been well spent. An L-J, Inc. official said that, had the issues not been raised early, the attitudes and feelings would have been difficult and would have likely led to conflicts during the project, especially regarding damage to trees and vegetation that were important to Drayton Hall.

### **The U.S. Army Corps of Engineers**

All USACE personnel involved found benefits in the use of Partnering. The informal nature of the Partnering workshop allowed USACE to educate, especially the users, about its contract administration procedures and the chain of command relative to USACE's relationship to its contractor.

From a contracting perspective, the relationships generated during the Partnering workshop allowed

## ***Small Projects Partnering The Drayton Hall Streambank Protection Project***



decisions affecting the contract to be made quickly and with little cost to USACE, either in increased material costs or paperwork. The project went smoothly; it was completed on time and within contract budget. L-J, Inc. received an "outstanding" rating for the project.

USACE personnel with experience in Partnering found that the small project workshop, though not providing the opportunity to do all the exercises of a large Partnering workshop, accomplished its intended goals.

### **Partnering as a Dispute Prevention Mechanism**

Partnering in the Drayton Hall revetment project clearly prevented disputes that would have impacted the project's cost and schedule. The initial problems with the access road -- an archaeologically significant find was made on the original access road as work was set to begin -- could have led to a delay in starting construction. The change to the design specifications could also have led to delays, additional paperwork, and increased costs. The relationships and attitudes built during the Partnering workshop led to the efficient resolution of problems that arose.

Finally, some Drayton Hall officials would have been likely to assume that the contractor worked for them rather than USACE. The responses they might have received from the contractor in response to their requests might have resulted in angry telephone calls to USACE with the potential for causing work to be stopped until USACE officials could resolve complaints. The likely damage to shrubbery and trees of value to the Drayton Hall site had the potential for resulting in lawsuits against L-J, Inc. (Drayton Hall recently took action against a developer who destroyed trees on a portion of Drayton Hall's lands unrelated to the USACE project.)

Partnering helped to prevent these possible scenarios. As a Drayton Hall official stated, "Without the workshop, as soon as a problem arises, you might assume the contractor is trying to cut corners. In other words, you would be inclined to assume the worst and act defensively. The relationships, built at the Partnering workshop and maintained subsequent to it, changed a potentially defensive and antagonistic approach to a team approach." As a result of Partnering, cooperation among the parties built on itself throughout the course of the project.



## CONCLUSION

The Drayton Hall Streambank Protection Project was a success; it was completed on time, with only one minor modification order for surveying, no claims and no accidents, and the user is well-satisfied with the product. There is overwhelming evidence to suggest that Partnering contributed to this success. Without the Partnering workshop, it is highly likely that there would have been additional costs, work stoppages, and negative attitudes among the partners to the project.

### Advantages

There were many advantages evident from the use of Partnering in the Drayton Hall project. The Partnering workshop provided opportunities to educate the user about the internal workings of USACE contracting and to clarify roles and responsibilities, to identify lines of communications, and to identify the individuals who handled particular issues. It provided an environment where the group could identify common goals, make explicit individual goals, and iron out potential problems prior to starting work.

Partnering clearly saved time and money over the course of the project. The issues that arose during the project -- the access road, modified site design at the upstream end of the project, and the question of using bedding stone or riprap -- all had the potential to impact the costs and schedule of the project. However, the lines of communication that were drawn during the workshop and the team spirit it generated, allowed USACE, Drayton Hall, and L-J, Inc. to effectively handle these issues as they arose. As a Drayton Hall official put it, "We were all

working on the same team to complete a project we could all be pleased with."

### Difficulties in Implementing Partnering in Small Projects

Heavy workloads, on the part of USACE personnel, the contractor, and Drayton Hall officials made scheduling the workshop difficult. Finding a free afternoon for all of the 15 participants presented a great challenge.

Another difficulty in implementing the workshop, which may have contributed to the scheduling difficulties, was that the contractor and user had little idea of what to expect from a Partnering workshop. This led to some apprehension on their parts. As one said, "I thought it was going to be a 'feel good' meeting, an exercise in hand holding." However, he found the Partnering workshop to be very useful.

Finally, there were some difficulties with the format of the afternoon session. Though successful, the short time frame required the facilitator to take a very active role in eliciting information from the participants rather than in allowing issues to rise to the surface during discussions. In addition, the lack of time for division into small groups meant less participation by some present and possibly that some subordinates were reluctant to fully participate because of the presence of their superiors.

In the Drayton Hall project, these difficulties were not insurmountable. The workshop was scheduled and was attended by 15 participants. The abbreviated workshop succeeded in accomplishing the goals of Partnering and did so with appropriate resources given the size of the project.

## ***Small Projects Partnering The Drayton Hall Streambank Protection Project***



### **Ingredients for Success**

Success for Partnering in a small project is dependent on all involved clearly seeing that their benefits of participating far exceed their costs. This is obvious when real issues are addressed, such as Drayton Hall's concerns about impact to the site and visitor experience, or when important functions, such as education, are accomplished.

For the Partnering process to succeed, it helps to have a commitment to the process, not only from the high-level USACE managers, who already understand its benefits, but also from mid-level managers, who attend and participate in the workshops.

In addition, the facilitator must keep the discussions focused. With the short timeframe of the small projects Partnering workshop, time management is crucial. Many of the participants commented on the facilitator's ability to keep the group focused and not to allow tangential conversations to reduce the workshop's effectiveness.

It was advantageous to the process that the Drayton Hall Partnering workshop followed the morning pre-construction conference (pre-con) at a different site. The pre-con was held at USACE offices, and the Partnering workshop was held at the Drayton Hall site and included additional personnel. The change in location and the different tone of the meeting contributed to its overall success. The pre-con was considered highly technical and an opportunity to clarify technical and bureaucratic issues. The Partnering workshop, by contrast, was held in a friendlier environment, and the substance of the meeting allowed issues not covered in the morning meeting to come forward.

### **Lessons Learned**

- ◆ Partnering is invaluable when the project includes a user with little or no experience with USACE. The user can be educated about the contracting relationships and lines of communication. This prevents conflicts that might otherwise develop between the contractor and the user.
- ◆ Partnering should be used in cases where the user has very specific concerns that may not be obvious to the contractor or USACE. By addressing such concerns at the earliest stage of the project, potential conflicts are prevented.
- ◆ Upfront discussion of potential problems sets an amicable tone that allows for discussions of future problems as soon as they arise. This often means that potential cost increases and work slowdowns or stoppages are avoided.
- ◆ There may be a need to establish a format for small Partnering workshops that does not attempt to squeeze too many elements of a large Partnering workshop into a short timeframe.
- ◆ An internal USACE facilitator can be effective at a Partnering workshop. The user, contractor, and other agency participants all felt the USACE facilitator was fair and neutral throughout the meeting.
- ◆ The better educated USACE managers are about Partnering, the greater their commitment to it. Those USACE managers with experience in Partnering and who understand its potential contribution to the success of a project are





*Small Projects Partnering  
The Drayton Hall Streambank Protection Project*

---

more likely to support the use of Partnering and portray it as useful to the contractor and user.

- ◆ There may be a need to inform USACE personnel that contractors and users value the opportunities provided by Partnering workshops. In this case, the contractor and user found the Partnering workshop to have contributed greatly to the project's success.



## **APPENDIX**

**Process for Small Project Partnering  
as used in the Drayton Hall Streambank Protection Project  
Charleston County, South Carolina**

Confirm USACE support for Partnering on the project

Identify the USACE personnel who should be present at the Partnering workshop

Select an internal, neutral-trained USACE facilitator

Send a letter to the Contractor's Project Manager, the Sponsor, and the User inviting them to a Partnering workshop and asking them to bring with them the individuals who will be involved in the project at the highest levels.

Schedule a half-day Partnering workshop

Hold the Partnering workshop at the site, if facilities are available

At the workshop:

- Self-introductions
- Review of the project by the design engineer
- Review of the Partnering process by the facilitator
- State individual and team goals
- Define success through group discussion
- Identify potential problems
- Identify solutions to the problems
- Develop a group Partnering charter which lists common goals and which will be signed by all present

Walk through the project site as a group



***Small Projects Partnering  
The Drayton Hall Streambank Protection Project***

**ALTERNATIVE DISPUTE RESOLUTION SERIES**

<b><i>Number</i></b>	<b><i>Title</i></b>
	<b><u>Pamphlets</u></b>
89-ADR-P-1	The Mini-Trial
90-ADR-P-1	Non-Binding Arbitration
91-ADR-P-3	Mediation
91-ADR-P-4	Partnering

---

**Case Studies**

89-ADR-CS-1	Tenn-Tom Construction, Inc.
89-ADR-CS-2	Granite Construction Co.
89-ADR-CS-3	Olsen Mechanical and Heavy Rigging, Inc.
89-ADR-CS-4	Bechtel National, Inc, Aug.
89-ADR-CS-5	Goodyear Tire and Rubber Co.
91-ADR-CS-6	Corps of Engineers Uses Mediation to Settle Hydropower Dispute
91-ADR-CS-7	Brutoco Engineering and Construction, Inc.
91-ADR-CS-8	Bassett Creek Water Management Commission
91-ADR-CS-9	General Roofing Company
94-ADR-CS-10	Small Projects Partnering: The Drayton Hall Streambank Protection Project, Charleston, South Carolina
94-ADR-CS-11	The J6 Partnering Case Study - (J6 Large Rocket Test Facility)
94-ADR-CS-12	Fort Drum Disputes Review Panel - A Case Study in the Alternative Dispute Resolution Series

---

**Working Papers**

90-ADR-WP-1	ADR Roundtable: U.S. Army Corps of Engineers (South Atlantic Division., Corporate Contractors, Law Firms
90-ADR-WP-2	Public Involvement; Conflict Management; and Dispute Resolution in Water Resources and Environmental Decision Making
90-ADR-WP-3	Getting to the Table
90-ADR-WP-4	Environmental Ends and Environmental Means: Becoming Environmental Engineers for the Nation and the World

Future publications include:

- ADR Overview: A Handbook for Managers
- Reader on the Use of ADR Participatory Techniques
- Partnering on the Oliver Lock & Dam: Case Study
- Colorado Springs General Permit Case Study

**REPORT DOCUMENTATION PAGE**Form Approved  
OMB No. 0704-0188

Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Washington Headquarters Services, Directorate for Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302, and to the Office of Management and Budget, Paperwork Reduction Project (0704-0188), Washington, DC 20503.

<b>1. AGENCY USE ONLY (Leave blank)</b>		<b>2. REPORT DATE</b> January 1994	<b>3. REPORT TYPE AND DATES COVERED</b> Final	
<b>4. TITLE AND SUBTITLE</b> Small Projects Partnering: The Drayton Hall Streambank Protection Project Charleston County, South Carolina			<b>5. FUNDING NUMBERS</b>	
<b>6. AUTHOR(S)</b>  Susan L. Podziba				
<b>7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES)</b> USACE, Institute for Water Resources 7701 Telegraph Road Alexandria, VA 22310-3868			<b>8. PERFORMING ORGANIZATION REPORT NUMBER</b>  IWR 94-ADR-CS-10	
<b>9. SPONSORING/MONITORING AGENCY NAME(S) AND ADDRESS(ES)</b> USACE, Office of Chief Counsel 20 Massachusetts Avenue, NW Washington, DC 20314-1000			<b>10. SPONSORING/MONITORING AGENCY REPORT NUMBER</b>	
<b>11. SUPPLEMENTARY NOTES</b> Available from National Technical Information Service (NTIS), 5285 Port Royal Rd., Springfield, VA 22161				
<b>12a. DISTRIBUTION/AVAILABILITY STATEMENT</b>  Approved for public release; distribution unlimited.			<b>12b. DISTRIBUTION CODE</b>	
<b>13. ABSTRACT (Maximum 200 words)</b>  Describes Partnering, a disputes prevention mechanism, for a small construction project using the Drayton Hall streambank protection project as an illustration. This case study provides examples of the kinds of issues that were raised by the parties and that developed during the project. This study assesses the value of Partnering in small projects and illustrates how Partnering can contribute to the success of a small project especially when there has been limited experience with the USACE contract administration, when one or all parties have hidden concerns, and there is a need to build relationships among the parties to the project.				
<b>14. SUBJECT TERMS</b> Partnering, disputes prevention, facilitator, construction claims. Alternative dispute resolution ADR			<b>15. NUMBER OF PAGES</b> 25	
			<b>16. PRICE CODE</b>	
<b>17. SECURITY CLASSIFICATION OF REPORT</b> Unclassified	<b>18. SECURITY CLASSIFICATION OF THIS PAGE</b> Unclassified	<b>19. SECURITY CLASSIFICATION OF ABSTRACT</b> Unclassified	<b>20. LIMITATION OF ABSTRACT</b> Unlimited	