



مدیران حرفه‌ای صنعت ساخت (بر اساس سندی از انجمن مدیریت ساخت آمریکا (CMAA))

معرفی دوره

ارائه دهنده:

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مدیران حرفه‌ای صنعت ساخت
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CMAA
Construction Management
Association of America

ACEMI

مقدمه

تدوین گردیده تا در کنار مراجع دیگری که توسط بزرگان مدیریت ساخت تدوین شده، به بررسی این ساختار و الزامات حرفه‌ای شدن در زمینه مدیریت پروژه‌های صنعت ساخت بپردازد.

این دوره از ۲ بخش اصلی تشکیل شده است. در بخش اول، راهنمای حرفه‌ای که برای مدیران ساخت توسط انجمن مدیریت ساخت آمریکا ارائه شده است، آموزش داده می‌گردد تا با اصول و رویه اجرایی برای تبدیل شدن به یک مدیر ساخت حرفه‌ای آشنا شوید. اما در بخش دوم، نحوه پیاده‌سازی این اصول را با بررسی نمونه‌های موردی متعدد و تحلیل سناریوهای مختلف، در مواردی چون مدیریت تدارکات قرارداد، مدیریت اسناد، مدیریت روابط با کارفرما، مدیریت ساخت در عرصه بین‌الملل، مدیریت تکنولوژی و اطلاعات دیجیتال و مدیریت ساخت در بحران، فرا خواهید گرفت.

مواردی که هم برای سازمان‌ها و هم اشخاص حقیقی فعال در صنعت ساخت، بسیار پراهمیت است و به عنوان یک الزام برای تبدیل شدن به Professional Construction Manager یا مدیر ساخت حرفه‌ای تلقی می‌گردد.

مدیریت ساخت، مدیریت حرفه‌ایی است که به منظور برنامه‌ریزی، طراحی و ساخت پروژه‌های صنعت ساخت، از آغاز تا پایان، به کارگرفته شده تا اهداف پروژه، اعم از زمان، محدوده، هزینه و کیفیت، محقق گردند.

مدیر ساخت، یک سازمان حقوقی یا یک فرد حقیقی است که به واسطه تخصص و منابعی که در اختیار دارد، قادر به ارائه خدمات مدیریت ساخت است. مدیران ساخت محدوده وسیعی از خدمات را به عنوان مشاور و یا نماینده قانونی به کارفرمایان در سطوح مختلف پروژه و طرح ارائه می‌نمایند.

با این دو تعریف فوق که بر اساس استاندارد مدیریت ساخت انجمن CMAA ارائه گردیده است، برای مدیریت موثر پروژه‌های صنعت ساخت، به مدیریت ساخت حرفه‌ای نیاز داریم. مدیریتی که به مدیران حرفه‌ای در این صنعت نیاز دارد. بر همین اساس، دوره‌ای در موسسه ACEMI برای اولین بار در کشور، مختص مدیران پروژه در صنعت ساخت (ساختمانی، زیرساختی و صنعتی) و بر اساس یکی از مهم‌ترین و جدیدترین اسنادی که توسط انجمن مدیریت ساخت آمریکا (CMAA) به نام Professional Practice منتشر شده است،

« مدیریت قراردادهای ساخت و موافقت‌نامه‌ها: معرفی نمونه موردی قرارداد ساخت، چالش‌های رفتاری در قراردادهای ساخت (انعقاد قرارداد با پیمانکاران جزء، اشتباه در تسلیم مدارک، قیمت‌گذاری دستورات تغییر، ادعاهای غیرواقعی، پرداخت به پیمانکاران جزء، خرید مصالح و درخواست پرداخت در قراردادهای Cost-Plus)، استاندارد کاربردی، بحث و جمع‌بندی سناریوها

« مدیریت روابط با کارفرما: معرفی نمونه موردی در روابط با کارفرما، چالش‌های رفتاری در روابط با کارفرما (هدیه دادن، اشاعه اخبار منفی درباره رقیب، سوء استفاده کارفرما از روابط کارفرما-پیمانکار، پرداخت مازاد پیمان و تبادل اطلاعات)، استاندارد کاربردی، بحث و جمع‌بندی سناریوها

« مدیریت ساخت در عرصه بین‌الملل: معرفی نمونه موردی در عرصه بین‌الملل، چالش‌های رفتاری در عرصه بین‌الملل (هدیه دادن در عرصه بین‌الملل، استانداردهای ساخت، استانداردهای محیط زیست، ایمنی پروژه و ساعات کاری)، استاندارد کاربردی، بحث و جمع‌بندی سناریوها

« مدیریت تکنولوژی و اطلاعات دیجیتال: معرفی نمونه موردی تکنولوژی، چالش‌های رفتاری در مدیریت اطلاعات و تکنولوژی (محافظت از اطلاعات سازمان، محافظت از اطلاعات مشترک پروژه، محافظت از اطلاعات محرمانه، استفاده از ایمیل و استفاده از شبکه اجتماعی)، استاندارد کاربردی، بحث و جمع‌بندی سناریوها

« مدیریت ساخت در بحران: معرفی نمونه موردی در بحران، چالش‌های رفتاری در زمان بحران (میزان اطلاعات کافی، افراد تصمیم‌گیرنده، زمان و نحوه مطلع شدن از شرایط و نحوه تصمیم‌گیری)، استاندارد کاربردی، بحث و جمع‌بندی سناریوها

« ۱. راهنمای رفتار حرفه‌ای برای مدیران ساخت اصول رفتار حرفه‌ای: اساس رفتار حرفه‌ای در صنعت ساخت، چالش‌های رفتاری در صنعت ساخت، اجزای یک کسب‌وکار حرفه‌ای، آیین‌نامه رفتار حرفه‌ای انجمن مدیریت ساخت آمریکا (CMAA)، بیانیه ارزش CMAA، رویه اجرایی مبتنی بر اخلاق (مدل تصمیم‌گیری بر پایه اخلاق، تعارض منافع، گوناگونی، انصاف و حس تعلق)، تعالی حرفه‌ای (اهداف سه‌گانه، دستیابی به محدوده و مشارکت در صنعت)، مسئولیت اجتماعی و رویه اجرایی کارفرمامحور (تحویل پروژه و طرح جبران مالی عادلانه و نحوه انتشار اطلاعات)

« رهبری حرفه‌ای تیم: مدیریت در قیاس با رهبری، هوش هیجانی در قیاس با بهره‌مندی، توسعه فرهنگ تیمی (هدایت نیروهای زیردست، هم‌رده و مافوق)، مدیریت ارتباطات، اسناد پروژه، طرح و ایمنی، ۷ راز موفقیت رهبران استثنایی، نحوه ساختن تیمی موثر و پربازده، بهترین رویه اجرایی (Best Practice) برای حل مسئله خلاقانه

« پذیرش مسئولیت حرفه‌ای در قبال صنعت، جامعه و نسل آتی: کمک به پیشرفت حرفه (ترویج آموزش حرفه‌ای، ایجاد محیط کاری متنوع، فراگیر، منصفانه با احساس تعلق)، رویه‌های اجرایی عادلانه در کسب‌وکار (فرآیند انتخاب مدیر ساخت، تدارکات و انتخاب وندورها)، نحوه پایداری و دوام‌آوری در صنعتی پیچیده

« ۲. پیاده‌سازی رفتار حرفه‌ای در صنعت ساخت مدیریت تدارکات قرارداد: معرفی نمونه موردی تدارکات قرارداد، چالش‌های رفتاری در تدارکات قرارداد (اشتباه در اسناد پروژه، Bid Shopping و Receipt of Favor)، استاندارد کاربردی، بحث و جمع‌بندی سناریوها

معرفی سرفصلها

آنچه خواهید آموخت

در این دوره، با پیاده‌سازی آنچه در بخش راهنما فرا می‌گیرید و بکارگیری مواردی که در بخش نمونه‌های موردی و تحلیل سناریوهای مختلف خواهید آموخت، در مسیر اصولی‌تری برای تبدیل شدن به یک مدیر ساخت حرفه‌ای و رسیدن به مدل تعالی حرفه‌ای قرار خواهید گرفت. در واقع هدف این دوره آنست که:

- ۱ شما را با اصول رفتار حرفه‌ای در صنعت ساخت آشنا کند.
- ۲ الزامات لازم را برای تبدیل شدن به Professional Construction Manager یا مدیر ساخت حرفه‌ای به شما آموزش دهد.
- ۳ با بررسی سناریوهای مختلف، نحوه پیاده‌سازی اصول رفتار حرفه‌ای و انجام تحلیل‌های مختلف را بیاموزد.

وجه تمایز این دوره

- ۱ اولین برگزارکننده دوره مدیران حرفه‌ای صنعت ساخت در کشور که با تمرکز بر آیین‌نامه‌های رفتاری مختص صنعت ساخت و بر اساس استانداردهای بین‌المللی مدیریت ساخت تدوین گردیده است.
- ۲ ارائه نمونه‌های موردی و تحلیل موارد ارائه شده در راهنما بر روی سناریوهای مختلف
- ۳ متمایزسازی فراگیران به دلیل آموزش به‌روزترین اسناد تخصصی مدیریت ساخت در دنیا که بعضاً دسترسی به برخی از آنها در کشور سخت و یا ناممکن است.
- ۴ ارائه ویدیوها و جزوات به صورت کامل (جزوات تنها در اختیار اعضای کانون قرار می‌گیرند).
- ۵ گروه پشتیبانی ۶۰ روزه از زمان شروع دوره
- ۶ ارائه محتوا به صورت جامع، ساختار یافته و هدفمند در راستای نقشه راه CM

جزئیات دوره



نوع دوره	مهارت سخت
سطح دوره	ارشد - استراتژی
سطح تخصص	سطح ۳
دپارتمان	مدیریت پروژه
مدرس	دکتر سید محمدرضا علوی‌پور
گواهینامه‌ها	گواهینامه حضور
پیش‌نیاز	مدیریت پروژه بر اساس PMBOK

مهارت‌های سخت (Hard Skills) - سطح کارشناسی و اجرایی

سطح ۵	سطح ۴	سطح ۳	سطح ۲	سطح ۱	دپارتمان‌ها
	استاندارد مدیریت ساخت CMAA	متدولوژی Prince2	راهنمای PMBOK	مدیریت پروژه‌های صنعت ساخت	مدیریت پروژه
	تامین مالی پروژه			مدیریت مالی و هزینه پروژه ارزیابی اقتصادی پروژه	مدیریت مالی و هزینه
				برنامه‌ریزی و کنترل پروژه نرم‌افزار MSP نرم‌افزار P6	مدیریت برنامه‌ریزی و زمان‌بندی
		مدیریت کیفیت پروژه			مدیریت کیفیت
اجرای پروژه به روش CM			مدیریت ادعاء و اختلافات	آنالیز تاخیرات پروژه	مدیریت قرارداد
		مدیریت ایمنی پروژه			مدیریت ایمنی
مدیریت طرح		مدیریت چابک Agile	مدیریت پروژه به روش Lean دفتر مدیریت پروژه (PMO)		مدیریت طرح و برنامه
		مدیریت پایداری پروژه			مدیریت پایداری
			مدیریت ریسک پروژه		مدیریت ریسک
			نرم‌افزار Power BI	مدیریت اسناد و مدارک پروژه	مدیریت اطلاعات
	مدیریت BIM در پروژه		نرم‌افزارهای BIM		مدیریت مدل‌سازی اطلاعات ساختمان (BIM)

مهارت‌های سخت (Hard Skills) - سطح ارشد استراتژی

سطح ۵	سطح ۴	سطح ۳	سطح ۲	سطح ۱	دپارتمان‌ها
		منشور اخلاق در مدیریت پروژه			مدیریت پروژه
			استراتژی مدیریت هزینه و مهندسی ارزش		مدیریت مالی و هزینه
			استراتژی مدیریت برنامه‌ریزی و زمان‌بندی		مدیریت برنامه‌ریزی و زمان‌بندی
		استراتژی مدیریت کیفیت			مدیریت کیفیت
			استراتژی مدیریت قرارداد	اصول مدیریت ساخت	مدیریت قرارداد
		استراتژی مدیریت ایمنی			مدیریت ایمنی
استراتژی مدیریت طرح و برنامه					مدیریت طرح و برنامه
		استراتژی مدیریت پایداری			مدیریت پایداری
		استراتژی مدیریت ریسک			مدیریت ریسک
		استراتژی مدیریت اطلاعات			مدیریت اطلاعات
استراتژی مدیریت BIM					مدیریت مدل‌سازی اطلاعات ساختمان (BIM)



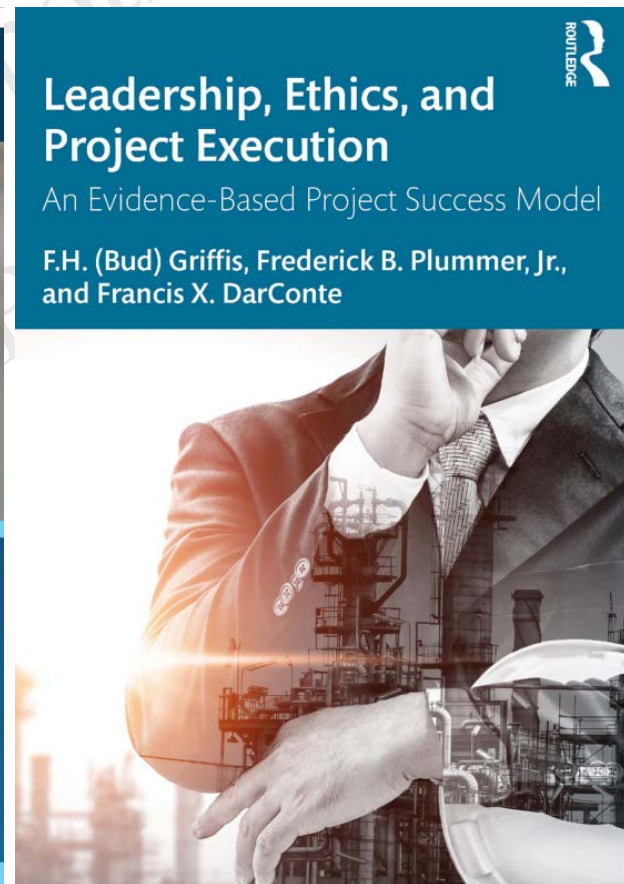
References Used in This Course



Professional Ethics for the Construction Industry

Second Edition

Rebecca Mirsky and John Schaufelberger



Other resources

- ❑ **Building Team Efficiency and Effectiveness: Best Practice of Divergent and Convergent Thinking Skills**, Teresa Lawrence, CMAA, **2017**
- ❑ **The Seven Success Secrets of Extraordinary Leaders**, John Doehring, CMAA, **2017**
- ❑ **Survey of Construction Industry: Ethical Practices**, FMI Consulting Corporation, CMAA, **2004**

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مدیران حرفه‌ای صنعت ساخت (بر اساس سندی از انجمن مدیریت ساخت آمریکا (CMAA))

فصل اول: راهنمای رفتار حرفه‌ای برای مدیران ساخت

بخش اول: مدل مدیریت ساخت حرفه‌ای

ارائه دهنده:

سید محمدرضا علوی پور

(PhD, PMP, CMIT)

دانشگاه Illinois Tech آمریکا

What we will learn?

- ☐ Project success model

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PROJECT SUCCESS MODEL

All projects cannot be successful!

<i>Project</i>	<i>Cost Overrun%</i>
Sydney Opera House, Australia	1,400%
Montreal Summer Olympics, Canada	720%
Boston's Big Dig, USA	220%
Denver International Airport, USA	200%
Channel Tunnel, UK, France	80%

Source: Excerpt from Flyvbjerg 2017, 9–11, Table 1.2

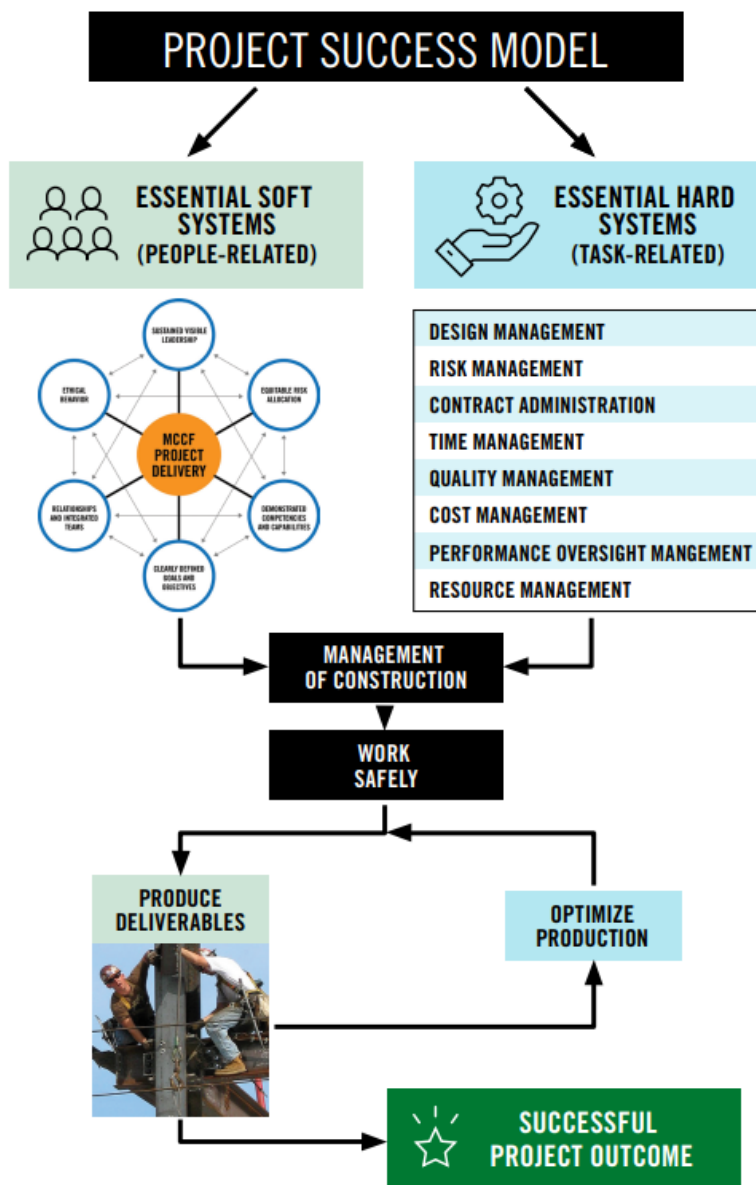
But why does it happen?

All projects cannot be successful!

But why does it happen?

We have a secret to share with you! Project delivery is a *people business*, and it is easy to forget that projects succeed—or fail—because of people. More alarmingly, most project stakeholders do not understand the engagement conditions or delivery environment connected to the creation of high-performance teams and project success.

So, what do we need?





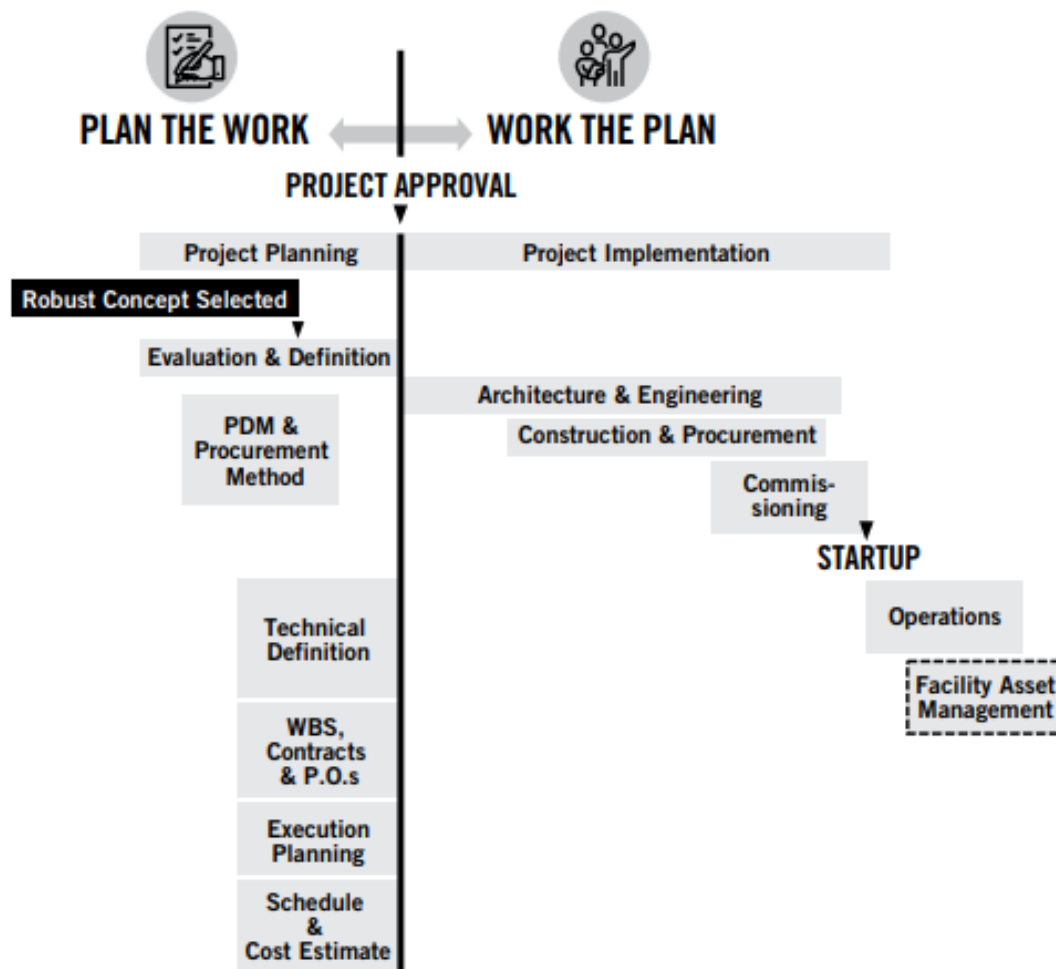
Success needs

مدیریت حرفه‌ای صنعت ساخت (بر اساس سندی از CMAA)
فصل اول: راهنمای رفتار حرفه‌ای برای مدیران ساخت
بخش اول: مدل مدیریت ساخت حرفه‌ای

1. Ethics
2. Leadership
3. Project execution

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Overall project execution framework





مدیران حرفه‌ای صنعت ساخت (بر اساس سندی از انجمن مدیریت ساخت آمریکا (CMAA))

فصل اول: راهنمای رفتار حرفه‌ای برای مدیران ساخت

بخش دوم: اصول رفتار حرفه‌ای

ارائه دهنده:

سید محمدرضا علوی پور

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What we will learn?

- ☐ Ethics fundamentals
- ☐ Ethical decision
- ☐ Moral obligations
- ☐ Ethical approaches
- ☐ FMI and CMAA Survey
- ☐ Ethical challenges in the construction industry
- ☐ Components of a business ethics and conduct program
- ☐ Construction manager
- ☐ CMAA code of professional conduct
- ☐ CMAA's statement of values
- ☐ Ethical practice

What we will learn?

- ☐ Ethical practice
- ☐ Professional excellence
- ☐ Responsibility to the public
- ☐ Client-centered practice
- ☐ 15 cybersecurity best practices for organizations

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ETHICS FUNDAMENTALS

What is ethic?

- ❑ **Whether or not** a set of beliefs is based on **religious tenets**, those beliefs constitute the moral values **people use** to distinguish between **right and wrong** in making personal and business decisions.
- ❑ **Each decision** has consequences, both to ourselves and to others.
- ❑ Generally, there are **three primary ethical directives**:
 1. Loyalty,
 2. Honesty,
 3. Responsibility.



What are their definitions?

What is ethic?

- ❑ Loyalty may be **requested** from **many groups and institutions**:
friends, family, employer, profession, and society.
- ❑ Honesty is **more than truth telling**.
 - ❖ It involves **not lying**, but, more importantly,
the **correct representation** of ourselves, our actions, and our views.
- ❑ Responsibility means
 1. Anticipating the **potential consequences** of our actions and
 2. Taking **responsible measures** to **prevent** harmful occurrences.



What is ethic?

- ❑ Whereas **laws and regulations** define courses of action to which we must legally adhere or avoid, ethics include **standards of conduct** to help us make the right decisions.



Let's see an example!

What is ethic?

❑ For example, an **individual** may hold a moral belief that stealing is wrong.

❖ **Aside from legal interpretations,**

ethics provides a framework for that individual to evaluate **why stealing** is wrong, or unethical, in a certain context.

- ✓ Perhaps it is unethical because the **individual has represented himself** as an honest person.
- ✓ Or maybe it is unethical **because by stealing**, the individual gives herself an unfair advantage over someone else.
- ✓ Or perhaps it is unethical because it **deprives another of his right** to the stolen item.

What is ethic?

- ❑ Associate Justice of the U.S. Supreme Court Potter Stewart had an enlightening view of Ethics:

Ethics is knowing the difference between what you have a right to do and what is right to do. (Stewart 2019)



What is ethic?

- ❑ **Dr Joanne B. Ciulla** has added clarity to the literature on ethics.
- ❑ This clarity is valuable for any **young professional to know**.
- ❑ Here is her description of ethics:

*The study of ethics is about **human relationships**.*

*It is about **what we should do** and **what we should be like** as*

human beings,

members of a group or society, and

in the different roles that we play in life.

*It is about **right and wrong**, and **good and evil**. (Ciulla 2003b, 302)*

So what does value mean?

❑ **Ethics** is based on an individual's values,

which are **accumulated over a lifetime** from an early age and from a variety of sources.

The following examples are some of those sources.

Family

The heart

Religion

Organizations and associations

Rules, regulation, and procedures



What does virtue mean?

❑ So, this is where **values come from**,

but are **values enough** to **guide you** in moral decision-making?

❑ Ciulla draws a **distinction** between virtues and values that is worth keeping in mind.

*The **properties** of virtues are very different from the properties of other moral concepts, such as values.*

*Virtues are ideals that you **have only if you practice them**.*

*Values are ideals that are **important to you**.*

*I may **value honesty** but **not always tell the truth**.*

*I cannot possess the **virtue** of honesty **without telling the truth**.*

(Ciulla 2003b, 325)



ETHICAL DECISION

Ethical decision

How, then, does one make ethical decisions?

- ❑ Ethical decisions are often referred to as **dilemmas** because they **arise from situations** that are rarely black or white.
- ❑ We can **use** the **reasoning behind** the various ethical theories to help us to **navigate the gray areas** we frequently encounter in our professional and personal lives.

Suppose you and your companion stop by a garage sale one Saturday morning. An elderly woman is selling many of her possessions. You hear her talking to one of her friends and saying something to the effect that she lives on social security and she often has to make choices between buying food and buying her many medicines. You look at some trinkets, among which is a ring with a nice red stone. The woman has a \$12 price tag on it. Because these types of sales are a game in bargaining, you offer her \$6 for the ring and you finally settle for \$9. Both of you are satisfied. As a joke, you take the ring to the father of a friend who is a jewelry appraiser. He looks at the ring and immediately says he will buy it from you for \$34,000. The nice red stone is a very rare ruby. What are you going to do? Why?

Think about it! Before you read any farther, take a few minutes to think about what you would do, using only your “moral compass.” There are no “right answers,” but there are ethical ones. Now, write your answer on a sheet of paper and read on.

How does it relate to companies?

❑ Companies rapidly lose their

- ❖ Good reputations,
- ❖ Shareholders,
- ❖ Employees lose their savings and jobs, and
- ❖ In these big cases, whole industries come under suspicion.



**Businesses lose trust!
What does that mean?**

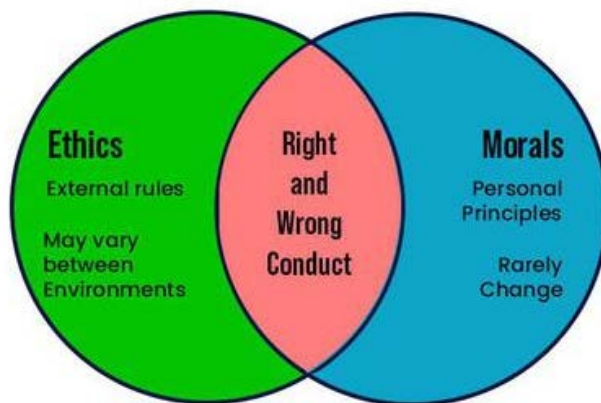
Ethical decision

- ❑ The **resultant lack of trust** in business can mean
 - ❖ Higher legal costs,
 - ❖ Additional regulations,
 - ❖ More complex contracts, and
 - ❖ A generally less cooperative environment in which to work.

What do we mean by “moral principles and values”?

MORAL OBLIGATIONS

- ❑ We have covered ethical **virtues and values**, and where they come from.
- ❑ By now you have a good idea of which ones are your **virtues**,
which are your **values**, and which are **neither**.
- ❑ Our moral obligations seem to follow **from our virtues and values**.
- ❑ These are **behaviors** that we feel we must do or not do.
- ❑ For example, “**you shall not murder**” is generally accepted as a moral obligation.
- ❑ If anyone chooses to have **integrity**—to live ethically—that person takes on certain **moral obligations**, according to Ciulla.
- ❑ These obligations—in relationships with other **people**—**apply to** both leaders and followers.



ETHICS VS MORALS

In most cases, when any one of us does something, we try to act according to what society believes is right. More often, we listen closely to what our own beliefs about right or wrong are telling us, even if they're different from society's views. These two have to do with ethics and morals.

MEANING

ETHICS refers to the rules that a **social** system provides us with.

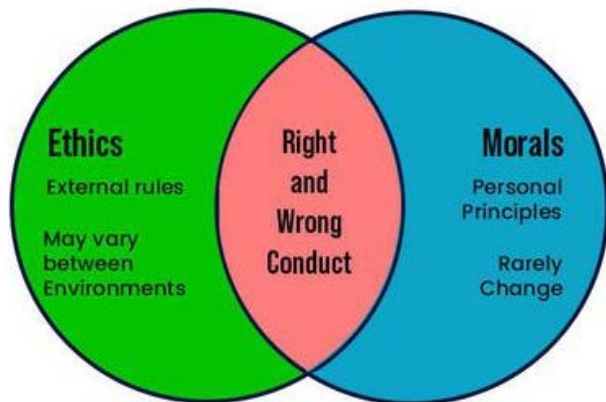
MEANING

MORALS are **our** own principles.



It's necessary to act according to ethical principles even if they don't agree with your own feelings. Because If you don't, other people are likely to start judging you. In contrast, when we act according to morals, we do something because we personally are certain that this is the right thing to do.

- ❑ Morality is a set of **accepted standards or rules** about what is **right or wrong conduct**.
- ❑ Conduct or behavior is the way a **person responds** to a set of conditions.
- ❑ Therefore, when we speak of an action being “**unethical**,” we mean an **action** that is **inconsistent** with agreed-upon moral conduct.



Let's see what are the five ethical approaches that are common in construction!



ETHICAL APPROACHES

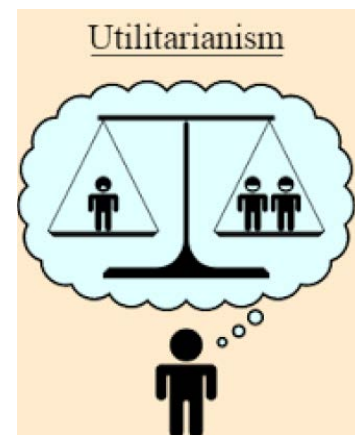
Ethical approaches

- ❑ There are many excellent books, journals, articles, and other references that explore deeply, and in great detail, the different theories and branches of ethical thought.
- ❑ For our focused look at business ethics, and specifically **business ethics for construction**,
we will limit ourselves to **five ethical approaches** that we can apply to some
of the **most common ethical challenges** in our industry:

Five ethical approaches applied in construction industry

1. The Utilitarian Approach

- ❑ The ethical choice is **whichever produces the greatest good for the greatest number of people.**
- ❑ The Utilitarian Approach is concerned with
 1. Consequences of the **action or decision** (as opposed to the motivation or the means), and
 2. Direct or indirect impacts on everyone involved.



Is it always beneficial or negative to others?

Five ethical approaches applied in construction industry

1. The Utilitarian Approach

- ❑ When applying the Utilitarian Approach, it is possible that **individuals may be harmed**, or suffer negative consequences, as long as the majority of those affected **benefit from the decision**.
- ❑ The Utilitarian Approach also **allows** for using potentially unethical means such as **lying** to achieve the **end goal of maximum benefit** to the greatest number.



Five ethical approaches applied in construction industry

2. The Rights Approach

- ❑ The ethical choice is the one that **respects** the fundamental rights of others to be **treated as equals**
capable of making their own decisions.
- ❑ Some of the common fundamental rights are free speech, liberty, safety and security, and equal protection under the law.



Five ethical approaches applied in construction industry

2. The Rights Approach

❑ Rights are also related to duty;

1. If we **acknowledge** that others have fundamental rights, then we have a **duty to respect** those rights.
2. If we **ignore** that duty, then we have **acted unethically**.



Five ethical approaches applied in construction industry

3. The Justice Approach (Fairness approach)

- ☐ The **ethical choice** is the one that treats everyone involved **fairly** and in accordance with what they are due.
- ☐ This means that people in equal circumstances should be treated **(and compensated) equally**.
 - ❖ This approach is commonly applied in situations involving discrimination in the **workplace**.

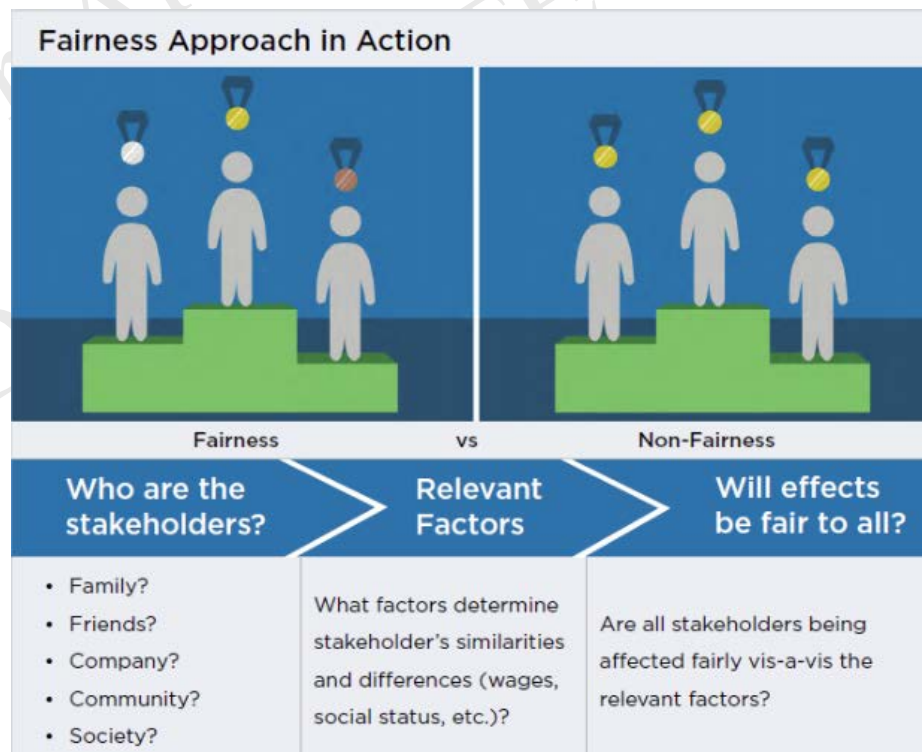
How to evaluate?

Five ethical approaches applied in construction industry

3. The Justice Approach (Fairness approach)

❑ In evaluating a situation using the Justice Approach, we ask,

“Are the individuals in this situation being treated equally, and if not, is there a justifiable reason for the inequality?”



Five ethical approaches applied in construction industry

4. The Common Good Approach

- ❑ The **ethical choice** is the one that promotes or contributes to the **common good of society** or the **community**.
- ❑ This approach is based on the **assumption** that there are certain services and resources, either natural or human made, whose existence **benefits our common good as a society**, and that the **ethical choice** preserves and protects those resources.



Five ethical approaches applied in construction industry

4. The Common Good Approach

❑ **Examples** of services and resources that we all benefit from might include

- ❖ A healthy environment,
- ❖ A robust healthcare system,
- ❖ High quality education, and
- ❖ Modern infrastructure.

❑ **Problems and conflicts arise** when

- ❖ People **value** resources **differently**,
- ❖ Choose to use **more than their fair share**, or
- ❖ **Refuse to conserve** so that others may also benefit.



Five ethical approaches applied in construction industry

4. The Virtue Approach

- ☐ The **ethical choice** is the one that arises from and demonstrates our **moral virtues**.
- ☐ Honesty, integrity, respect, trust, and fairness are all **examples of virtues**.
- ☐ **Companies** commonly **include the virtues** they value most highly within their stated **core values**.
- ☐ These are understood to **form the foundation** for the corporate culture and **how** the company conducts its business.



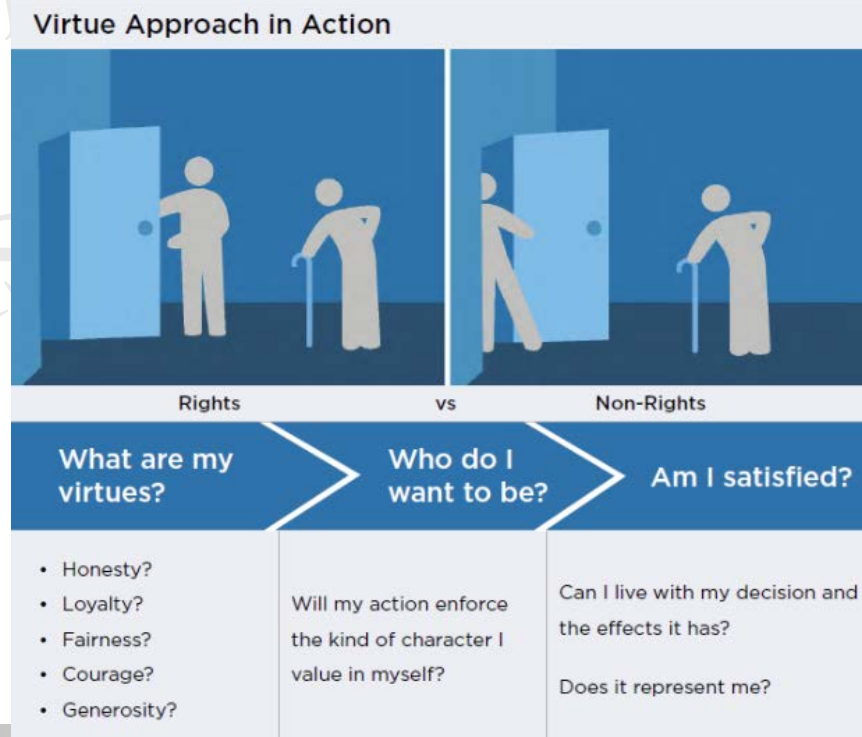
Five ethical approaches applied in construction industry

4. The Virtue Approach

□ When faced with an ethical dilemma,

the **Virtue Approach** requires that the individual or the company **act in such a way that**

personifies the virtues for which they **want to be known**.



Five ethical approaches applied in construction industry

- ❑ Applying an ethical approach in a business setting **means** using our **knowledge** of ethical decision-making in management and operations of that business.
- ❑ Because there can be pitfalls with any single ethical approach when **used alone**, a **sound framework** for ethical decision-making **looks** at a **situation** from the perspective of each approach.

Let's see how it works in our construction business!

**ETHICAL CHALLENGES IN
THE BUSINESS IN
CONSTRUCTION INDUSTRY**

- ❑ **Human survival** depends on the **protection and services** provided by our built environment.
 - ❖ Laws, codes, and standards to ensure **safety and quality** have been an integral part of the construction industry for hundreds of years.
- ❑ The **earliest known building code** is found in the Code of Hammurabi, dating back to nearly 1800 BC.



- ❑ The Babylonian king Hammurabi believed in strict punishment for **shoddy work**, stating:

*If a **builder** has built a house for a man, and has **not made his work sound**, and the house he **built has fallen**, and caused the **death of its owner**, that **builder shall be put to death**. (Hammurabi's Code of Laws, no. 229)*



- ❑ Today we **address** building safety and quality through building codes, safety regulations, and a wealth of specifications and standards.
 - ❖ But **many of the decisions** about how a construction company conducts business are not so well defined.
- ❑ A **company's success** is tied to its reputation, and that reputation is built on relationships with
 - ❖ Clients,
 - ❖ Partners,
 - ❖ Subcontractors,
 - ❖ Suppliers,
 - ❖ Employees,
 - ❖ Agencies, and
 - ❖ Community.

What areas we have the most ethical challenges?



Challenges

❑ In construction, we face **many ethical dilemmas** in

- ❖ Contract procurement,
- ❖ Cost estimating,
- ❖ Project management,
- ❖ Accounting/financial management,
- ❖ Customer relations,
- ❖ Subcontractor relations, and
- ❖ Material vendor relations.



Why addressing these challenges are important?

Customers and employees

❑ A construction company's ability to

- ❖ Acquire and retain **customers**
- ❖ As well as to attract and retain **talented employees**

is **directly influenced** by its reputation for

Ethical culture and the ethical behavior of

its leaders and employees.



How much reputation is important here?

Daily decision and ethical situations

- ❑ Construction is basically a service industry, and **purchasers** of construction services have choices.
 - ❖ Thus, a reputation for **ethical behavior** is essential for success.
- ❑ A company's ethics needs to be **one of its core values** to **guide** its employees in making daily decisions.
- ❑ Mishandling ethical situations can **damage the company's reputation** and **destroy the morale of its employees**.



Is there a temptation here?

Temptation

❑ The construction industry is also **extremely competitive** with ample temptation to look for **advantages** by

- ❖ Cutting corners,
- ❖ Making backroom deals,
- ❖ Favoring friends or relatives, or
- ❖ Withholding information.

AI overviews are experimental. Learn more

Withholding information, also known as knowledge hiding or knowledge hoarding, is **when someone intentionally holds back information from colleagues to gain power**. This can involve holding back all information, sharing information too late, or being vague or unclear. For example, a manager might withhold relevant knowledge from their team.



So, is it against financial success?

Contrary to financial success

- ❑ At times, it can seem that the **ethical decision** runs contrary to the financial success of the company, and it can be **extremely difficult** for companies and their employees to know **how to proceed**.
- ❑ This is **particularly challenging** in the management of construction projects which rely on **successful collaboration** of individuals representing diverse organizations with different ethical cultures.

*Treating everyone fairly should be emphasized in the **execution** of construction projects.*

Is it fair now?

FMI and CMAA SURVEY

Survey methodology

- ❑ FMI conducted the “**Survey of Construction Industry Ethical Practices**” in conjunction with the Construction Management Association of America (CMAA) to **gauge ethical practices** and concerns in the construction industry.

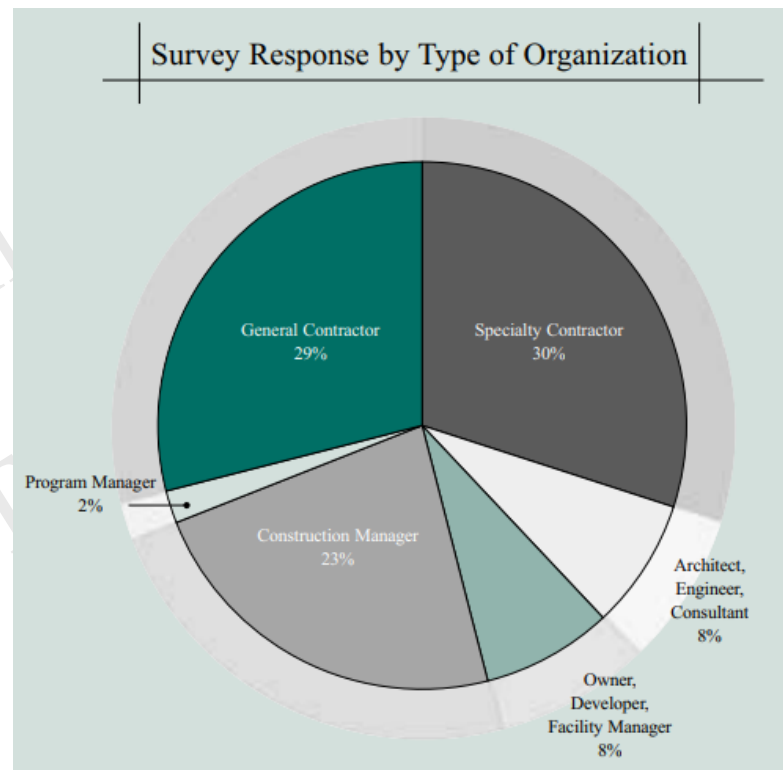
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Survey methodology

- ❑ The survey link **was sent by FMI electronically** to a randomly selected list of owners, architects, engineers, construction managers, general contractors, and subcontractors.
- ❑ In addition, **CMAA** sent the survey link to its membership.
- ❑ The American Subcontractors Association (ASA) also helped **solicit responses** from their membership, and
ASA made the link available through the **association's web site**.

Survey methodology

- ❑ **Over 270 people** responded to the survey.
- ❑ A cross section of the industry responded to this survey including
 1. Owners,
 2. A/E firms,
 3. Construction management firms,
 4. General contractors, and
 5. Subcontractors
 from both large and small companies.



Trust tops list of key concerns

- ❑ It is apparent from our survey that **few companies** make ethical issues part of their mission statement or strategic plan,
at least **not to the point** of drafting ethical codes.

Why?

Trust tops list of key concerns

- ☐ It is **hard to find the benefits** in such an approach, especially in dollar terms.
- ☐ For **those who prefer** to conduct business ethically,
there seems to be a **sense of powerlessness** to change things,
because this is “**the way it’s done in this business.**”
- ☐ Whether they **like it or not**, many people will work with **companies that are unethical**.
- ☐ If this is true, and our survey indicates that it is, then maybe our **survey will help** to bring **ethical questions** to the table.

Trust tops list of key concerns

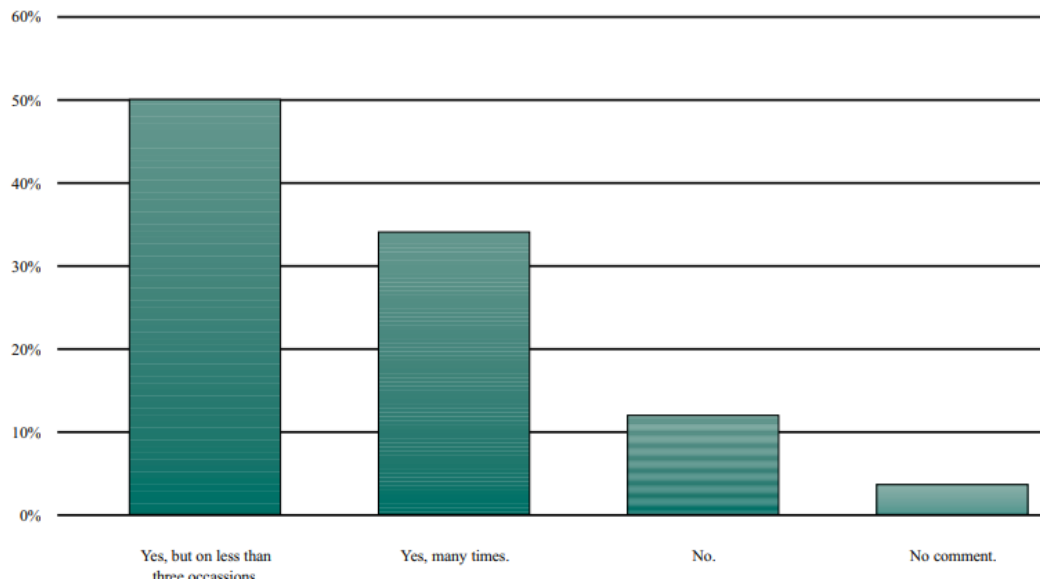
- ☐ Ultimately, **we think** that most companies and individuals in the industry **act ethically most of the time**, and most would like to see the industry **improve its reputation** on ethical issues.

Key Ethical Concerns Reflected in the Survey

- A breakdown in trust and integrity is bad for business
- Loss of reputation for industry and individual company if practices aren't more ethical
- The need for codes and standards for ethics
- Create a fair and ethical bid process

Industry concern for ethical issues

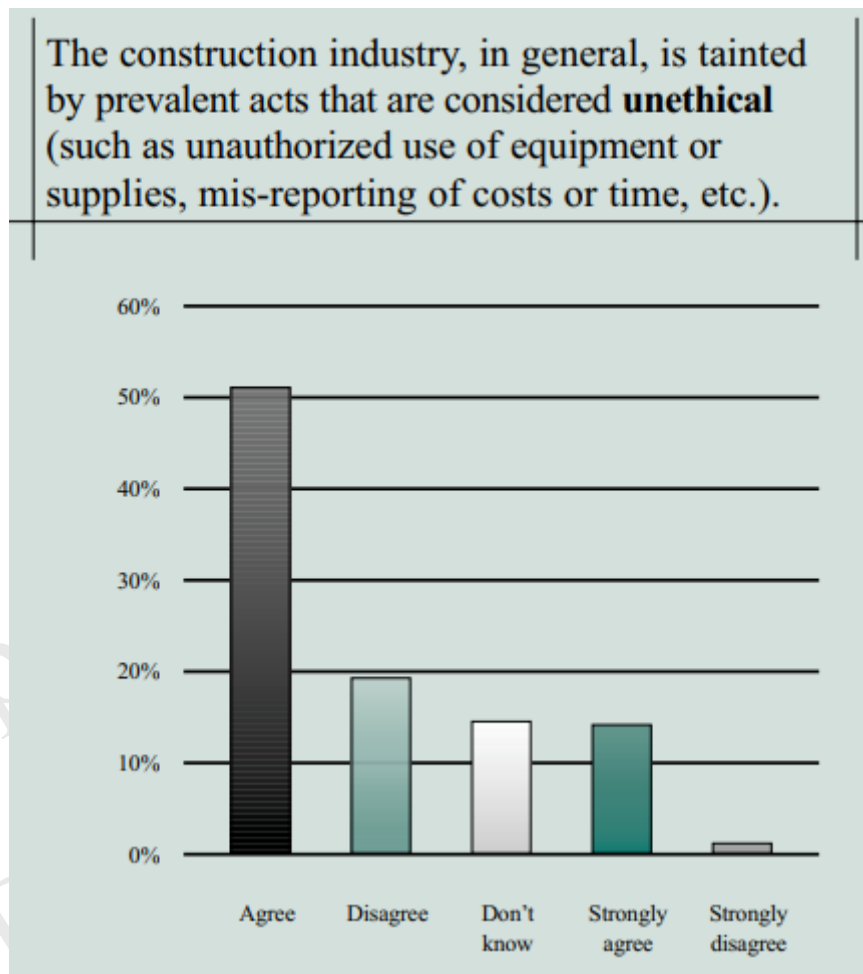
Over the last twelve months, have you personally experienced, encountered, or observed industry-related acts or transactions that you would consider unethical?



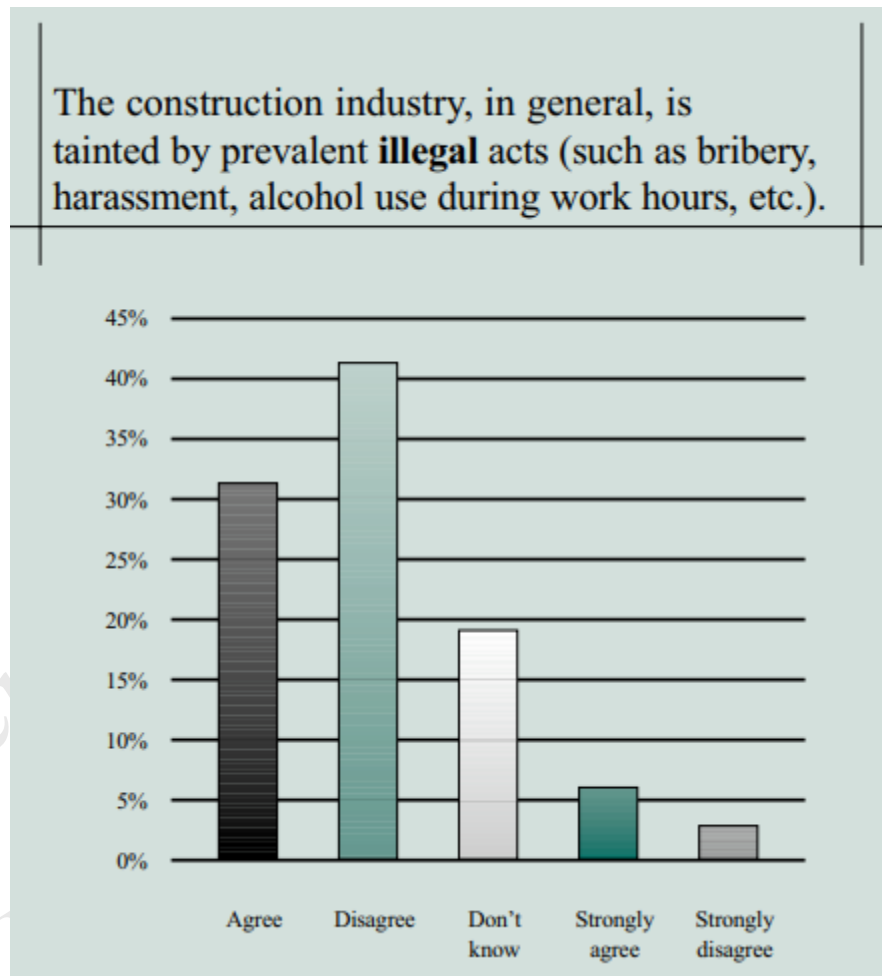
When asked if they had “experienced, encountered, or observed industry-related acts or transactions that they would consider unethical in the past year,” 84% said that they had, and 34% said they had experience with unethical acts “many times.”

While we would like to know more about the acts encountered – even if these acts were small transgressions – this is a serious knock on the industry. It means that the majority of executives in the industry will face ethical questions or dilemmas at least once within the next year. When one does run into the inevitable ethical question, what should he or she do? Is the unethical situation just ignored? Is there a procedure for reporting concerns about ethical issues? These are the types of questions that need to be addressed in a company’s code of ethics.

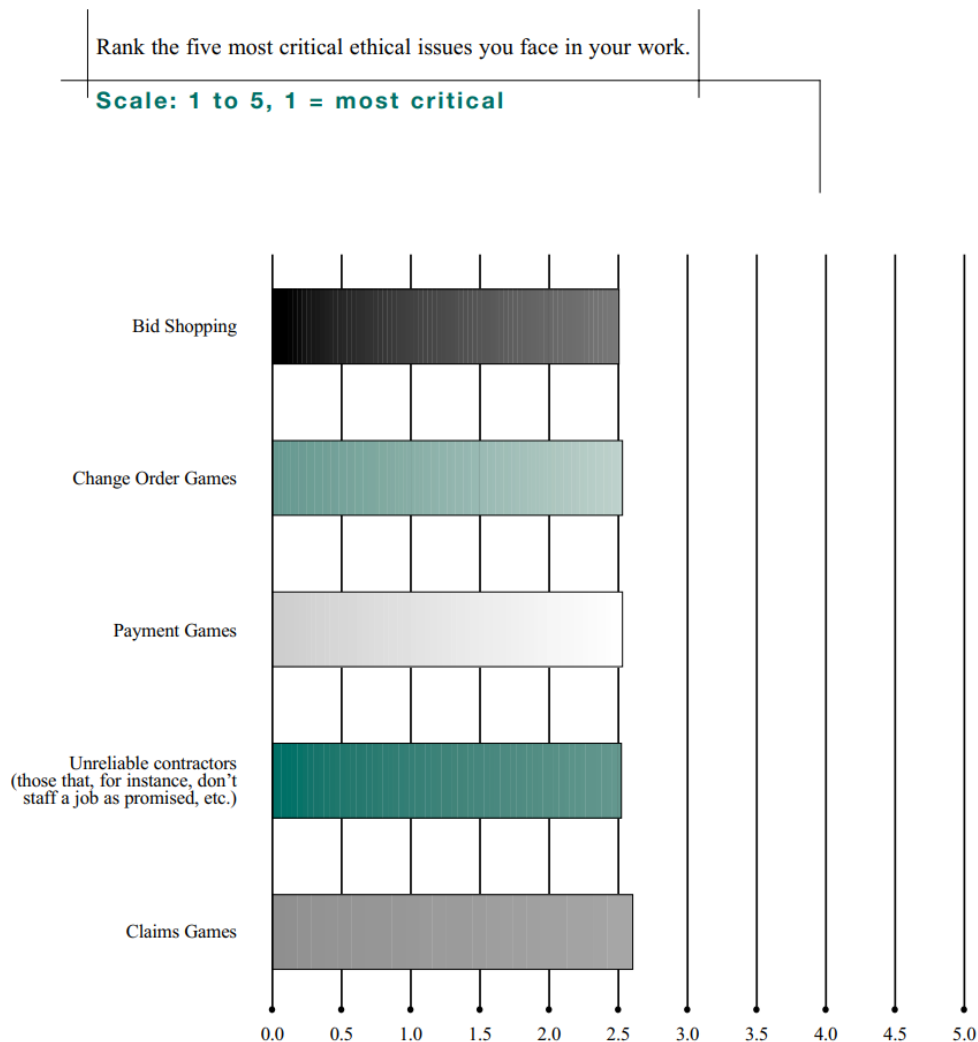
Industry concern for ethical issues



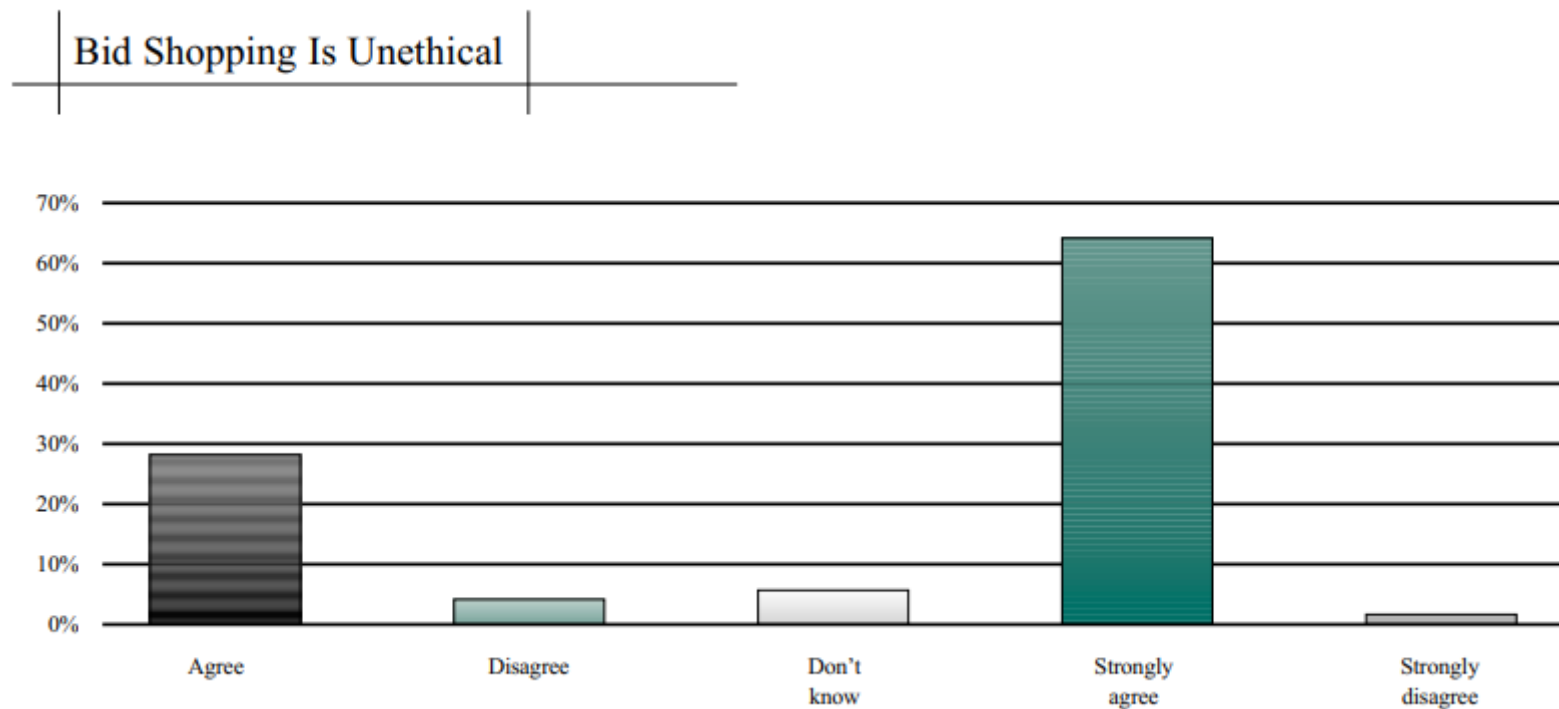
Industry concern for ethical issues



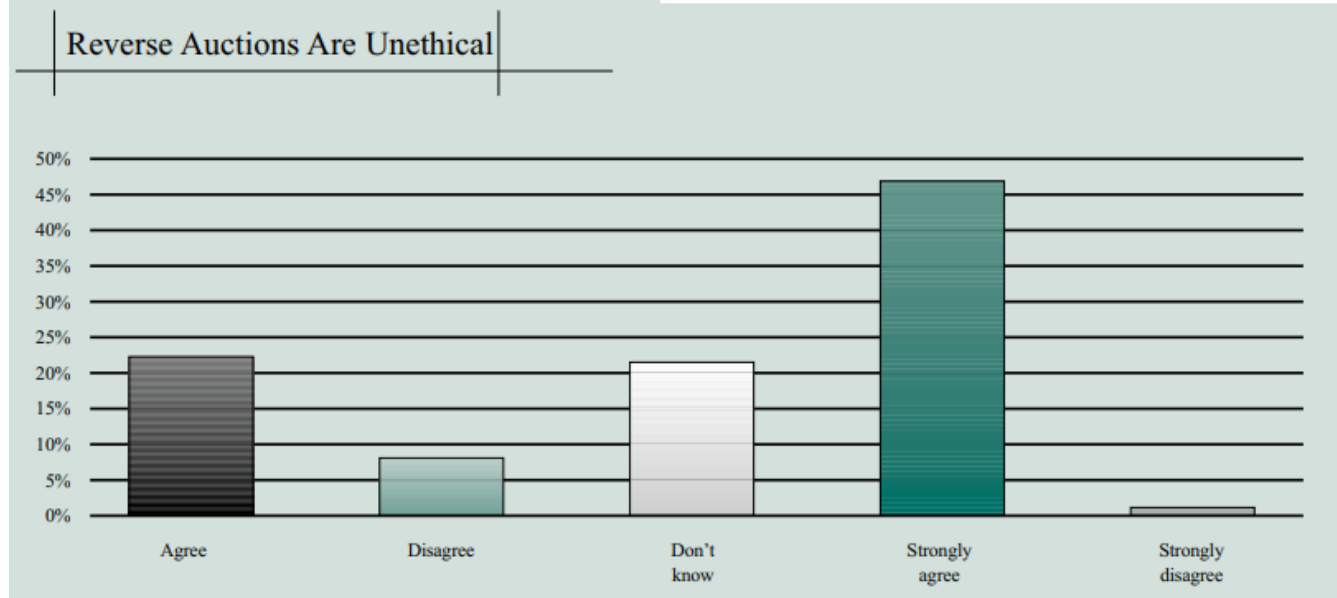
Industry concern for ethical issues



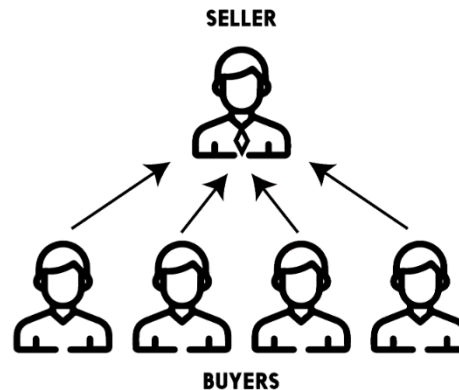
Ranking the importance of ethics



Ranking the importance of ethics

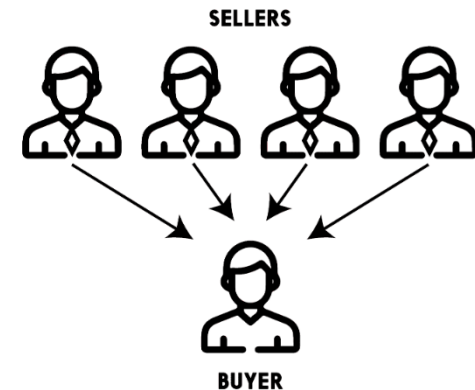


FORWARD AUCTION



GOAL: HIGHEST PRICE

REVERSE AUCTION



GOAL: LOWEST PRICE

Ranking the importance of ethics

FORWARD AUCTION



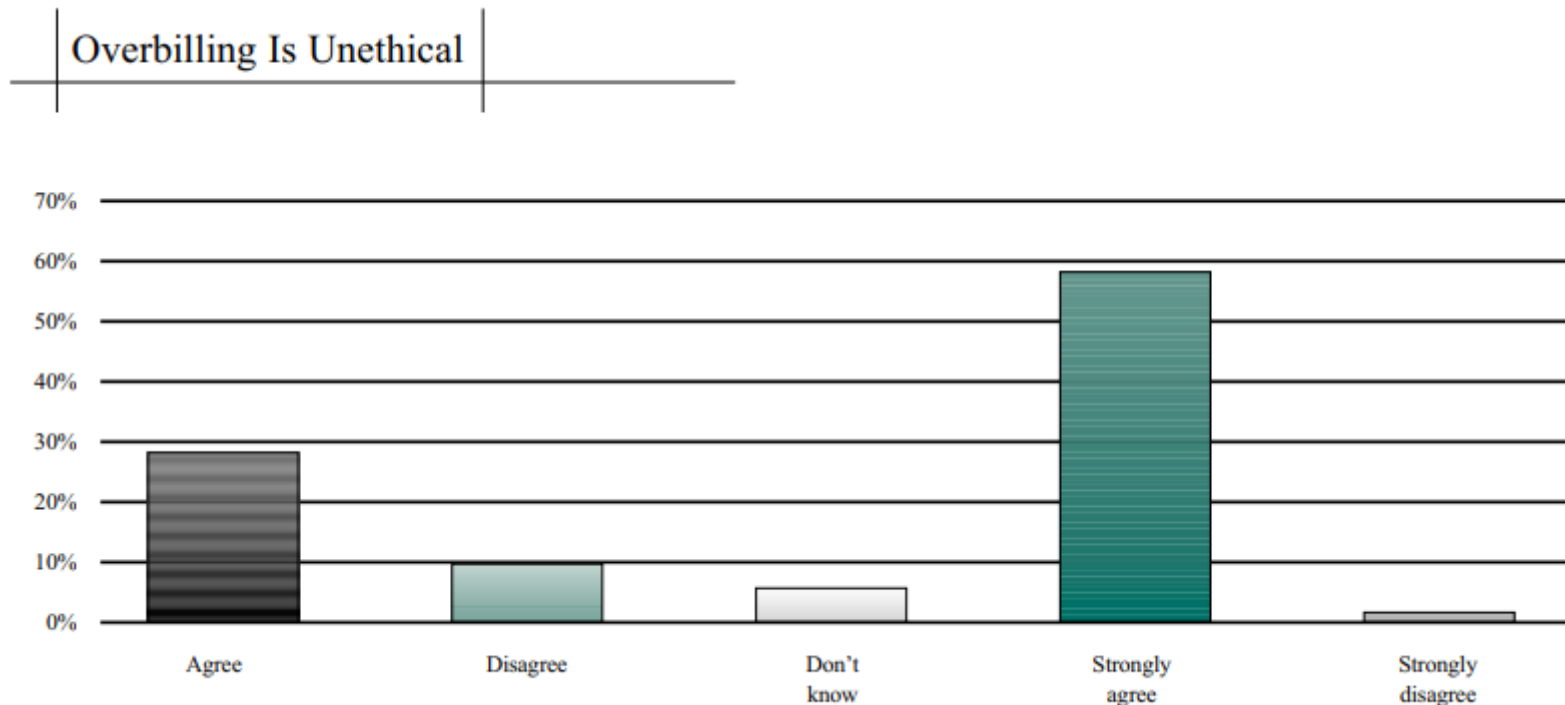
REVERSE AUCTION



AI overviews are experimental. Learn more 

Reverse auctions can be ethical if the purchasing organization follows rules and ethical considerations. For example, if one bidder receives information, all bidders must receive it to ensure fairness. However, some critics argue that reverse auctions can lead to unethical practices, such as bid rigging, because of their focus on price. This can compromise the quality of products or services, and damage supplier relationships. 

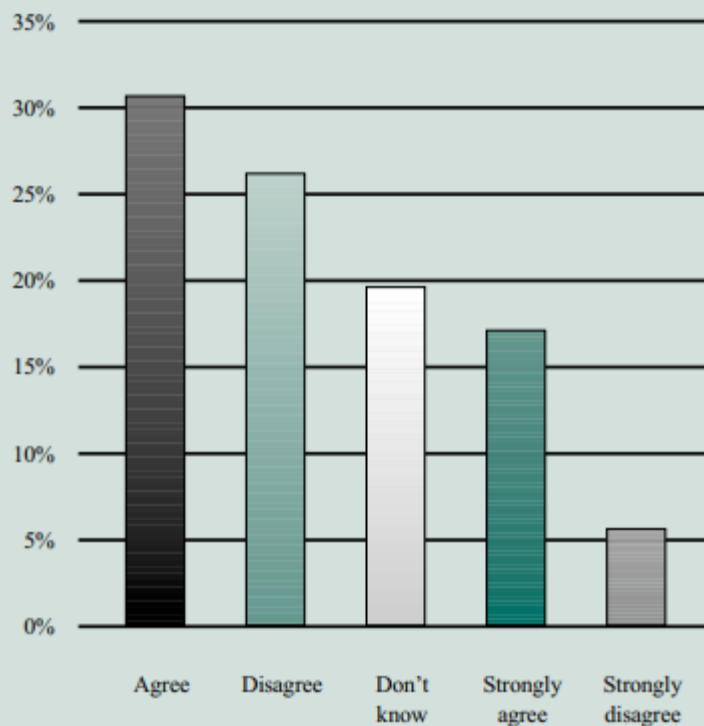
Ranking the importance of ethics



Should be more regulation?

Finding solutions for construction industry ethical issues

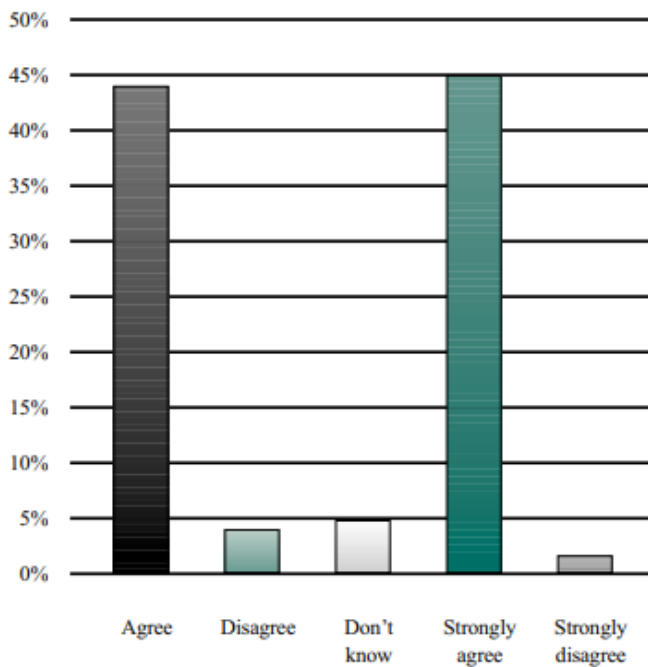
To help insure ethical conduct throughout the industry, there should be more regulations.



Should industry association take a leadership?

Finding solutions for construction industry ethical issues

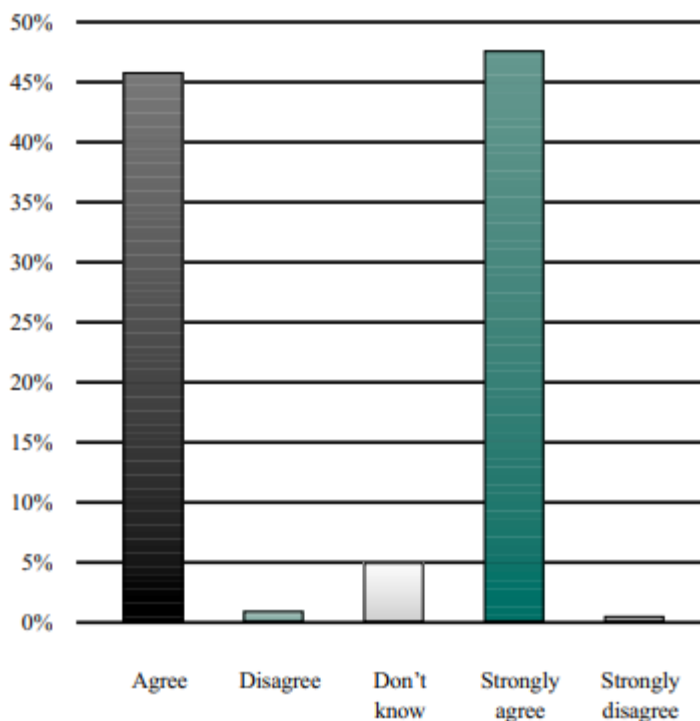
To help insure ethical conduct throughout the industry, industry associations should take a leadership position in crafting, and enforcing codes of conduct.



Should be more ethic training?

Finding solutions for construction industry ethical issues

To help insure ethical conduct throughout the industry, there should be more ethics training available.



Let's see specific comments that are common in our industry

Specific survey comments

Architects and Engineers

- I have serious concerns about the ethics of the design community. Many architects don't operate with an ethical approach. They will do whatever is necessary to make the client (owner) like them, many times at the expense of the contractor. Architects need to understand and honor their obligation to be equitable in their decisions, and fairly represent both the contractor and the owner.

Bid shopping and reverse auctions

- Disclosing bid numbers to other subcontractors.
- In addition to bid shopping by GCs, owner's reps and/or architects, intellectual property and/or design efforts are also regularly "shopped around" as well.

Specific survey comments

Contracts

- I believe too many contracts are unethical and one-sided.
- Retainage requirements, particularly on permanent materials, need modification, especially if the contractor has provided a bond.
- A contractor is free to do whatever is necessary to make money on a project, as long as he is observed to meet the terms of the contract he holds with the owner.

Owner Responsibility

- Owners engaging work and not paying. The pay-when-paid clauses are a large concern between general contractors and subs, when the owner (who commissioned the work) is where our attention should be.
- Owners play a large part in the unethical behavior of contractors. They try to pass off their responsibilities to others, don't ensure that adequate and complete information is supplied, and they play games with payments, extras, penalties, delays, etc.

Specific survey comments

Project Delivery

- It is impossible to control the actions and inactions of general contractors and subcontractors in either the general contracting system or the design-build contracting system because very little of the information they are required to provide is overt to the owner.
- Both the general contractor and design-build systems promote unethical actions, because most owners are “first-time constructors” as far as knowledge of the contracting and construction processes is concerned. The only owners that know what’s going on from the hiring of the design professional to the end of construction are the “constant builders,” such as governmental entities and some large corporations.
- Unless construction users themselves become thoroughly knowledgeable in project delivery processes and the construction industry, or hire an organization that has expertise in all of the required areas (a construction management firm) as an agent, the problems being addressed here will not abate one iota, regardless of the efforts to establish a practical level of ethics.

Training

- While I believe stronger ethics would improve the industry in many ways, I don’t think the legislative, or contract route is the way to go at this time, I do think that training on all levels in industry associations and schools would be an approach. Emphasis on ethics should be a prime consideration in all award selection processes.
- Due to the lack of workforce craft training in many of the common trades, a majority of the newer specialty contractors are uneducated in the craft as well as ethical procedures, and therefore don’t even know that they are screwing others, themselves, and/or the industry.

So what will you learn?

What will you learn?

❑ In the first chapter,

we look at the concepts, procedure, and fundamentals

provided by **CMAA** and **other references**.

So the framework created in the first chapter!

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What will you learn?

- ❑ In the second chapter, we look at **some of the most common** ethical challenges encountered by **construction professionals**, and provide a **framework** for making tough decisions.
- ❑ The **examples and scenarios** are taken from **real-life experiences** in industry.
- ❑ We **look into** some of the dilemmas associated with obtaining and performing the **actual work** of construction, including **issues arising** from relationships with clients, subcontractors, and suppliers.
- ❑ We address some emerging topics that are presenting **unique ethical challenges**, such as the increase in digital information, prevalence of social media, crisis communications, and the growing interest among corporations in social responsibility.



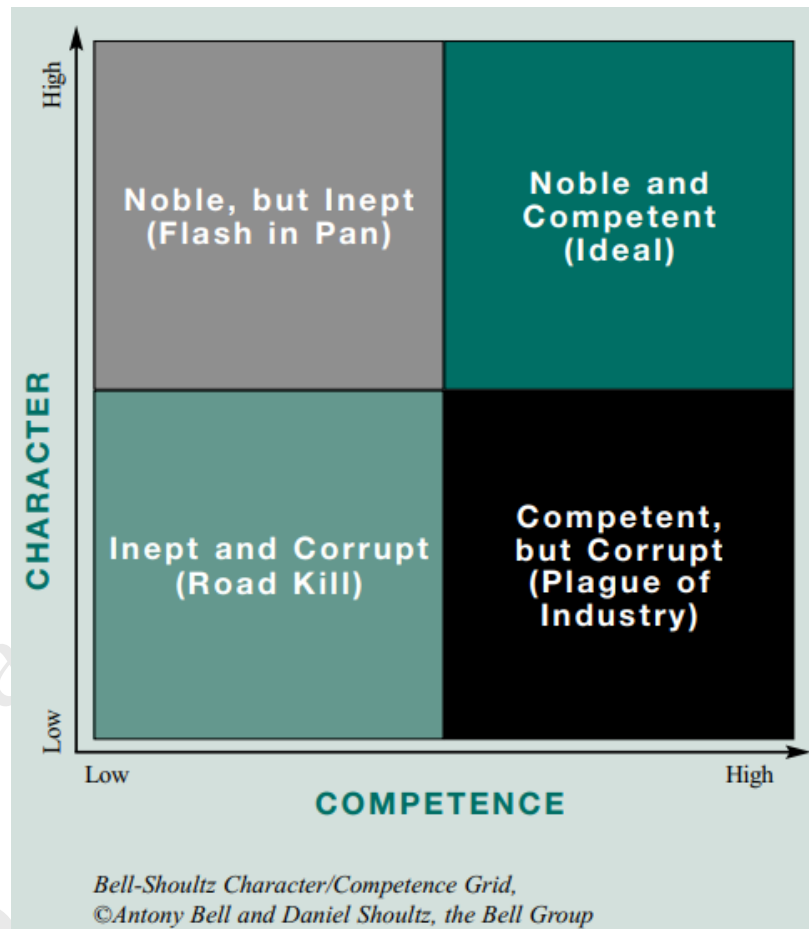
What will you learn?

So, let's begin by components of a business ethics and conduct program

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COMPONENTS OF A BUSINESS ETHICS AND CONDUCT PROGRAM

Character and competence leadership



What are business codes of conduct?

Business codes of conduct

❑ The **fundamental business conduct principles** in all of these areas are so basic as to be kindergarten simple:

- ❖ Don't lie
- ❖ Don't cheat
- ❖ Don't steal

CODE OF ETHICS AND BUSINESS CONDUCT

Code of Ethics and Business Conduct is MANDATORY for all!



Business codes of conduct

❑ **Business codes of conduct** generally cover two topical areas:

1. Ethics
2. Compliance



How to distinguish them?

Business codes of conduct

- ❑ A simple way to distinguish between these two is to remember that **compliance** is based on laws and regulations while **ethics** is based on values and judgment.
- ❑ The **main goal** of compliance is to **prevent fraudulent and illegal actions**, while the **main goal** of an ethics program is to **emphasize** the **core values** for which a company wants to be known and create a corporate culture that embodies those values and helps **guide employees when there are** no legal rules to go by.

What are components of an effective ethics and business conduct program?

Business codes of conduct

- ❑ Illustrates the **components** of an effective ethics and business conduct program, as developed by Defense Industry Initiative (DII) and adopted by Construction Industry Ethics and Compliance Initiative (CIECI).

These components are discussed further in the following slides.



- ❑ A company's values statements help **define**
 1. What a company stands for and
 2. What they want to be known for.
- ❑ The **core values** should be built into every policy and procedure,
so that **day-to-day** internal and external transactions reinforce the company's
commitment to ethical practice.



Honesty
Integrity
Respect
Trust
Good Citizenship
Responsibility
Customer Satisfaction
Quality

People
Fairness
Commitment
Diversity
Leadership
Openness
Courage
Safety

Accountability
Cooperation
Teamwork
Loyalty
Excellence
Creativity
Dignity
Conscientiousness

Identifying risk

- ❑ Once the **foundation** of the company core values has been **set**, we move clockwise on the **wheel to Risk Assessment**.
- ❑ Some examples of risk particular to the construction industry may include:
 - ❖ Time charging;
 - ❖ Company confidential information;
 - ❖ Competitor information;
 - ❖ Conflicts of interest;
 - ❖ Discrimination and harassment;
 - ❖ Electronic communications;
 - ❖ Environmental protection;
 - ❖ Offering gifts, gratuities, and entertainment;
 - ❖ Accepting business kickbacks;
 - ❖ Political contributions and activities;
 - ❖ Quality and safety of the installed work;
 - ❖ Protection and use of company assets;
 - ❖ Security; and
 - ❖ Workplace safety.

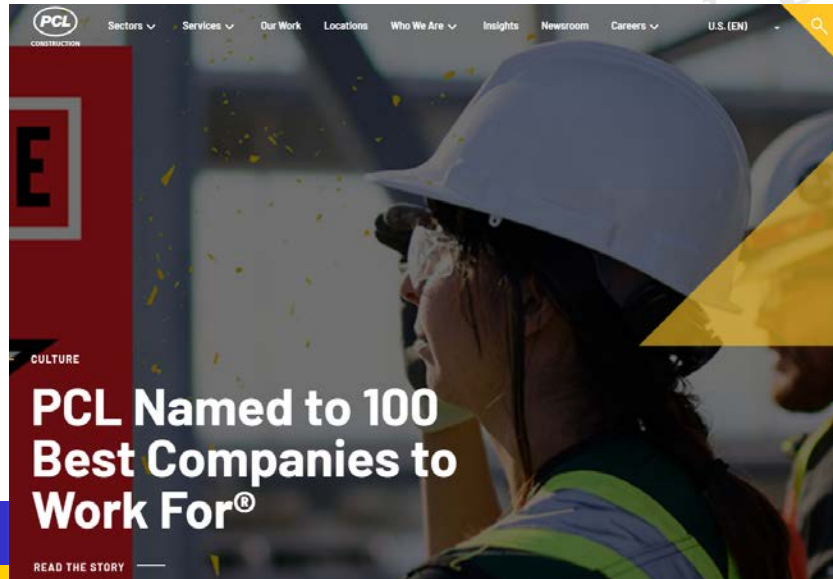
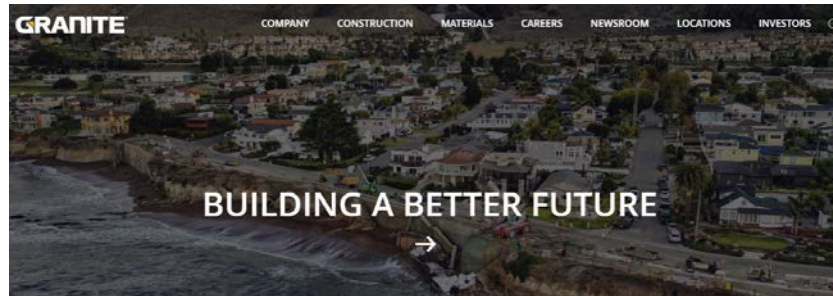


Policies, procedures, and the code of conduct

- ❑ Each area of potential risk should be addressed by **policies and procedures**.
- ❑ The **company code of conduct** is an effective way to **organize these company policies** into a useful resource for **all stakeholders**.
 - ❖ Policies, procedures, and the code of conduct are represented by the **next wedges on the wheel**.
- ❑ **Codes of conduct** do **not need** to be complicated or lengthy to be effective.
- ❑ Their purpose is **not to dictate** every decision, but to provide **guidance to help employees** navigate the gray areas presented by **common ethical dilemmas**.
- ❑ A **code of conduct** can also serve as an effective communication tool to **external stakeholders** such as clients, owners, partners, subcontractors, and suppliers,
who are also **likely to be affected** by the areas of primary risk.

Policies, procedures, and the code of conduct

❑ Code of Conduct Contents Selected from CIECI Member Companies



Granite Construction	PCL	DPR
• Core Values • Compliance Program and Guidelines ◦ Standards of Conduct in Business Transactions ◦ Construction Business Standards ◦ Conflicts of Interest ◦ Excellence ◦ Accident & Injury Prevention ◦ Equal Employment Opportunity and Other Employment Laws ◦ Environment ◦ Copying Documents & Software and the Use of Electronic Media ◦ Trade Secrets & Company Information ◦ Government Contracting ◦ Public Affairs ◦ Antitrust Laws & Competing Fairly ◦ Securities Laws ◦ International Business ◦ Whistleblowing • Procedures ◦ Getting Help ◦ Discipline	• Our Core Values • Our Commitment • Obey the Law • Act Ethically • Promote a Positive and Ethical Work Environment • Avoid Conflicts of Interest • Recordkeeping • Public Disclosures • Adhere to all Competition and Antitrust Laws • Political Contributions and Activities • Bidding, Negotiating and Performing Contracts • Gifts, Gratuities and Business Courtesies • Doing Business with U. S. Governments • Employment of Government Personnel • Consultants, Agents and Representatives • Protect Proprietary and Confidential Information • Use of Assets • Use of Electronic Communications • Report Unethical Conduct • Cooperate in Ethics Investigations	• Conduct all business with the highest standards of honesty and fairness. • Follow the letter and spirit of the law and uphold all contractual agreements. • Maintain a culture where doing the right thing is not only professed, but prized and practiced by all employees. • Avoid conflicts of interest and circumstances that may lead to even the appearance of a conflict. • Create a safe workplace and uphold a commitment to environmental responsibility. • Exercise common sense and good judgment.

Handling inquiries and reports of misconduct

- ❑ Once employees **learn to recognize situations** that may present risk of illegal action or unethical behavior, they **need to know**
 1. **What to do** if they **find themselves in such a situation**, or
 2. **How to report** something that **they may witness**.
- ❑ They also **need to be reassured** that they will not suffer punishment or retaliation for **reporting**.
- ❑ This is a **critical part of an ethics program**, and it is **why it is specifically** addressed in most company codes of conduct.



Handling inquiries and reports of misconduct

❑ In Granite Construction's code of conduct, there is a section titled **"Whistleblower."**

❖ A whistleblower is **someone** within a company who discloses misconduct or illegal action by that **organization**.

✓ If **not protected**, whistleblowers can be the **target of numerous forms of retaliation** by company management or by coworkers,

from verbal abuse, denial of raises and promotions, or assignment to undesirable locations or tasks, up to physical threats and termination.



Handling inquiries and reports of misconduct

- ❑ Even the **perception** of retaliation can **cause a breakdown** in trust and disrupt the company culture.
- ❑ Effective codes of conduct address the **threat of retaliation** by **providing** a protected means of reporting violations and concerns.
- ❑ The **Granite code of conduct** **explicitly states** that whistleblowers are **protected** from “harassment, retaliation, or any adverse employment consequences”
for raising concerns or reporting violations of the code of conduct.

How?

Handling inquiries and reports of misconduct

- ☐ An anonymous or confidential email or telephone hotline provides a safe avenue for employees to voice concerns.
- ☐ Ideally, the hotline is a **two-way street**, serving as
 1. A **source of information** for conduct-related inquiries,
 2. A **point of contact** for complaints or reports.
- ☐ **Calls or emails** may be directed to an assigned individual in
 1. A senior management position,
 2. A company ethics committee or task force, or
 3. A person or group on the company's board of directors.

Handling inquiries and reports of misconduct

- ☐ Inquiries should be handled by an **experienced professional** who has the knowledge and the appropriate authority to **respond**.
- ☐ There should be established procedures in place to ensure that inquiries and reports are handled in a **consistent manner**.
- ☐ **Each inquiry** must receive a response, or the program risks **losing credibility**.

What is the requirement in federal contracts?

Handling inquiries and reports of misconduct

- ☐ For compliance with **federal contract requirements**,
each call and the action taken must be documented.
- ☐ **Regardless** of whether the company is engaged in **federal or private contracts**,
all reports should be investigated to determine whether the **reported action** is
a violation of law or company policy.
- ☐ **Tracking** the number and frequency of complaints or reports can provide valuable
information regarding
areas of primary risk, and can even **reveal problem areas** that might have
been overlooked.
- ☐ **Tracking and reporting** are important for assessing the performance of the conduct
program, and
should **receive sufficient and ongoing budget** allocation to be effective.

Education, training, and communication

- ❑ A culture of ethics is **not** created by a slogan, or a **one-time** memo or training session.
- ❑ Employees must first be **aware** that a code of conduct exists, they must become **familiar with** the issues and the alternatives, and the **information** must be readily and easily accessible.

How?



Education, training, and communication

- ☐ Awareness comes from **regular reminders** in the **form of** notices, emails, posters, handouts, or weblinks.
- ☐ Familiarity comes from **live or online training** sessions, **reading assignments** and **quizzes**.
- ☐ The use of **real-life scenarios** and **role-playing activities** can help employees **practice** ethical decision-making skills and **become comfortable using** the code as a reference.

Should we have a specific procedure for all employees?

Education, training, and communication

- ❑ It's widely known that people have **different learning styles**.
- ❑ Offering **training materials** in a variety of formats is a successful strategy to connect with the **wide range of educational levels and skills** in a typical organization.
- ❑ Because there are so **many different ethical issues and situations** that can arise within the construction industry, and in conducting business in general, it's not possible or even advisable to attempt to provide employees with an **encyclopedia of solutions**.
 - ❖ Instead, people **need to learn** the process of recognizing and evaluating ethical dilemmas.

Is there any framework?

Education, training, and communication



Is there any other framework?

Education, training, and communication

- ❑ The **Markkula Center** for Applied Ethics at Santa Clara University has created a useful framework for

identifying and analyzing ethical issues that is shown in Box 2.1.

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Education, training, and communication

Box 2.1 A Framework for Ethical Decision Making

Recognize an Ethical Issue

- 1 Could this decision or situation be damaging to someone or to some group? Does this decision involve a choice between a good and bad alternative, or perhaps between two “goods” or between two “bads”? Does this decision require me to choose “the lesser of two evils”?
- 2 Is this issue about more than what is legal or what is most efficient? If so, how?

Get the Facts

- 3 What are the relevant facts of the case? What facts are not known? Can I learn more about the situation? Do I know enough to make a decision?
- 4 What individuals and groups have an important stake in the outcome? Are some concerns more important? Why?
- 5 What are the options for acting? Have all the relevant persons and groups been consulted? Have I identified creative options?

Evaluate Alternative Actions

- 6 Evaluate the options by asking the following questions:
 - Which option will produce the most good and do the least harm? (The Utilitarian Approach)
 - Which option best respects the rights of all who have a stake? (The Rights Approach)
 - Which option treats people equally or proportionately? (The Justice Approach)
 - Which option best serves the community as a whole, not just some members? (The Common Good Approach)
 - Which option leads me to act as the sort of person I want to be? (The Virtue Approach)

Make a Decision and Test It

- 7 Considering all these approaches, which option best addresses the situation?
- 8 If I told someone I respect—or told a television audience—which option I have chosen, what would they say?

Act and Reflect on the Outcome

- 9 How can my decision be implemented with the greatest care and attention to the concerns of all stakeholders?

How did my decision turn out and what have I learned from this specific situation?

Source: this framework for thinking ethically is the product of dialogue and debate at the Markkula Center for Applied Ethics at Santa Clara University, August 1, 2015 (used with permission)

Education, training, and communication

❑ In Table 2.1, we compared the contents of **three company codes of conduct**.

❑ **These three companies also offer ethics checks to their employees, consisting of a simple series of questions to ask when faced with an ethical dilemma** as shown in Table 2.2.

Ethics Checks Selected from CIECI Member Companies

<i>Granite Construction</i>	<i>PCL</i>	<i>DPR</i>
As an aid, use the following Ethics Check as a guide during decision making: • Is your behavior/ proposed action legal? Does it comply with the law and Company policies? • Is your behavior/ proposed action something you would like to see published in the newspaper? • Is your behavior/ proposed action something you could comfortably explain to your children? In short, will your behavior or decision allow you to look in the mirror and feel proud about what you are doing?	When confronted with a situation which raises a concern, ask yourself: • Are my actions legal? • Am I being fair and honest? • Will my actions stand the test of time? • How will I feel about myself afterwards? • Would I think that others were acting unethically if they acted this way? • How would it look in the newspaper? • Will I sleep soundly tonight? • What would I tell my child to do? • How would I feel if my family, friends and neighbors knew what I was doing?	If after reading The DPR Code, you are still in doubt about whether an action was or a potential action is ethical, ask yourself the following questions: • Will the action violate either the law or a company policy? • Will the action damage or be unfair to any of the parties involved? • Will the action make me feel ashamed or uncomfortable looking at myself in the mirror, describing it at a staff meeting, explaining it to my family, or reading about it in a newspaper? If the answer to any of these questions is "yes" or "maybe," you have likely identified an issue that must be either avoided or reported.
www.graniteconstruction.com	www.pcl.com	www.dpr.com

Measuring effectiveness

- ❑ A **familiar saying** in business is that you can't manage or improve something that **you don't measure**.
 - ❖ In other words, **unless** you have some way to **measure how effective** your **ethics program** is,

you won't know if it's working.
- ❑ As we continue to **move around the wheel** of our Effective Ethics and Business Conduct Program,

we reach the **wedge for Program Assessment and Evaluation**.

How to evaluate?



Measuring effectiveness

- ❑ Surveys and focus groups are **two widely used ways** to perform this evaluation.
- ❑ Ethics program effectiveness can be **evaluated internally** by
 1. An **assigned group** or task force, or
 2. An **independent outside consultant** can be engaged to remove any concerns about potential conflicts of interest.

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Commitment from the top

- ❑ Ultimately, as we return to the **top of the wheel**, we come to the need for a visible and ongoing **commitment from the company's top leadership** to creating an ethical culture within the organization.

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Commitment from the top

- ❑ Leadership commitment to ethical conduct is essential to an organization's reputation for **integrity** and **long-term success** for all stakeholders
as opposed to short-term rewards and personal gain for a few.

Leaders set the example for the rest of the company.

- ❑ **Ethical failures** within an organization can be traced to a lack of commitment at the **top level** to making ethical conduct a priority.

CONSTRUCTION MANAGER

Construction management

- ❑ **Construction management** is a professional service that applies **effective management techniques** to the planning, design, and construction of a project/program from **inception to completion** for the purpose of controlling time, cost, and quality.
- ❑ Therefore, construction management professional practice is **managing** the **process** of planning, organizing, implementing, monitoring, and documenting a system of policies and procedures that **coordinate** and direct relevant resources and activities in a manner that will **achieve the owner's requirements**.

Construction manager

- ☐ A **construction manager (CM)** helps the owner (or client) fulfill their responsibilities under the **chosen delivery system**.
- ☐ A **CM** always represents the owner's best interests, **regardless of**
 1. **Delivery method** (design-build, design-bid-build, multiple prime contracting, etc.) Or
 2. **Form of construction management** (agency or at-risk).
- ☐ The CM must understand the **owner's needs** and **meet (or exceed) all** the requirements in the **CM's contract with the owner**.
- ☐ A CM must **control a project's/program's basic parameters**:
cost, time, and quality within the defined scope (including both the quantity and quality of the work).

Is there specific guideline for a CM?

CMAA Professional Practice Guidelines

- ❑ These **Professional Practice Guidelines** supplement the **CMAA Construction Management Standards of Practice** and provide practical guidance for the **construction manager (CM)** from project/program **conception to post-occupancy**.
- ❑ This document uses the **term “CM”** to refer to project management and program management professionals who lead teams to accomplish projects/programs in the **built environment**.

What does it intend?



CMAA Professional Practice Guidelines

❑ This document also **intends** to

prescribe an **industry standard of practice** which the **CM** will meet or exceed, **regardless** of

1. Delivery method,
2. Owner,
3. Location, or
4. Type of project/program (renovation vs. New construction, horizontal vs. Vertical, small vs. Large, etc.).

Let's see who is CM?





Who is CM?

- ❑ A CM is a **leader who** influences many project/program stakeholders.
- ❑ A CM will always:
 - ❖ Have **high ethical standards** in all their relationships, including with the **team**, the **industry**, and the **public**;
 - ❖ **Lead from** a position of service, **not dominance**, which **integrates** all elements of delivery;
 - ❖ **Facilitate** decision making and **focus on results**,
not just completing tasks;
 - ❖ Exhibit **technical competency**; and
 - ❖ **Avoid selfish actions** that hurt the industry, the public, and the needs of future generations

What should CM do?

- ❑ As a leader, the CM must
 - ❖ Have self-respect and
 - ❖ Respect their colleagues, their clients, and the public.
- ❑ A CM always
 - ❖ Follows industry best practices,
 - ❖ Acts with integrity,
 - ❖ Creates a collaborative team environment, and
 - ❖ Commits to something greater than themselves.

In other words, the CM always represents the owner's interests, is honest, behaves professionally, supports collaboration, and considers how their projects and programs impact others' wellbeing.

Is it specific to any phase?

CM in phases

- ❑ Note that a **CM may deliver** services throughout all project or program phases.
- ❑ **For simplicity**, these Guidelines refer to five delivery phases:
pre-design, design, procurement, construction, and post-construction.
 - ❖ However, on an actual project/program, **these phases may not have clear start and end points**.
 - ✓ **Activities may overlap** between phases or occur in a different order.

What if the CM joins in the middle of the project?

CM during the project

- ❑ Further, the **CM may only be involved** with **one phase** of a project or program, e.g., the construction phase.
 - ❖ If the **CM joins** the team in a later phase,
the **CM** may need to **apply management concepts** from earlier phases,
if **those services** are in the CM's agreement with the owner.
- ❑ Accordingly, the **CM must tailor** the details provided in this document to **fit the needs** of a particular project/program and the CM's scope of work.

Do we need all services?



All CM services

- ❑ **Not every project/program** will require every service, and
a **particular project/program** may require **unique services not listed** in this document.
- ❑ **Whatever service** the CM provides,
this manual provides **details for providing construction management services**
but does **not define** a CM's scope of services,
as those services are **specific to the CM's agreement** with
the owner.

Legal document

☐ CMAA does **not intend** that this document be **used by courts or others** to create contractual or legally enforceable duties or requirements,

as **such duties and requirements** are established by

1. Terms of the CM's contract and
2. Laws of the jurisdiction in which the CM is practicing.

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CMAA CODE OF PROFESSIONAL CONDUCT

CODE OF PROFESSIONAL CONDUCT

- ❑ The **CMAA Code of Professional Conduct** represents the **aspirations** of the profession **relative** to clients, owners, colleagues, and the public.
- ❑ “**Construction Managers**” as used in this Code is a **term** that applies to CMAA members in **performance of their services** as Construction and Program Managers.
- ❑ Construction Managers provide a **broad range of services** to their clients and employers that encompass
program, project, and construction management and
also serving as **owner advisors or representatives**.

CODE OF PROFESSIONAL CONDUCT

- ☐ The **code** is rooted in the historical values of the **profession** and **linked directly** to the CMAA Statement of Values and Policy Framework.
- ☐ **Four fundamental principles** form the foundation of the code:
 1. Ethical Practice,
 2. Professional Excellence,
 3. Responsibility to the Public, and
 4. Client-Centered Practice.
- ☐ As a member of CMAA, I/we adhere to the following Code of Professional Conduct:

Ethical practice

1. Construction Managers **should be guided** in **all their relationships** by the highest standards of integrity and honesty.
2. Construction Managers should **conduct themselves** honorably, responsibly, ethically, and lawfully so as to **enhance** the honor, reputation and value of the profession.
3. Construction Managers **should avoid** conduct or practices that **deceive** the public or **represent** a real or perceived conflict of interest.

Ethical practice

4. Construction Managers **should respect** the **rights of others** and **should not discriminate** on the basis of

race, color, gender, marital status, religion, national origin, age, disability, or sexual orientation nor knowingly violate any law, statute, or regulation in the performance of professional services.

❖ Construction managers **should strive** to create a diverse workforce.

5. Construction Managers **should have a zero-tolerance policy** for any form of harassment including **sexual harassment** and **bullying**.

Professional excellence

6. Construction Managers **should perform** services only within their areas of competence and qualification.
7. Construction Managers **should contribute** to the advancement of the program, project, and construction management **profession** by
- Using best practices,
 - Continuing their professional education, and
 - Contributing to the development of the future workforce.

Responsibility to the public

8. Construction Managers **should hold** paramount

the health, safety, and welfare of the **workplace** and the **public**.

9. Construction Managers **should guide** and **aid** in defining and meeting **objectives**

for environmental sustainability and resiliency throughout a project's lifecycle.

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Client-centered practice

10. Construction Managers **should ethically** represent the best interests of the owner or client, as **consistent with this code**.

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CMAA'S STATEMENT OF VALUES

Vision and mission

□ Vision:

- ❖ All owners will realize **project and program success** by using professionally qualified construction managers.

□ Mission:

- ❖ To
 1. **Promote** the profession of construction management and
 2. Use of qualified construction managers on projects and programs.

Future Focus '19

- ❑ In March 2019, CMAA **conducted** Future Focus '19 to **explore** the long-range, “**preferred future**” for the profession.

What was the outcome?

Future Focus '19

- ❑ One of the outcomes of that exercise was a call for CMAA to **affirmatively state** values it holds both for the profession and the association.
- ❑ These statements are understood as a **contemporary expression** of CMAA's historical values and as a foundation for decision making and organizational commitments.

Approved January 27, 2020

What was that statement?

❑ Role of a Construction Manager.

❖ Construction Managers (CMs) are **highly**

1. Trained,
2. Qualified, and
3. Experienced

leaders and **advisors**

who **use**

1. Proven processes and
2. Leadership skills

to **deliver successful** projects and programs.

❑ Body of Knowledge.

❖ Professional construction management is **rooted in**

1. **Traditional** and
2. **Emergent** project management practices

and

requires **mastery of a unique body of**

1. Professional knowledge and
2. Interpersonal skills

to **positively influence**

1. Practices and
2. Outcomes.

❑ Ethical Behavior.

❖ Individuals engaged in the **construction management profession** are **expected** to conduct themselves in **accordance** with all applicable

1. Laws,
2. Regulations,
3. Codes of ethics, and
4. Codes of professional conduct.

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❑ Diversity, Equity, and Inclusion.

- ❖ Including diverse perspectives on **teams** and in **decision making** is essential to program and project success.
- ❖ **CMAA** is committed to promoting
 1. Diversity,
 2. Equity and
 3. Inclusion with equal opportunityfor all persons in its membership, leadership and activities.

❑ Breadth of Professional Experience.

❖ CMAA's membership and programs are

open and welcoming to the **widest possible range of professionals** in the industry, including

- ✓ Agent and at-risk CMs,
- ✓ Owners,
- ✓ Contractors,
- ✓ Architects,
- ✓ Engineers,
- ✓ Developers,
- ✓ Financial and management consultants,
- ✓ Academics, and
- ✓ Students.

❑ Continual Improvement.

- ❖ The competence of **professional construction and program managers** can be continually improved
through **regular investment** in people, processes and tools.
- ❖ **CMAA's education and certification programs** support
 1. Individual
 2. Organizational
improvement.

❑ Delivery Method Neutrality.

- ❖ CMAA is **delivery-method neutral**.
- ❖ CMAA believes **professional CMs** play a **pivotal role** in **recommending** the delivery method that supports the **owner's or project's objectives**.

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Statements

❑ Power of Collaboration.

❖ Collaborative teams composed of **individuals**

1. **Working** together with common goals and
2. **Representing** diverse and unique **perspectives** on **project delivery**

are **more likely** to

1. Make effective decisions and
2. Successfully deliver projects

that **meet** program and project requirements.

❑ Health and Safety.

- ❖ CMAA is **committed** to promoting best practices for health and safety of the **workforce** and the **public** and **believes** a safe work environment is the result of a **workplace culture** where **responsibility** for health and safety of **all is shared** by all project participants.

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❑ Future of the Profession.

❖ To **ensure** a highly skilled future workforce of professional and successful CMs, CMAA must

1. **Engage** students, veterans, career-changers, and young professionals and
2. **Provide** them with education, training, and certification opportunities to allow them to be **successful leaders** within the **construction management industry.**

❑ Environmental Stewardship.

- ❖ **Professional CMs** are expected to guide and aid **owners**
in **defining** and **meeting** their objectives
for environmental stewardship throughout a project's life cycle.

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ETHICAL PRACTICE

موسسه مهندسی و مدیریت ساخت علوی پور (ACEMI)

دفتر آموزش



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