

ERP Failure #13: Questions a Good Expert Witness Asks to Get to the Heart of A Dispute in Litigation

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Obtaining the full picture of what happened in a failed systems development project in litigation is like putting together the pieces of a broken vase. While it is beyond the scope of my conversation with you today to discuss all of the pieces, there are five tracks where asking the right questions can help you get to the heart of the issues.

1. **The Strategy Track delves into** the initial business strategy
 - a. What was the strategic importance of these systems(s) projects? How is their success defined?
 - b. Was a product charter issued? Was ROI calculated? Was TCO?
 - c. How did project management manage the trade-offs in the Golden Hexagon: schedule, cost, scope, risks, quality, and stakeholder expectations? Was that acceptable to both parties?
 - d. How critical was meeting the scheduled Go-Live date? Staying on-budget? On-target for the first release?
 - e. How much investment was really required? How much were the parties willing to put up?
2. **The Stakeholder Track** seeks to understand stakeholder expectations and how closely the final System matched them.
 - a. Was the system fit for the purpose intended? How were all critical requirements delivered and tested? What specific complaints were lodged?
 - b. How were Stakeholder expectations elicited, managed and controlled?
 - c. Was the User interface appropriate (for the Users? for the intended Culture)?
 - d. Was Customer properly trained to use, manage, and troubleshoot the new system?
 - e. Was Organizational Change Management appropriately conceived, planned and executed to assure successful cutover and use of the new system?
3. **The Project Management Track**
 - a. Were appropriate management control systems in place to: plan, organize, staff, direct, coordinate, report, and re-direct the project as required?
 - b. Were progress and problem reporting and communications accurate, complete, and actionable throughout the project?
 - c. Were causes of delays properly analyzed, attributed, corrected, and prevented from recurring?
 - d. Did the contract clearly assign roles, responsibilities and risks as parties intended? What was the escalation process?
 - e. Were estimates based upon reasonable assumptions? Constraints? Were they updated when assumptions/constraints changed?
 - f. When did the parties first communicate that the project was in trouble? What was done?

- g. What decisions delayed or hurt the project?
- h. Was the project appropriately staffed in number & skills, and expertise in the required tools throughout the project?

4. **The Technology Track** discusses the nuts and bolts of the actual system

- a. Were appropriate architectures and platforms used to develop the system?
- b. Were appropriate plans made to convert the data and the operations from the old system to the new system? Was data properly extracted, cleansed, audited, transferred and tested for use by the new system?
- c. Were critical "-abilities" built into the system as appropriate:

Testability	Reliability	Recoverability
Flexibility	Usability	Security
Maintainability	Portability	
- d. Was the SYSTEM "ready for live production?" (A very complicated question left for another conversation!)

5. **The Quality Track** (Closely linked to other tracks)

- a. Was an appropriate Systems Development Lifecycle methodology selected and used?
- b. Was Quality Control in place for the life of the project? Was an independent Quality Assurance team employed? Were their recommendations followed?
- c. Was testing adequately budgeted, staffed, and performed? Were appropriate testing tools used (including: regression testbeds; defect management, and reporting systems; independent signoffs of critical tests, etc.?)
- d. Were all deliverables turned over? Were they appropriate for the contract and SOW? Was their quality adequate for the given situation?
- e. Were appropriate "systems development metrics" kept and used to manage the project and the system?

Although this list is not comprehensive, they will provide a basis for the information, documents and witnesses you will need for forming your opinion.

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Questions or comments?

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