



BOOSTING THE SUCCESS OF YOUR **SERVICE PROVIDER**

When it comes to project oversight, following some basic guidelines and best practices can make all the difference

BY KERRY MALONE

To ensure successful project implementation, following some basic guidelines and best practices can help ensure a positive and effective relationship between the client and the right of way service provider.

The first of a two-part article, “Picking the Right Service Provider,” was released in the July/August 2016 issue of Right of Way Magazine and served as a practical guide to reducing costs and minimizing project risks. In this second part, we will address the kind of project oversight—before commencing work and throughout the project—that can facilitate success.



WHAT TO DO BEFORE COMMENCING WORK

Once you have selected the right service provider for your project, there are several preparatory steps that can facilitate successful implementation. While every project and client will bring unique challenges, identifying expectations and defining the processes up front will play a significant role in achieving project success. The following provides some important areas to consider before the work begins.

Identify Expectations

While the client has every right to expect a certain level of performance, the service provider can only succeed if they know exactly what is expected. A formalized document is recommended so that the service provider can review it and provide their agreement in advance. Obviously, expectations are subject to change during the course of the project, but making sure both parties are clear about them is the first key to successful project implementation. Everyone must be moving in the same direction for the relationship between provider and client to work.

Define Reporting Structure

To alleviate confusion throughout the lifecycle of the project, the service provider needs to clearly understand the reporting structure. If project management is part of the contract, to whom will the project manager report to? And what are the roles of the other members of the project team? It is suggested that there be only one client liaison authorized to give direction to the provider. Confusion can arise when the service provider is expected to take instruction or report to several different client representatives. Conflicting directions or decisions will likely lead to delays, duplication of effort and cost overruns.

Ensure Right of Way is on the Project Team

The unique level of expertise provided by right of way professionals will always benefit the project—but only if such expertise can be heard and considered before decisions are set in stone. In many instances, right of way is brought into the discussion much too late in the process—when decisions have already been made on matters that directly impact the right of way effort. Weekly team meetings with key personnel from each project area should be conducted to discuss project progress, budgets and any issues that might arise. Mutual respect and open communications are essential.

Define Relationship With Legal Counsel

Whether the project's legal representative is internal or external, decisions regarding right of way often require a very timely response. Legal counsel may be needed for evaluating landowner requests, developing documents and alternative language, and serving as a liaison with the landowner's legal counsel. Depending

on the client company's protocols, direct communications between the right of way group and the legal counsel may not be acceptable. However, a responsive conduit is essential for ensuring the legal issues are reviewed in a timely manner. This is especially critical where eminent domain is a potential option. The process must be defined at the very beginning of the project to ensure seamless communications.

Establish a Change Order Process

Ensuring that the client's change order process is followed is crucial to project success. If the client does not have a system in place, ask the provider for their change order protocols, and consider using them. Under no circumstance should you allow verbal instruction to take the place of a formal process. With all the changes that typically arise during the course of the project, the process used to convey specific instructions should not be left to chance. This will only cause confusion, especially if the client expects certain changes that are not addressed.

Draft Project Documents Early

Any delay in providing the service company with all applicable project documents will inevitably lead to project interruptions. For example, the survey permission and data gathering forms need to be ready beforehand so they can be incorporated into project procedures as soon as the schedule calls for survey permitting to commence. Even more important is the early adoption of acquisition documents and any pre-approved alternative clauses. Schedules depend on the timely completion of acquisition. Therefore, if the team is awaiting documents on the front end, there will ultimately be schedule challenges throughout the project.

Outline Check Writing Procedures

The ability for agents to write checks in the field while meeting with landowners can be very helpful to avoid delays caused by a check request process. Before the project commences, it's important to identify who will manage the acquisition account. Will the client use an established internal system or will the provider handle that function? Will agents be writing and issuing the payment checks in the field or will a check request process be necessary? What reporting procedures are needed? Rather than wait until it is time to begin issuing payment checks, formalize and communicate the process up front.

Define Reporting Expectations

The service provider needs to know exactly what reports are needed and when. What does the client require to satisfy the data needs of management? Is reporting needed in real time via an online system or by hard copy distribution? Who needs to be included in report distribution? Consider the proprietary systems of the provider, as they are sometimes more efficient than what the client has in place. Nearly all systems are compatible with Excel. See what the project team is accustomed to using before finalizing the format, content and frequency of the reports.

Standardize Procedures

If there are standardized processes or procedures used by the client, make these available to the service provider so they can be incorporated into the procedures manual for the project. This can be in an electronic format or hard copy, depending on what's agreed to up front. Often times, full procedures are developed during the course of the project because all details are not available at the outset. For example, details about the acquisition process may not be known in the beginning, but they can be clarified prior to commencing acquisition. If there is a code of conduct in place with the client, these should be made available and added to the procedures manual.

Describe Scope of Public Outreach Involvement

From mass mailings to open houses, public outreach is a vitally important aspect of every project. Most service providers have expertise in these areas and the client should determine early on what role, if any, the right of way team will provide. Since the right of way agents deal most directly with the landowners, it is highly recommended that they be involved in open houses and community meetings. It can be beneficial to have the service provider's GIS staff present to explain routes on maps or computer monitors.

MANAGEMENT PRACTICES THROUGHOUT THE PROJECT

As referenced earlier, it's crucial that everyone is very clear on the client's expectations and understands the levels of accountability required. Oversight of the service provider during the course of the project should involve several considerations including the following:

Do not allow sub-par performance to continue. The client's project manager must quickly address any performance issues observed. The sooner the problem is identified and discussed with the service provider, the sooner corrective measures can be put in place. Although this is a simple principle, it is often ignored, which allows small problems to develop into major ones.

Provide guidance without micromanaging. When the service provider is serving in a managerial or supervisory role, it's important to respect the established lines of communication. Direct interaction between a client representative and the right of way personnel can damage relationships and cause serious communication conflicts. If an issue arises, it's best to advise the service company management and allow them to communicate directly with their employees.

Solicit and consider input from leadership personnel. In many cases, the service company management has dealt with unusual or complex problems that can arise on projects and may be able to offer valuable counsel. Obviously, the decisions and ultimate responsibility rests with the client, however using the best resources available is in everyone's best interests.

Follow protocols and procedures. Make sure the right of way team is following the procedures manual for the project. Monitor the reporting function and maintain a close and cooperative relationship with the service provider's management.





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Document all instructions. When it comes to giving instructions to the right of way team, never rely on verbal instructions. This is not a “CYA” situation—it is just good business!

Acknowledge superior performance. In managing right of way personnel, appreciation for a job well done goes a long way toward encouraging future accomplishment.

Hold regular meetings. In addition to any project team meetings, it is recommended that regular meetings be held with the service provider’s leadership. Scheduling conference calls, webinar meetings or face-to-face weekly discussions will help alleviate surprises and prevent unexpected information from being disseminated among other disciplines.

Be responsive! When the service provider asks for direction or input, it is critical that the client representative responds in a timely manner. Given unforeseen circumstances that often arise and the need to make quick decisions, an unresponsive client will likely cause confusion and project delays.

Stay aware of staffing changes. Staffing will typically evolve as the project moves forward. Since this impacts the functionality of the team as well as the budget, keep updated with who is currently working on your project.

Monitor the budget status. Clients should require the service provider to furnish budget updates, accruals and forecasts according to a set schedule, such as monthly or bimonthly. Burn against budget should always be known and any deviation must be explained, and if necessary, addressed by a change order or corrective action plan. Both the schedule and budget need be considered when determining the health of a project. For example, if a project is ahead of schedule during the acquisition phase, the actual spend is often higher than the budget plan due to an increase in acquisition cost compared to plan. Budget accountability applies to the right of way services budget, acquisition budget and even petty cash outlays.

Conduct spot audits. Evaluate compliance with the expectations documented at the project’s commencement. This takes performance evaluation a step further. Document the findings and direct the provider to take any steps needed to meet those expectations.

Establish project closeout requirements early in the project. Determine how the hard copy and electronic records will be tendered to the client. If applicable, identify how office equipment leases will be handled. Will additional services like operational support be required

following construction and damage settlement? Outlining this information in advance will help the project team achieve the desired expectations.

BENEFITS TO BOTH PARTIES

The information provided is primarily designed to assist companies in managing right of way consultants and service companies. However, many of the ideas and protocols suggested can benefit the service provider as well. After all, the better the service company understands its client’s needs, the more equipped they can be to meet those needs.

The right of way service provider that offers reporting capabilities, documentation expertise, training and an established approach for developing project procedures is best positioned to not only be awarded the work, but to successfully meet client expectations. ★



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