

WIN WIN RESOLUTION

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1. Company Information

Name: Rich Fisher, JD
Company: Win Win Resolution
Address: 105 Mercer St., No. 308
Seattle, Washington 98109
Phone: (206) 282-7895
Fax: (206) 282-7895
URL: www.winwinresolution.com
Email: mediators@winwinresolution.com

We provide services under the following SIC Codes:

7389	Business Services Not Elsewhere Classified
8111	Legal Services
8299	Schools and Educational Services Not Elsewhere Classified
8742	Management Consulting Services

We provide services under the following NAICS Codes:

5416	Management, Scientific, and Technical Consulting
541611	Management Consulting Services (business mgt., strategic planning, and general management)
541612	Human Resource, Executive Search Consulting Services (organizational development)
541614	Process, Physical distribution and Logistics Consulting Services (productivity improvement)
541618	Other Management Consulting Services
541990	All Other Professional, Scientific and Technical Services (arbitration/conciliation)

541199 All Other Legal Services
541110 Legal Services (arbitration/conciliation by attorney)
611430 Professional Management Development Training
624190 Other Individual and Family Services
926150 Commercial Mediation Government Issues

Our CCR # is 1888227-2423

Our DUNS# is 147258466

Outstanding Performance 95 out of 100 – top 20% of Government Vendors – Open Ratings, Inc. 2004

About Win Win Resolution

Rich Fisher, JD, d//b/a Win Win Resolution, has 12 years of success helping individuals, departments, and agencies in government, business, and organizations nation wide work together effectively to accomplish their missions, including engineering and technical issues, and increase their productivity and profits through:

- Business Partnering
- Teambuilding
- Mediation
- Conflict Resolution
- Conflicted Project/Team Turnaround
- Facilitation
- Strategic Planning

2. About Rich Fisher, JD

Rich is a former Trial Attorney with the U. S. Department of Justice and has extensive training and experience in mediation, conflict resolution, facilitation, communications, problem-solving, and strategic planning. He is certified by the State of Washington Mediation Association in Business/Commercial, Construction, Environmental, International, Organizational, and Public Policy Mediation. **Rich is an expert in building and maintaining high performing teams to accomplish highly complex and technical missions.** Several have won national awards for their project success. Co author of 2 books on innovative conflict resolution, **Rich has helped numerous conflicted project teams, agencies, and businesses resolve conflict, including engineering and technical issues, and get “back on track” to success** through effective communications and problem-solving structures and strategic planning programs.

3. Services Approved Under MOBIS Contract GS-10F-0296 R

SINs: 874-1 Consulting Services, 874-2 Facilitation Services, 874-4 Training Services, and 874-8 Alternative Dispute Resolution (ADR) Services.

A. SIN 874-1 Consulting Services

Rich Fisher has 12 years experience providing expert advice, guidance, and counseling in support of agencies' management, organizational and business improvement efforts utilizing

- Strategic Business and Action Planning
- High Performance Work
- Performance Measures and Indicators

- Process and Productivity Improvement
- Organizational Assessments
- **Strategic, business and action planning** – Win Win Resolution utilizes Creative Strategic thinking to help clients create the ideal future and then implement it “working backwards from perfect” by developing the necessary strategies and tactics.
- **Transforming a conflicted team into a high performing team** – Win Win Resolution utilizes surveys and interviews to help the team identify the barriers to team success. Win Win Resolution then helps to remove the barriers using communications and problem solving processes, including the Win Win Conflict Replacement method, to help teams replace conflict with project success. Win Win Resolution uses strategic planning to help the team complete their mission on time/on budget.

B. SIN 874-2 Facilitation Services

Rich Fisher has 12 years experience providing facilitation and related decision support services to agencies engaging in collaboration efforts, working groups, or integrated product, process, or self-directed teams. He has helped agencies bring together diverse teams and/or groups with common and divergent interests. He has helped hundreds of teams, business projects, and organizations develop high performing team relationships and successful business results utilizing the following:

- | | | |
|---|--|--|
| <ul style="list-style-type: none"> • the use of problem solving techniques • resolving disputes, disagreements, and divergent views | <ul style="list-style-type: none"> • defining and refining the agenda • logistical meeting/conference support when performing technical facilitation | <ul style="list-style-type: none"> • debriefing and overall meeting planning • convening and leading large and small group briefings and discussions |
| <ul style="list-style-type: none"> • providing a draft for the permanent record | <ul style="list-style-type: none"> • recording discussion content and focusing decision-making | <ul style="list-style-type: none"> • preparing draft and final reports for dissemination |

Examples:

Rich has designed and facilitated Partnering and Team building programs to develop high performing project teams charged with administering and performing complex technical design, construction, and maintenance contracts up to \$360,000,000 for numerous Federal Agencies, including the U. S. Army Corps of Engineers, the U. S. Navy, the U. S. Coast Guard, and the Federal Highway Administration. These programs have included the following outcomes:

- Pre-session Assessments and Participant Interviews
- Build High Performing Team
- Identify Common Vision/Mission, Values, Goals, Expectations, and Contributions
- Develop Partnering Charter, Issue Resolution Ladder, Partnering Performance Assessments
- Identify and Resolve Project/Contract Issues
- Development Measurements to Monitor Success
- Plan Follow-Up for Continued Success

Award Winning Projects

One project received a Marvin M. Black Excellence in Partnering Award from the Associated General Contractors of America. Another project is listed on the AGC-Army Corps of Engineers Best Partnering Practices web site. It is a Navy job, Maintenance Support Facility Seawall Upgrade at NAS North Island, San Diego. See our web site, www.winwinresolution.com, for details.

C. SIN 874-4: Training Services

Win Win Resolution provides off-the-shelf, or customized off-the-shelf training packages under this SIN to meet specific agency needs related to management, organizational and business improvement services, such as, but not limited to:

Course Title	Days	Min	Max	GSA Price Year 1
Partnering Facilitation	2	5	30	\$4500
Win Win Conflict Replacement	2	5	30	\$4500

Example:

Rich has facilitated a 2-day Partnering Training for the U. S. Federal Aviation Administration.

D. SIN 874-2: Alternative Dispute Resolution (ADR) Services

Rich Fisher, JD, a former Trial Attorney with the U. S. Department of Justice, has 12 years experience providing Alternative Dispute Resolution (ADR) programs, both formal and informal, to government agencies, businesses, organizations, and the legal community. He has extensive training in Alternative Dispute Resolution and is skilled in evaluative, facilitative, and transformative mediation techniques. Rich is certified by the State of Washington Mediation Association in Business/Commercial, Construction, Environmental, International, Organizational, and Public Policy Mediation. These services may include, but are not limited to:

- facilitated, preventative, fact-finding, advisory, or imposed ADR
- mediation
- conciliation
- ombudsmen
- partnering
- consensus building
- negotiated rule-making
- joint problem solving
- neutral experts
- special masters
- magistrates
- summary jury trials
- early neutral evaluation
- private judging
- mini-trials
- non-binding arbitration
- binding arbitration

Examples:

*The Los Angeles District of the U. S. Army Corps of Engineers and a contractor resolved several conflicts on a \$360,000,000 project in 1.5 days

*Seattle District of the U. S. Army Corps of Engineers and a contractor resolved conflict on a \$20,000,000 U. S. Air Force housing project in 2 days

*The International Boundary and Water Commission and a contractor resolved conflicts in quality and pricing in 4 hours

*CINCPACFLT, the operational commands of the U. S. Navy's Pacific Fleet, and the Navy Pacific Public Works Centers, the Fleet's suppliers of goods and services, resolved a conflict in such a way that the Navy saved \$10,000,000

These programs have included the following outcomes:

- Preession Assessments and Participant Interviews
- Identification and Resolution of Conflict
- Seeing Individual/Organizational Differences as Project Strengths
- Structures for Effective Communication and Problem-Solving
- Strategic Planning for Mutual Success

4. Federal Agencies Served

- Department of Agriculture
- U. S. Air Force
- U. S. Army Corps of Engineers
- U. S. Coast Guard
- U. S. Environmental Protection Agency
- U. S. Federal Aviation Agency
- U. S. Federal Highway Administration
- U. S. Forest Service
- International Boundary and Water Commission
- U. S. Marine Corps
- U. S. Naval Facilities Engineering Command
- U. S. Navy Public Works Centers

5. Labor Categories

The SIN 874-1 Expert Consultants are individuals who have a Juris Doctor Degree and at least 10 years of consulting, facilitation, and strategic planning experience, or a Juris Doctor Degree additional Masters Degrees and 20 years experience in a relevant industry.

The duties of the Expert Consultants are the design and delivery of consulting services, including expert advice, assistance, guidance, or counseling in support of agencies' management, organizational and business improvement efforts.

The SIN 874-2 Expert Consultants are individuals who have a Juris Doctor Degree and at least 10 years of consulting, facilitation, and strategic planning experience, or a Juris Doctor Degree additional Masters Degrees and 20 years experience in a relevant industry.

The duties of the Expert Consultants are the design and delivery of facilitation services and related decision support services to agencies engaging in collaboration efforts, working groups, or integrated product, process, or self-directed teams.

The SIN-8 Expert Legal Consultant is an individual who has a Juris Doctor Degree, extensive civil litigation experience, specific training in Alternate Dispute Resolution, and at least 10 years of mediation and Alternate Dispute Resolution experience.

The duties of the Expert Legal Consultants are the design and delivery of expert services in support of agency Alternative Dispute Resolution (ADR) programs both formal and informal.

Administrative Support is an individual with at least an Associates Degree and 5 years of clerical and administrative support experience.

The duties of Administrative Support personnel include clerical work and administrative tasks in support of the services provided by the Expert Consultants.

6. Skill and Labor Rates for SINs 874-1, 874-2, and 874-8

MOBIS SIN	Skill Category	GSA Price Year 1
SIN-874-1	Expert	
SIN-874-2	Consultant	\$130/hr
SIN-874-8	Expert Legal Consultant	\$218/hr
SIN 874-1, 2, and 8	Admin. Support	\$18/hr

7. Ordering Instructions, Terms and Conditions

- A. Call Rich Fisher, JD, at (206) 282-7895
- B. Email Rich Fisher, JD, at rich@winwinresolution.com
- C. Minimum Order Quantity: \$300.00
- D. Maximum Order Quantity: \$1,000,000
- E. Geographic Coverage: FBO Destination "Domestic Delivery Only," the exact delivery time to be specified on Individual Delivery/Task Orders
- F. Discount Terms: 5% 10 days; Net 30

8. Detailed Case Studies of Services Provided

Example 1:

Project/Contract Name: Puget Sound Naval Shipyard Construction Project Mediation and Team Building.

Project Description: This project involved helping the U. S. Navy's Engineering Field Activity Northwest, URS Corp., GeoEngineers, and Wilder Construction Co. transform their relationship from a conflicted team to a high performing team. It was quite successful.

Dollar Amount of Contract: \$5,800.00

Project Duration: June 1 – October 1, 2003.

Point of Contact: Bill Clarno, EFA NW's project manager, (360) 396-0261, or Karen Smith, contracting officer, at (360) 396-0240.

Consulting Services SIN 874-1: I was **retained to provide expert advice and guidance to improve the management effectiveness** of the Puget Sound Naval Shipyard Environmental Construction Project Team.

The consulting services that I have provided to improve the management effectiveness of the Construction Project Team include the following:

-Strategic, business and action planning: A day long meeting of 20 members of the Construction Project Team was held on June 20, 2003, included the identification and implementation of strategies and action items to increase the effectiveness of the Construction Project Team in accomplishing its goals;

-High performance work and process and productivity improvement: During the June 20, 2003 meeting, above, I designed procedures to improve the effectiveness of the identification and resolution of issues by the Construction Project Team and to improve its performance and productivity. One of these processes is an Issue Resolution Ladder that promotes conflict and issue resolution at the project level and then structures the elevation of the issue to more senior members of the Construction Team, if those at the project level can't solve the problem. Another process is a Partnering Evaluation Process, which helps the Construction Team assess on a regular basis how they are doing in meeting their project goals.

-Organizational assessments: I used assessments on this project as tools to identify organizational and project issues to be resolved, vision and values to be implemented, goals to be obtained, strategies to be developed and tactics to be implemented.

-Performance measures and indicators: A Partnering Evaluation Process was implemented in the August meeting to track how the project team was doing in accomplishing its goals and objectives.

SIN 874-2 Facilitation Services: This project involved four separate organizations, with different organizational cultures and agendas: the Navy's Engineering Field Activity Northwest, part of the Naval Facilities Engineering Command, a public agency, URS Corporation, one of the largest engineering firms in the United States, GeoEngineers, a geotechnical engineering firm, and Wilder Construction Company, a large contractor.

I implemented **collaborative efforts** to help these four disparate organizations become a **self-directed team** for the construction of this environmental contract.

The **facilitation services** that I have provided include the following:

-Use of problem solving techniques;

resolving disputes, disagreements and divergent views: On this project these included implementing team building to create commitment to common goals, developing effective lines of communication to identify and resolve issues promptly and effectively, implementing a Conflict Resolution Ladder so that conflicts that arise at the operational level could be resolved quickly or elevated and resolved at the Project Management and Executive Team levels of the four organizations for resolution. I also helped implement a Partnering Evaluation Process so that the Construction Team could track their progress in accomplishing their project goals.

-Defining and refining the Agenda; convening and leading large and small group discussions; recording discussion content and focusing decision making; I designed a one-day team building, issue resolution, and partnering session for the Construction Team. I drafted and distributed a project survey to all participants, conducted participant interviews, defined and refined the meeting Agenda based on the results of the survey and interviews, convened and lead both large and small group discussions, recorded the session discussion content and focused the participants' decision making at the session.

Providing a draft for the permanent record; Preparing draft and final reports for dissemination. I prepared a draft and final report of the team building, issue resolution, and partnering session.

SIN 874-8: Alternative Dispute Resolution (ADR) Services

Partnering: The one day team building and issue resolution session, above, was technically a **"Partnering"** Session that included joint problem solving and consensus building. The team developed a Partnering Charter consisting of a mission statement, their common values, project goals, their expectations of one another, and the contributions they are willing to make to the team to assure a successful project.

Consensus Building and Joint Problem Solving:

At the Partnering session, mentioned above, I helped the team **develop consensus** as to the issues they wanted to resolve and then conducted a **joint problem solving session** to help the team solve their problems.

Mediation: This Construction Team had worked together before on a previous project. They had numerous conflicts on that job. I mediated their disputes on that previous job so they could begin with a "clean slate" on this job. The mediation process included drafting, distributing, and compiling results of a project survey, personal interviews, and conference calls where disputes were discussed and resolved.

Conciliation: I conciliated the different points of view and different objectives of the four organizations involved in this project so we had one meeting agenda that all agreed with.

Example 2:

Project/Contract Name: Sound Transit/Burlington Northern and Sante Fe Rail Road North Corridor Working Group Environmental Permitting Consulting, Facilitation, and Alternative Dispute Resolution Project. Project value: Greater than \$1 Billion.

Project Description: From April, 2004 through February, 2005, I consulted with the parties on obtaining the environmental and non environmental permits necessary to build the track improvements. I meet with the Working Group at their monthly Working Group Meeting. I often met with the Sound Transit and the Burlington Northern and Santa Fe Railway North Corridor Working Group to help them develop an effective approach to developing the design for track corridor improvements and obtaining the various permits. I met regularly with the Technical Committee that is addressing the project's technical issues. I conducted a Partnering Session with Working Group and Technical Committee members, and I have facilitated strategic planning sessions on schedule issues.

Dollar Amount of Contract: Approximately \$30,000.00.

Project Duration: April, 2004 - February, 2005.

Point of Contact and Telephone Number: Sound Transit Project Manager Frank Yanagimachi at (206) 398-5163 and yanagimachif@soundtransit.org.

Consulting Services SIN 874-1: I was **retained to provide expert advice and guidance to improve the management effectiveness** of the Sound Transit – Burlington Northern and Santa Fe Rail Road (ST/BNSF) Working Group assigned to develop the design for track corridor improvements and to obtain the environmental and non environmental permits necessary to build the track improvements so that additional commuter trains can operate between Seattle and Everett, Washington (North Corridor).

I observed the monthly meetings of the Working Group, the ST/BNSF North Corridor Technical Committee, consulted on a regular basis with each organization and with select individuals from each organization. **The consulting services that I provided to improve the management effectiveness of the Working Group include the following:**

-Strategic, business and action planning: A day long meeting of 30 members of the Working Group and Technical Committee held on June 16, 2004, included the identification and implementation of **strategies and action items to increase the effectiveness of the Working Group** in accomplishing its goals; a half-day session on October 14, 2004 to **develop strategies and action plan steps** to expedite the permitting and train service schedules.

-High performance work and process and productivity improvement: I designed procedures to improve the effectiveness of the identification and resolution of issues by the Technical Committee to improve its performance. I designed a project management strategic planning process to accelerate the obtaining of permits and the design of the track improvements.

-Organizational assessments: I used assessments as tools to identify organizational issues to be resolved, vision and values to be implemented, goals to be obtained, strategies to be developed and tactics to be implemented.

SIN 874-2 Facilitation Services: This project involves two agencies, with different organizational cultures and agendas, Sound Transit, a public agency, and Burlington Northern and Sante Fe Rail Road, a private corporation, using **collaborative efforts through a Working Group** and a **self-directed team**, Technical Committee, in the design and construction of track improvements and in the obtaining of necessary environmental and non environmental permits to support the design and construction. The facilitation services that I provided include the following:

-Use of problem solving techniques; resolving disputes, disagreements and divergent views: These have included implementing team building to create commitment to common goals, developing effective lines of communication to identify and resolve issues promptly and effectively, implementing a Conflict Resolution Ladder so that conflicts that arise at the Technical Committee level and be raised and resolved at the Project Management and Executive Team levels of ST and BNSF, respectively, implementing and issue identification and resolution process within the Technical Team, and designing a project management strategic planning process that looks at the entire project in such a way so that issues can be identified and resolved proactively and accelerate the completion of the project.

-Defining and refining the Agenda;

convening and leading large and small group discussions; recording discussion content and focusing decision making;

As part of my consulting practice I designed a one-day team building, issue resolution, and partnering session for the entire Working Group and Technical Committee that was held on June 16, 2004. I drafted and distributed a project survey to all participants, conducted participant interviews, defined and refined the meeting Agenda based on the results of the survey and interviews, convened and lead both large and small group discussions, recorded the session discussion content and focused the participants' decision making at the session.

I conducted a half-day session on October 14, 2004 to help the North Corridor Project Team, part of the Sound Transit-Burlington Northern Santa Fe Railway Working Group, **develop strategies and action plan steps** to expedite the permitting and train service schedules. I drafted, distributed, and compiled the results of a project survey, developed and refined the agenda for the meeting, lead the group discussion, recorded the discussion content and focused the decision making among group members.

Providing a draft for the permanent record;

Preparing draft and final reports for dissemination. I prepared a draft and final report of the team building, issue resolution, and partnering session; I have also prepared draft and final reports of the Working Group and Technical Committee meetings. I also prepared a draft and final report of the October 14, 2004 North Corridor Team strategic planning session mentioned above.

SIN 874-8: Alternative Dispute Resolution (ADR) Services

Partnering: The one day team building and issue resolution session, above, was technically a "**Partnering**" Session that included joint problem solving and consensus building. The team developed a Partnering Charter consisting of a mission statement, their values, project goals, their expectations of one another, and the contributions they are willing to make to the team to assure a successful project.

Consensus Building and Joint Problem Solving:

At the Partnering session, mentioned above, and at each monthly Working Group Meeting thereafter, I helped the team **develop consensus** as to the issues they want to resolve and then conducted **joint problem solving sessions** to help the team solve their problems.

Mediation: I worked with senior members of the Working Group to help resolve disputes in the interpretation of the Joint Use Agreement and the Environmental Impact Statement that govern their rights and obligations on this project.

Example 3:

Project/Contract Name: Adak Island Environmental Monitoring Project Mediation and Team Building.

Project Description: This project involved helping the U. S. Navy's Engineering Field Activity Northwest and ICRC, an environmental contractor, to transform their relationship from a conflicted team to a high performing team.

Dollar Amount of Contract: \$6,500.00

Project Duration: August 1 – December 31, 2004.

Point of Contact and Telephone Number: Jim Brown, Project Manager, U. S. Navy's Engineering Field Activity Northwest, (360) 396-0092; Catherine Shuman, Project Manager, ICRC, (907) 694-4272.

Consulting Services SIN 874-1: I was **retained to provide expert advice and guidance to improve the management effectiveness** of the Adak Island Environmental Monitoring Project Team.

The consulting services that I have provided to improve the management effectiveness of the Adak Island Environmental Monitoring Project Team include the following:

-Strategic, business and action planning: A day long meeting of 20 members of the Adak Island Environmental Monitoring Team was held on August 11, 2004, included the identification and implementation of strategies and action items to increase the effectiveness of the Environmental Monitoring Project Team in accomplishing its goals;

-High performance work and process and productivity improvement: On this project I designed procedures to improve the effectiveness of the identification and resolution of issues by the Environmental Monitoring Project Team and to improve its performance and productivity. These included clarifying roles and responsibilities of Team members, establishing procedures to timely submit and review project changes and submittals, developing an Issue Resolution Ladder to resolved project disputes timely, and a Partnering Evaluation Process to track the accomplishment of project goals.

-Organizational assessments: On this project I used assessments as tools to identify organizational and project issues to be resolved, vision and values to be implemented, goals to be obtained, strategies to be developed and tactics to be implemented.

-Performance measures and indicators: A Partnering Evaluation Process was implemented in the August meeting to track how the project team was doing in accomplishing its goals and objectives.

SIN 874-2 Facilitation Services: This project involved two separate organizations, with different organizational cultures and agendas: the Navy's Engineering Field Activity Northwest, part of the Naval Facilities Engineering Command, a public agency, and ICRC, a private contractor.

In this project I facilitated two disparate organizations in using **collaborative efforts** to become a **self-directed team** for the environmental monitoring of sites on Adak Island.

The facilitation services that I provided included the following:

-Use of problem solving techniques;

resolving disputes, disagreements and divergent views: During the August 11, 2004 meeting, above, I designed procedures to improve the effectiveness of the identification and resolution of issues by the Adak Island Monitoring Team and to improve its performance and productivity. These included implementing team building to create commitment to common goals, developing effective lines of communication to identify and resolve issues promptly. Another process is an Issue Resolution Ladder that promotes conflict and issue resolution at the project level and then structures the elevation of the issue to more senior members of the Monitoring Team, if those at the project level can't solve the problem. Another process

is a Partnering Evaluation Process, which helps the Monitoring Team assess on a regular basis how they are doing in meeting their project goals.

-Defining and refining the Agenda;

convening and leading large and small group discussions; recording discussion content and focusing decision making; I designed a one-day team building, issue resolution, and partnering session for the Adam Island Environmental Monitoring Team. I drafted and distributed a project survey to all participants, conducted participant interviews, defined and refined the meeting Agenda based on the results of the survey and interviews, convened and lead both large and small group discussions, recorded the session discussion content and focused the participants' decision making at the session.

Providing a draft for the permanent record;

Preparing draft and final reports for dissemination. I prepared a draft and final report of the team building, issue resolution, and partnering session.

SIN 874-2: Alternative Dispute Resolution (ADR) Services

Partnering: The one day team building and issue resolution session, above, was technically a "**Partnering**" Session that included joint problem solving and consensus building. The team developed a Partnering Charter consisting of a mission statement, their common values, project goals, their expectations of one another, and the contributions they are willing to make to the team to assure a successful project.

Consensus Building and Joint Problem Solving:

At the Partnering session, mentioned above, I helped the team **develop consensus** as to the issues they wanted to resolve and then conducted a **joint problem solving session** to help the team solve their problems.

Mediation: The Adak Island Monitoring Team had worked together before on a previous project. They had experienced numerous conflicts on that job that threatened to adversely affect their working relationships on this project. I mediated their disputes from that previous job so they could begin with a "clean slate" on this job. The mediation process included drafting, distributing, and compiling results of a project survey, personal interviews, and conference calls where disputes were clarified. We resolved the disputes at the Partnering session.