

Professional training “Contract Negotiation”

For whom

- The sales team, working in an international context
- Project managers
- Supply Chain / Procurement professionals
- Contract professionals
- The commercial and operational management

Issue at stake

- Acquire the fundamentals of international contract negotiation
- Obtain true contract negotiation skills thanks to this training

Prerequisites

- This training does not require any prerequisites.
- Nevertheless, some commercial (national or international) or project management or procurement experience will facilitate learning.

Objectives

The following objectives will be achieved when completing this training:

- Becoming familiar with the negotiation of international contracts.
- Understanding/establishing the process for negotiating contracts.
- Learning how to handle difficult negotiation situations.
- Acquiring the ability to adapt your negotiation style to the cultural context or to the personal behaviour of your counterpart.
- Knowing the behaviours and arguments for improved negotiation of contracts.
- Adopting the right reflexes at all stages of a contract negotiation.

The strong points

- Competence: The trainer is an experienced Commercial Director of major international groups (Alstom, General Electric, Besix), having personally negotiated dozens of major contracts (3 to 300 MEuro per contract).
- Flexibility: ability to adapt along the way according to the needs of the participants; providing answers to questions beyond the material presented.
- Relevance: link to the most internationally recognized standard negotiation practices.
- Applicability: practical advice for negotiation.




Program

This program is typically 1 to 3 days and will be adjusted according to the identified needs:

Preparation

- Analysis of the business environment of the trainees (e.g. by telephone meetings) to adapt the topics according to their needs.
- Implementation of reflective phases: (anonymous) self-diagnosis to allow participants to determine their level of competence before and after the training and identify areas for improvement.

Standard modules

<p style="text-align: right;">AfiTaC Advice for International Tenders & Contracts</p> <h2 style="text-align: center;">Contract Negotiation</h2> <p style="text-align: center;">General principles</p>  <p style="text-align: center;"><small>29/03/2019 Copyright 2019 AfiTaC, all rights reserved 1</small></p>	<p style="text-align: right;">AfiTaC Advice for International Tenders & Contracts</p> <h3 style="text-align: center;">The negotiator's style</h3> <p>"Positional negotiators" and "Concessionary negotiators" are the terms used to describe two extremes of negotiation behavior.</p> <p>Positional Negotiators:</p> <ul style="list-style-type: none"> • Concerned only with getting the result they want. • Consistently "hard on the issues" and "hard on the people" they negotiate with. • Do not take into account the needs/interest of the other party. • Have no concern for maintaining on-going relationships. • Their negotiations frequently end in dispute and deadlock. Should they succeed in getting what they want, at the other party's expense, the "agreement" is likely to come unstuck.  <p style="text-align: center;"><small>29/03/2019 Copyright 2019 AfiTaC, all rights reserved 8</small></p>
<p style="text-align: right;">AfiTaC Advice for International Tenders & Contracts</p> <h3 style="text-align: center;">Win-win negotiations - PIOC</h3> <ul style="list-style-type: none"> • 4 guidelines to use throughout the process - PIOC: <ul style="list-style-type: none"> • People • Interests • Options • Criteria  <p style="text-align: center;"><small>29/03/2019 Copyright 2019 AfiTaC, all rights reserved 20</small></p>	<p style="text-align: right;">AfiTaC Advice for International Tenders & Contracts</p> <h3 style="text-align: center;">The formal negotiation phase</h3> <ul style="list-style-type: none"> • The formal negotiation phase moves through four main stages: <ol style="list-style-type: none"> 1. Prepare 2. Debate 3. Propose 4. Bargain  <p style="text-align: center;">Don't forget! Summarize, agree and write it down</p> <p style="text-align: center;"><small>29/03/2019 36</small></p>

- Characteristics/elements of a negotiation
- Types of negotiators
- Negotiation process
- Preparation before negotiation
- Harvard Principled Negotiation: PIOC (People-Interest-Options-Criteria)
- Latest developments in negotiation – recognized negotiation guru's
- Negotiation maturity of an organization
- Managing information during negotiation
- Importance of trust during negotiations
- Setting-up a negotiation team
- Behaviour of top negotiators
- Package deals
- Getting out of difficult situations
- Negotiation across cultures

Options

Options that may be included according to the identified needs (and if consistent with the duration of the course):

*cash flow liability indemnity
liquidated damages fiscal risk
IPP escalation EPC arbitration
variation order termination
FIDIC Force Majeure carve-out
taking-over currency risk cap
warranty suspension rejection*

1. Contract Risk Scoring – method for assessing contractual risks

2. Contract Awareness

Practice

Actual negotiation cases relevant to the business environment of the participants.

Work situations: forum for exchange, on a web-based platform, on the subjects acquired during the training during the month following the training.



Contact us for more information



– by writing an e-mail to info@afitac.com

– by phoning us at **+33 6 75 11 09 83**