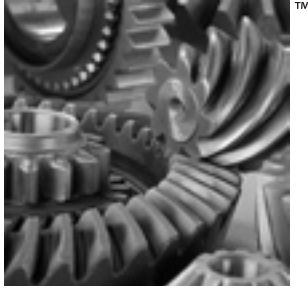


# NEGOTIATIONS

## Power • Process • Principles



This course is great for anyone involved in negotiating anything—from trade agreements, labor settlements and acquisitions to mergers, real estate transactions and corporate/government procurement. Close large sales or improve any deal in which you need to protect your interests. You'll discover how to increase your negotiating power and learn principles that are used by experienced negotiators. Most important, you'll understand a process that allows you to accomplish your objectives and ensures your success.

### Workshop Outline

Course Length: 2 Days

#### Why Negotiate?

- Procure items
- Solve a problem
- Follow a directive
- Create innovation
- Combat competition
- Close a sale
- Renew a contract
- Seize an opportunity
- Improve performance

#### Our Challenges

- We avoid conflict
- We lack experience
- We give too much information
- We have fragmented position
- We don't know what's possible
- We make mistakes
- We are unprepared
- We don't allow enough time
- We lack training, experience, skills
- We don't have negotiating power
- We don't use a negotiation process
- We don't know proven principles

#### Overview of Solution

##### Power

1. Comes from a variety of sources
2. Can be gained, lost or given away
3. Affects attitude, behavior and outcomes
4. The essential important factor

##### Process

1. Effective negotiation is a process, not an event
2. Use in whole or in part
3. It's about project management
4. Provides focus, direction, discipline, consensus and consistency

##### Principles

1. Best practices
2. Collective wisdom
3. Practical, proven do's and don'ts
4. From painful learning experiences

##### Negotiating Power

##### Sources

1. Control—**Seven** components to manage, including:
  - a. Contract
  - b. Emotions
  - c. Agenda
2. Alternatives
3. Authority—**Gain four** ways
4. Information—**Six** critical points, including:
  - a. Information is power
  - b. Talking = giving information
  - c. Listening = receiving information
5. The deal itself
6. Opponent—**Gain four** different ways
7. Interpersonal

**Maintaining—Seven** initiatives to keep power, including:

1. Don't eliminate source of power
2. Don't expose needs
3. Counter opponent's ploys

##### Process

##### Step 1: Organize

1. Establish team
  - a. Members
  - b. Structure
  - c. Roles—**Seven** pre-defined responsibilities, including:
    - Emissary
    - Observer
    - Good cop

2. Develop scope
3. Identify resources
4. Collect/prioritize objectives
  - a. Types of objectives—**Ten** important perspectives, including:
    - Results
    - Functional
    - Contractual
  - b. Sources of objectives — **Eight** areas to survey, including:
    - Executives
    - Stakeholders
    - Team members
  - c. Prioritize objectives
5. Establish/review governance criteria
  - a. Policies
  - b. Standards
  - c. Procedures
  - d. Form documents

##### Step 2: Prepare

1. Schedule
  - a. Deal completion
  - b. Key milestones—**Five** components to consider
  - c. Critical path
2. Information gathering
  - a. Internal analysis—**Five** things we must determine
  - b. Industry analysis
  - c. Analysis of opponent—**Ten** important issues, including:
    - Deal impact on them
    - Their objectives, interests and limitations
    - Questions they will ask
3. Strategy
  - a. Examples of strategies
  - b. Strategy selection—**How** to evaluate them

4. Finalize Negotiation Plan
  - a. Conduct risk analysis
  - b. Set expectations within the team
  - c. Develop alternatives to a negotiated deal
  - d. Document Negotiation Plan
5. Run simulation(s)
  - a. Conduct simulation
  - b. Review/audit the simulation
  - c. Modify strategies and Negotiation Plan
6. Obtain authority
  - a. Team members
  - b. Senior management
7. Meeting logistics
  - a. Site
    - Ours
    - Theirs
    - Neutral
  - b. Environmental factors—**Eight factors to consider, including:**
    - Seating
    - Meeting room
    - Seating arrangements
  - c. Human factors
    - Travel
    - Food
    - Fatigue
    - Time
  - d. Attendees
8. Develop agenda
  - a. Advantages
  - b. Disadvantage
  - c. Top down negotiations
9. Review table team protocol—**Seven rules to follow, including:**
  - a. Maintain self control
  - b. One person speaks at a time
  - c. Don't hesitate to call a caucus
10. Review negotiating styles
  - a. Geared to
    - Situation
    - Personalities
  - b. Objective is to communicate our ideas most effectively
  - c. Elements of negotiating style

### Step 3: Execute

1. Meeting management
  - a. Team member introductions
  - b. Agenda
2. Communication—**Six critical issues to understand, including:**
  - a. Questioning—**Six types of questions**
  - b. Listening
    - Benefits of listening
    - Active listening
    - Barriers to listening
  - c. Body language lab—*Demonstrations and exercise*
3. Maslow's hierarchy of needs
  - a. Pyramid
  - b. Examples
  - c. Negotiations applications
4. Dealing with deadlocks and impasses—**Fifteen ways to resolve, including:**
  - a. Brainstorm
  - b. Write issue on board
  - c. Depersonalize the issue
  - d. Create a problem solving team
  - e. Sit on the same side of the table
5. Ploys, strategies and tactics
  - a. How to counter ploys
  - b. List of strategies and tactics—**Fifteen approaches to gain advantage, including:**
    - Zone of consideration
    - Salami
    - Surprise
    - Quiet as a tomb
6. Closing/documenting
  - a. Statements and questions—**Eight most effective comments**
  - b. Document
  - c. Update agreement and Negotiation Plan
  - d. Notify senior management
  - e. Gain agreement—**Four steps**

### Step 4: Manage

1. No ongoing relationship
2. Ongoing relationship
  - a. Monitor project plan—**Five step sub-process**
  - b. Manage the agreement
    - Elements to manage—**Six key components**
    - Determine who will manage—**Six functional possibilities**
    - Brief those who will manage
    - Monitor compliance
    - Document
      - Compliance
      - Noncompliance
    - Take action
  - c. Manage the relationship
    - Determine level of management required
    - Identify who will manage
    - Decide what will be managed
    - Monitor managed items
    - Report on managed items
    - Improve relationship

### Principles

**Never—Fifteen things absolutely not to do, including:**

1. Divulge our budget
2. Reveal our schedule
3. Say their price or terms are reasonable
4. Let them know they're the only option or our favorite
5. Eliminate alternatives until negotiations are completed

**Remember—Twenty-three critical truths we need to know, including:**

1. Information is power
2. A good deal is about more than just the money
3. If it's not in the contract, it's not part of the deal

### Summary