



**US Army Corps
of Engineers®**

ENGINEERING AND CONSTRUCTION BULLETIN

No. 2017-14

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SUBJECT: Importance of Partnering to Military Programs and Civil Works Projects and Programs

CATEGORY: Policy

1. References:

a. ER 5-1-11, Revision of ER 5-1-11, U.S Army Corps of Engineers (USACE) Business Process, 12 Jan 2007

b. EP 415-1-260, Area/Engineer Management Guide, 31 Mar 2016

c. IWR Pamphlet 91-ADR-P-4, Partnering Guide: A Tool for USACE, Engineering, Construction, and Operations, Re-Issued May 2010

d. ECB 2016-16, Update USACE Mega-Project Guidance, Issued 26 May 2016

2. The purpose of this ECB is to re-emphasize the importance of partnering to our Military Programs and Civil Works missions; thereby enhancing USACE – Industry communications, teamwork and conflict management in support of our stakeholders and our nation. The principles of partnering as defined in this ECB shall be applied to the fullest extent practical on projects and services rendered. Partnering concepts must be discussed as part of all post-award and/or Notice-to-Proceed (NTP) activities, meetings, and conferences. The results will be captured in the minutes of record. The processes of partnering defined by the references and resource material shall be followed and scaled to the size and complexity of work.

3. Projects that fully engage in partnering, result in successfully completed projects for USACE, along with fewer claims, better financial results, and performance evaluations for contractors. USACE has been asked by contractor's organizations to have formal partnering. Stakeholders should appropriately be invited to participate in partnering.

4. Partnering is a way to reduce the confrontations on a contract and build a collaborative project focused team. It is an organized process by which multiple stakeholders with shared interests perform as a team to achieve project success with benefits accrued to all. It requires empowering team members to solve problems at the lowest organizational level possible. A successful partnering arrangement: removes organizational impediments to communication; results in acceptance by all parties to maintain and improve the partnering process; requires open communication and active listening, especially on challenges to progress and demonstrates a personal commitment by every member of the team. It is not a waiver of a party's contractual rights and responsibilities - it is a recognition and respect of those rights and responsibilities and a willingness to work together to help all stakeholders fulfill them. It is in the Government's best interests and it is consistent with the Government's implicit duty to act in a fair and reasonable manner.

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5. Recent industry feedback and Mega DCE observations found the level of partnering with our contractors has significantly decreased. This decreased partnering effort has contributed to an increase in the number of projects with adversarial relationships between USACE and contractors. This lack of partnering is further reflected in the growing number of projects having significant delays and litigation.

6. Delivering quality projects on schedule, within budget and in a safe manner, requires a successful team. Partnering is a tool that, when properly applied, can create a successful team. Partnering with industry has been proven to reduce project delays and cost.

7. As referenced in Enclosure 3 of ECB 2016-16, professional facilitated and formal partnering is an integral element of the Mega DCE Project governance process. All Mega DCE Projects require partnering per the Mega DCE tenets.

8. All projects will require some form of partnering. Small projects should have an issue resolution matrix at a minimum. As projects increase in size/complexity, partnering processes will be expanded accordingly.

9. Each project shall include a clause within general conditions that requires partnering. Since each project is unique, the partnering requirements shall be appropriately scaled to meet the needs of the project.

10. USACE is re-invigorating its emphasis on partnering with industry. We must embrace the concepts of partnering and recognize that USACE and industry are interdependent for mutual success. USACE and contractors must collaborate and communicate to achieve project success. Our stakeholders demand ever-increasing value from the available resources. USACE and industry must respond to this challenge and continue to develop innovative ways to work together that create added value in completing a quality project, on time, within budget and in a safe manner.

11. USACE leadership is committed to fostering cooperative relationships with its industry partners and stakeholders. I look forward to your full acceptance and implementation. E&C will conduct webinars on this topic.

12. **Update.** All new requirements will be included in the next appropriate policy document update prior the expiration of this ECB.

13. **Point of Contact.** HQUSACE point of contact for this ECB is Gary M. Chaney, P.E., CECW-CE, (202) 761-0656.

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