



**PDHonline Course P164 (3 PDH)**

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**Order Minimums, Winners, and Losers  
- What Owner's Desire from  
Consultants (A/E's)**

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# **Order Minimums, Winners, and Losers – What Owner’s Desire from Consultants (A/E’s)**

*By: Timothy D. Blackburn, PE, MBA*

## **Course Content**

### **Introduction**

Consultants desire to know what will give them a competitive edge. Owners desire certain things from consultants. Why don’t the two perspectives merge to a mutually beneficial arrangement? One problem is that A/E’s simply don’t always deliver what the Owner wants. This course presents Owners’ needs from an Architectural/Engineering (A/E) consultant based on extensive experience from the Instructor in both environments. There are Order Minimums, and Order Winners. Order Minimums are those minimum attributes the Consultant must possess/provide if they are to gain repeat work or competitive contracts. Order Winners are those attributes that further ensure repeat work and a competitive advantage.

This course will focus on the A/E side of the equation, and not the Owner. Obviously, there are similar issues on the Owner’s side that could result in an A/E refusing future work, but they play a lesser role as the Owner is often in the seat of advantage. (See separate course entitled “Consultants and Owners from the Other’s Perspective – Avoiding Conflict and Forming Strong Relationships” for more consideration of both perspectives.) The attributes are different between Order Minimums and Order Winners, but the categories under which the attributes fall are the same. We will cover six categories that must be considered when planning a business development strategy. In your particular case, you might choose to assign attributes differently, but the goal is to teach the student to think strategically when attempting to acquire new or maintain old business.

### **Overview of Order Minimums and Winners Categories**

There are six categories of A/E Order Minimums/Winners we will include in our study - Values, Financial, Schedule, Technical, Quality, and Other.

### ***1. Values***

Values are the intangibles that are yet essential in maintaining a relationship between an Owner and A/E. In the beginning, Values play a lesser role since there isn't a history between them. Later, Values will play a dominant role in acquiring repeat work. Values should be instilled in the intrinsic character of the A/E's staff, as well as the A/E culture and expectations. On the personnel level, the A/E should only retain staff with demonstrated practice of good values consistent with the company's stated values. One bad apple can certainly spoil the entire barrel - a single individual can destroy a business relationship. At the company level, values must be clearly evident in practice, and not just be lip service.

### ***2. Financial***

The Financial category covers the entire financial spectrum from the Owner's perspective. Not only are the A/E fees an issue, but also installed cost, accurate designs that minimize change orders, and operational effectiveness. It is easy for us to put our heads in the sand (or clouds) and ignore this essential category, desiring instead to focus on the intangibles. But if the A/E doesn't get this right, forget repeat work. The Owner isn't in business to have fun or build relationships primarily, but to make money. This is reality.

### ***3. Schedule***

As with the Financial category, this is essential as well in that the Owner typically has a limited timeframe in which to complete a project in order to resolve a business, regulatory goal, or constraint. Schedule not only applies to the A/E's work, but to the entire process. The A/E has more of an impact on this than many realize. In addition to design completion schedules, the strategies in which projects are scheduled, bid packages released, issues resolved, submittals reviewed, etc. are on the critical path of most construction schedules. When schedules are not met and the A/E is at fault, repeat work will be unlikely.

### ***4. Technical***

Often, A/E's overstate their experience and technical ability to acquire work. The instructor remembers a story from his father, who was directed to weed the cornfield at his great-grandfather's farm. His dad just chopped off the tops of the weeds, but later the truth of his work

was revealed - the weeds came back. In a similar way, an A/E can overstate its experience and ability, and even fool the Owner with a thick set of drawings and specs. But the truth will come out - there will be change orders, delays, start-up problems, regulatory findings, etc. when the properly trained and experienced people are not involved.

## **5. Quality**

Perhaps no characteristic is less understood than Quality. To many, Quality is that nebulous or mystical attribute that they recognize when seen. Many judge quality by how well something works. Actually, Quality is neither if we are precise in our thinking. Quality is simply the degree of compliance to specifications. Therefore, accurate scopes are necessary to comply with the Owner's needs; the design must comply with the scopes; construction must comply with the drawings. The highest degree of influence on a project's quality is determined during the design stage. If the design is poor, the construction will be poor as well. If it is robust and meets the needs of the Owner, the construction will most likely be robust as well and meet the needs of the Owner. Therefore, much attention by the A/E and Owner is required during the scoping and design stages to ensure Quality. Several attributes will be discussed under this general category, but remember quality is not tested in a project, but designed into it.

## **6. Other**

There are several additional attributes that fall in multiple or none of the previous categories specifically, but remain essential to Minimums and Winners. Next, let's pause for an exercise.

## **Assignment**

Print off the following page, and write in as many Order Minimums and Order Winner Attributes as you can think of. For example, “Fair Market Fees” might be an Order Minimum Attribute under the Financial Category (this is a freebee). Don’t look ahead - No cheating! It is important that you take the time to do this, otherwise this course will be reduced to an article. This exercise will cause contemplative thought, and you will take away much more after the course.

Note: There may be more than one attribute per category.

*Exercise – What are your Order Minimums and Winners?*

<b>Categories</b>	<b>Order Minimum Attributes</b>	<b>Order Winner Attributes</b>
Values		
Financial	Fair Market Fees (example)	
Schedule		
Technical		
Quality		
Other		

Now, go to the next page and compare to the Instructor’s list. There are no absolute right or wrong answers, and you may have more or less.

### Instructor's Categories and Attributes Summary Table

The following table summarizes the Categories and Attributes related to Order Minimums and Order Winners. Categories are the five categories as previous, and Attributes are the elements within the Categories.

<b>Categories</b>	<b>Order Minimum Attributes</b>	<b>Order Winner Attributes</b>
Values	Reputation	Honesty Integrity Relationship Responsiveness
Financial	Fair Market Fees A/E Financial stability	Low Design Change Orders Low Construction Change Orders Sustained Market Fees Cost savings for Owner Operational effectiveness
Schedule	Ability to meet schedule	Schedule attainment
Technical	Technical Ability Experience Proper Staff	Code and Regulatory Compliance Continuous improvement Proven proficiency Specific experience
Quality	Defined Quality Control Approach Understanding of scope	Accuracy Effective Scope Development Low errors Multidiscipline Coordination Robust Design
Other	Reasonable terms and conditions Licensure	Continuity of Staff Effective Project Management Creative problem solving Location Unique qualifications

How do you compare? Now let's look at further detail regarding attributes within Order Minimums, or the minimum things often required to get the order - without one or more of these, you may not get that contract.

## **Order Minimums**

The following are Categories and attributes that represent the minimums to acquire work from an Owner. If an Owner picks up on deficiencies in any of the following, your long-term relationship could be at jeopardy.

### ***Values***

- Reputation - Reputations must be won with great effort, but can easily be lost. In the beginning of a relationship, favorable reputations are often presumed in the absence of a bad reputation. That is, if nothing bad is perceived of an A/E, the presumption may be that the A/E is reputable. Further, the Owner can assume a good reputation from a favorable reference call. An A/E firm's reputation is a minimum attribute to acquiring work. While a good reputation won't guarantee that contract, a bad reputation likely will prevent it.

### ***Financial***

- Fair market cost - Don't underestimate the importance of keeping your fees as low as possible while continuing to make a fair profit and meeting all the design requirements. While fees are usually not the primary determining factor in acquiring a contract, if you exceed the Owner's budget, forget it. If your proposal is not the most competitive, the Owner may have difficulty developing justification. This justification will need to include the reasons the additional fee is justified. On the other hand, don't "sell" the project too cheaply just to get that initial contract. This often creates a hostile environment later as those involved from the A/E can have short memories, or be pressured to cut corners. In addition, Owner's are usually suspicious when fees are inexplicably low. Contracts are often lost because fees seem too low to be able to accomplish the work - Owner's fear something was left out, the A/E doesn't really understand the scope or is incapable of designing to it, or there will be a hostile relationship later. The A/E can retain talent, and pay them well, but doing with Owner's must do – become more efficient. This can be accomplished in part by technology, maintaining staff experienced to keep the A/E from wasting time, rules of thumb in the beginning, etc.
- A/E Financial stability - Be certain your books are in order, and you can demonstrate financial stability. The last thing an Owner wants is to have a firm that might go out of business or go into bankruptcy during the project. Imagine the problems bankruptcy brings!



There are subscription services readily available to the Owner that are often verified.

### ***Schedule***

- Ability to meet schedule - An astute Owner will wish to understand your workload to ensure you can meet their schedule. In addition, the Owner will fear that quality problems will arise if the A/E overextended. Never take on work for which resources aren't adequately available. If you fear you will lose the client if you refuse the work, come up with creative alternatives. Ask the Owner if the start date is critical. If not, ask them to consider a delay in start. If it is critical, look at other delivery methods, such as joint venturing or sub the work (this does have some elements of risk, however.) Owner's are like bosses – if there were a problem, they would like to hear of some possible solutions when the problem is presented.

### ***Technical***

- Technical ability - Your staff must have the proper training and experience for the scope of work. If not, either decline the work, outsource that portion, or acquire additional staffing. For example, don't assign an electrical engineer an architectural role, etc. An astute Owner will check resumes as well as references on specific key individuals. And even if this slips through, the project will suffer.
- Experience - Often, A/E's overstate experience in one of two ways. They will list all the projects that are similar on which they have worked, even if none of the staff worked on the projects. Or, the A/E will claim experience even if they did not have a lead role. Perhaps they were a subconsultant for a minor part, or one of their team members was involved. If the Owner seeks to verify overstated experience, you could lose the contract if they determine you were less than honest. A more effective way to position yourself with the Owner if you don't have the exact experience is to indicate similar projects or related activities on which assigned staff has worked, or include a project manager that has specific experience. If it is your first time for a particular industry or project type, go for the smaller projects and be honest with the Owner. Bottom line, the Owner must be convinced that you have demonstrated experience necessary to complete their projects. Remember, your performance will reflect directly on the Owner representative's personal performance rating.
- Proper Staff - This attribute is similar to the previous, in that you must have staff with the

training and experience necessary to complete designs for the Owner. A/E's customize resumes for specific projects - while this is appropriate to a degree, never overstate just to acquire business. If you are entering a new industry, consider hiring proper staff before pursuing the work. An astute Owner will not give you a major project without the proper staff, and rare is an Owner that will want to train your staff at his/her expense and risk.

### *Quality*

- Defined Quality Control approach - Be sure to include your quality control approach in proposals, and then follow through. No Owner wants a design thrown together at the last minute, unchecked, and fashioned from independent disciplines that had little interaction. Include crosschecks and interdiscipline overviews.
- Understanding of Scope - A/E's often go to one of two extremes. Some do little homework in determining the scope. Others note every detail in their proposal, and the Owner can perceive this as the A/E covering themselves so they can ask for adders later or absolving themselves of accountability. Seek a reasonable medium. Explain the scope in broad terms as succinctly as possible, which will enable the Owner to be comfortable with your understanding of the scope, as well as provide a sanity check before work begins. Also include scope elements essential for the success of the installation. The Instructor has had the experience that an A/E would not include something unless it was specifically stated in the Request for Proposal, even if essential for the success of the project. For example, an area was to be renovated to convert offices to a conference room, but the A/E did nothing to design for modifying the HVAC redistribution or balance. Later, they requested to change order. However, they did not even mention this as something to be considered in their proposal. If you fear you will not be competitive if you leave out something essential, separate it out as an add-alternate in your proposal.

### *Other*

- Reasonable terms and conditions - Most Owners of any sophistication cannot absorb unique and excessively protective A/E terms and conditions. Keep terms and conditions as simple as possible while protecting the A/E legally. Often, Owner's have standard contracts. As much as possible, avoid "nit picky" objections to Owner standard contracts. This can be

perceived poorly and even prevent an otherwise excellent proposal from being accepted. Another pet peeve with some Owners is that the A/E takes objections to a contract *after* a proposal is accepted. No one likes to be coerced or “bait and switched.”

- Licensure - The lead disciplines must be registered in the state in which the project is to occur. If it is necessary to assign another individual that is licensed, make certain they have appropriate charge responsibility. There is a practical reason for this as well. Different states and regions have unique requirements, and different codes that require familiarity. Never pay someone to “rubber stamp” a design. Not only is it unethical, but it is illegal. Observant Owner’s will check to see if your lead disciplines are properly licensed, and if you really assign them the lead role.

### **Order Winners**

Order Winners are those Categories that are beyond the immediately observable and minimum requirements to gain a contract, or those necessary to sustain repeat work. Order Winners are also attributes that can present a competitive advantage over other A/E’s (see your state’s compete restrictions, if any, when positioning in this manner.) Often, Order Winners include Owner’s subconscious expectations, or those attributes that are desired once observed. Less sophisticated Owners may have difficulty articulating these, but usually recognize it later. Even for initial contracts, Order Winners can add competitive advantages especially if references are called. The following are specific Order Winners by characteristic categories.

### **Values**

- Honesty - Abe Lincoln has be credited with saying<sup>1</sup>, “You can fool all the people some of the time and some of the people all the time, but you can not fool all the people all the time.” Honesty includes being truthful even when it is not to the advantage to the A/E. This can include acknowledging mistakes made, and offering resolutions to problems that the Owner will perceive that should have been anticipated. Obviously, this requires sensitivity to legal aspects, but truth is remains necessary. The truth will certainly come out - the old adage that “honesty is the best policy” remains true. Much is forgiven when people are honest. Honesty requires truthfulness in all situations. Unfortunately, we live in an age where truth is

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<sup>1</sup> Some scholars do not believe Lincoln actually said this.

considered to be relative. While there are indeed “shades of gray” (much to the chagrin of most engineers), there is less than many would like to admit.

- Integrity - This is a core requirement of an individual and collective character of an A/E firm. Integrity includes doing what is right no matter the consequence. There might come a time when the A/E will make less of a profit, but if it is to get that repeat work, the appropriate thing must be done. As with truth, integrity in today’s culture is often argued to be relative. But in the end, lack of integrity is anything that burns our conscious at night, affects others inappropriately, or harms our business. Someone once said that character is doing what is right when no one is watching. Always ask, “If I were the Owner, what would I expect in this situation?” A confirmation of integrity will be a strong selling point; a lack of it will be devastating.
- Relationship - The interpersonal relationships of the Owner’s staff and the A/E staff can play a tremendous role in getting work. Likes and dislikes will influence decisions, especially when there is stiff competition. It takes time to develop good relationships - they aren’t earned with that golf outing or free lunch alone. Good relationships come about by effectively working together. Often, just being invited to propose on a project is a result of a relationship at some level. An Owner’s rep is more likely to entertain a meeting with someone he or she already knows rather than a stranger. Also, relationships can be developed even before that first job. Continue to call on an Owner. Avoid being annoying, but just check in periodically (such as quarterly), and send newsletters/updates. Remember, no Owner is going to create work just for you - there must be a project in the pipeline for you to be considered. When it comes time to solicit proposals, the Owner’s rep will, in part, refer to his or her own memory as to who is out there and recent contacts.
- Responsiveness - Do you return phone calls? Do you promptly resolve all issues that arise? Do you turn in your proposals on time? Do you follow through on commitments? All these are related to responsiveness, and contribute to winning orders. Owners like to work with A/E’s that are attentive to the constraints and needs of the Owner. Being responsive can give you a competitive edge.

### *Quality*

- Accuracy - This includes properly designing to good engineering practice and

codes/regulations. If you don't know the subject area, either hire someone who does, joint venture, or decline the work. If the Owner discovers that you missed some essential regulation or code element, you will have an Order Loser. But those who demonstrate excellence in this area will be viewed as experts or at least competent, and will have a competitive advantage. As well, accuracy includes complying with the agreed-to scope of work. The Instructor has often witnessed clear deviations from scopes that were provided or agreed-to earlier.

- **Effective Scope Development** - Here is where effective communication is paramount. Someone once said the listener is 100% responsible for ensuring they heard correctly, while the speaker is 100% responsible for ensuring the other understood correctly. Seeking out the proper scope from the Owner is an art. Often, A/E's will attempt to cover themselves by creating excessive scoping documentation that the Owner may not be equipped or have the time to properly review. The key is to develop succinct but thorough scope documentation or presentation materials before expending nonrecoverable manhours for a design based on faulty assumptions. If the Owner gets the impression you are only trying to cover yourself rather than properly ensure the scope is resolved, it could mean trouble for the relationship. If on the other hand you effectively communicate scope and meet the end user's needs, you will have a competitive advantage.
- **Low errors** - An astute Owner will accept reasonable human oversights, but they must be minor and few. When errors do occur, take prompt responsibility, and be tenacious in resolving the problem. The Instructor has had the experience that an A/E asked for a change order to correct its own error. If your errors are few and you respond appropriately when issues do arise, you will have an Order Winner.
- **Crosschecks/Multidiscipline Coordination** - Drawings must cross-referenced correctly to avoid construction problems and change orders. You must have a quality program that involves crosschecking by a qualified multi-disciplined individual. This is one of those categories that likely will switch to Order Minimum if there are excessive mistakes with the first project.
- **Robust Design** - This is a broad category that can mean different things to different people. In essence, if you consistently produce designs that fall in the following categories, you will have a competitive advantage:

- Meets approved scope
- Consistently operates properly without breakdowns
- Maintainable
- Appropriate technology
- Not overly complex

### ***Schedule attainment***

- Schedule attainment - You might get away with missing that due date if it is a minor slip. But those firms that meet due dates, even when unrealistic, will have an advantage. As well, offering creative solutions to meeting seemingly impossible schedules will be appreciated, such as early release packages for long-lead equipment or demolition, anticipating construction impact, meeting with the municipality early to resolve any conflicts and speed approvals, etc. If you show a sensitivity and sense of urgency to the Owner's deadlines, they will notice. However, there does come a time when you might need to tell the Owner you cannot meet a schedule (if all options are reviewed and it continues to be an impossibility), or your workload is too heavy to compensate. However, there is always that worry of another firm gaining a foothold, so it is important to stay in contact with you key clients so your staffing can meet their needs.

### ***Technical***

- Code and Regulatory compliance - Although this may seem to be a minimum, and certainly is for the core code aspects, different industries often have additional requirements. For example, the Instructor's industry is regulated by the Food and Drug Administration's (FDA) Good Manufacturing Practices (GMPs). Often, A/E's attempt to present their experience, but lack a fundamental understanding of GMP's. Encourage your staff to get involved in trade organizations associated with your key target markets. Encourage them to speak at seminars and conferences, and publish in technical journals. This will give you a competitive advantage, as well as open up networking opportunities. A/E's often make the mistake of only sending business development personnel to trade events - send your technical staff as well.
- Continuous Improvement - A Continuous Improvement mindset never stops asking,

“What could we have done better?” or, “What did we do well the we need to repeat?” Every project of appropriate size should have a post mortem. Slowly implement improvements (evolutionary versus revolutionary is preferred unless radical improvement is needed).

Clients will appreciate this. There is an advantage to an Owner to continue with the same firm and staff – there is less of a learning curve, and less interaction required. If the Owner sees you improving and learning from mistakes, they will view this positively.

- Clear and proven technical proficiency - As the saying goes, talk is cheap. You might get that first project via slick marketing, but if there are problems with the finished installation performance, you may not get the second chance. Obviously, technical proficiency is a Minimum, but if you excel at this, you will have an advantage. As with Continuous Improvement, you should continually develop your staff where needed, or supplement gaps.
- Specific experience - As you gain more and more experience with the types of projects similar to the Owner’s, you will have an advantage. Often, A/E’s attempt to overstate this. But as your specific staff gains relevant experience, or you take on new hires, be diligent to let the Owner know.

### ***Financial***

- Low Design Change Orders - Few things are more annoying to an Owner’s representative than being “nickel and dimed” with design change requests. Owner’s have strict budgets, and often do not have the option of requesting additional funding. However, if there are real scope change requests that require additional manhours, you should notify the Owner promptly and provide the option of proceeding on a reimbursable option, or pause until you can develop a not-to-exceed proposal (NTE). NTE’s are viewed more positively, in that they are an upside, indicating you are not trying to make your profit on changes. One fatal mistake is often made by A/E’s - they sometimes become greedy and overstate the change amounts, or try to make up for an underestimate. If you do a robust design to a well-communicated scope, there is no need to issue “nuisance” change orders.
- Low Construction Change Orders - One key indicator of a good design is low construction change orders. When the change orders are low, you will be better trusted and will have the advantage over those who have high change orders. A good goal is to have construction change orders no greater than 5% of the construction award amounts. Some

more simple projects should approach 0%. Change Orders generally fall in the following categories. The A/E should focus on the items in which they have a High and Medium Impact.

- *Design Errors - High A/E Impact*
- *Scope Changes - Medium A/E Impact*
- *Hidden Conditions - Low A/E Impact*
- *Regulatory Surprises - High A/E Impact*
- Sustained Market Pricing - A/E's sometimes underestimate a project just to "get in the door." However, astute Owners maintain records of costs, and if they see costs increasing, it will be viewed negatively. Remain in the game for the duration. Make a reasonable profit, but don't "gouge" on repeat orders when you think you are the Owner's preferred A/E. Don't let costs creep upward on subsequent projects. If you're viewed as honest, you will be granted continued work. If not, at best you will be hired out of necessity alone.
- Cost Savings for Owner - Do you want a fairly easy Order Winner? Here is your category. As you are developing the design, always ask yourself this question; "What would I do if it were my money?" Let the Owner know options to reduce first and operating cost. Do simple payback analysis, and when you see paybacks less than four years or so, let the Owner know. As well, you should always incorporate cost-efficient designs. Also remember energy efficiency and savings. The key is to communicate these thoughts and successes to the Owner – it will be an Order Winner.
- Operational Effectiveness - What you design should function as intended. This is similar to Design Robustness. Designs should last for their intended duration. Layouts should be effective, etc. Here is a practical way to look at it - if you took a competitor on a tour after the facility was built, would they be taking notes feverishly, and copying your design? Would you be proud of your design? From the Owner's perspective, if they are proud to take executives on a tour of your design, you will be in a competitive advantage for that next project. Go for those awards, etc., and include the Owner representatives' names.

### ***Other***

- Continuity of Staff - Unfortunately, A/E's historically have a relatively high turnover. Try to retain effective staff and continue to assign them to your clients consistently. There are



excellent benefits that result from their experience and interpersonal relationships. (On the other hand, quickly reassign staff where there is friction with the Owner. Perceptions die hard.) Owners appreciate the benefits of long-term relationships.

- **Effective Project Management** - Project management can be thought of as a triangle - Quality, Schedule, and Cost. We have covered each of these three categories in this course in various sections. Unfortunately, A/E's often forget the basics, and fail on one or more of the elements. A failure on one will result in overall Project Management failure from the Owner's perspective. An effective way to ensure good project management is to assign a key discipline to this responsibility (or a dedicated project manager if the project size permits), and hold him/her accountable. Make certain they are capable of this role, with the proper experience. This individual will be the key contact with the Owner. The "buck" should stop with the Project Manager.
- **Creative problem solving/thinking out of the box** - Too often A/E's just do their job. That is, they do a good design to the Owner's requirements. But those who are creative and offer better solutions are Order Winners. Too often, the Owner must guide the A/E in every major detail of the project. The A/E should have a business mindset, sensitive to the goals of their Client.
- **Location** - Often, it is necessary to do business with A/E's that are out of town in order to acquire the proper expertise. However, qualified A/E's that are nearby will always be preferred. It is just easier to do business when a person is minutes versus hours or days away. A/E's who do work with disciplines at different locations are also at a disadvantage. Owner' realize there is synergy when disciplines are a floor versus a state away.
- **Unique qualifications** - Do you have experience that few others have? Special expertise? A niche? If so, tout it. If not, get it - this will be to your advantage.

### **Order Losers**

Order losers are simply not meeting the Order Minimums, or some of the Order Winners. As with interpersonal relationships, it is easier to gain a new client (make a new friend) than to regain an old. A/E firms should always do a Post Mortem, especially when those repeat orders don't come again or there is a sense that all is not well. Often, Owner's will not wish to deal with issues to avoid repeat conflicts, and simply don't call again. Or, they might give "general"

problems without specific examples to avoid a lengthy discussion or avoid the A/E trying to give a defense. Often, attempting to convince the Owner that the A/E was not at fault can be ineffective - perceptions can take on a life of their own. One solution is to assure the Owner that the intent for a post mortem meeting is not to bring a defense or argue, but to listen while minimizing rebuttal.

### **Course Summary**

In this course, we have studied six categories of Order Makers and Winners - Values, Financial, Schedule, Technical, Quality, and Other. Within each category are attributes. Order Minimums are those attributes that represent the minimum criteria necessary to secure an order. Order Winners are those attributes that ensure repeat work, and offer a competitive advantage. As well, there are Order Losers, which are simply the opposite of one or more of the Order Minimums as well as some Order Winners. Now, review your attributes as they relate to your business and clientele. You'll be glad you did!