MERCURY

The Essentials of Contracting & Contract Negotiation

26 July – 6 August 2027
Madrid (Spain)



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The Essentials of Contracting & Contract Negotiation

Ref: 1071_281532 **Date:** 26 July – 6 August 2027 **Location:** Madrid (Spain) **Fees:** 9500 Euro

Introduction

Every day, significant monies are made and lost by organizations as a result of the contractual terms and conditions governing contracts for purchasing goods, equipment, and services. Since contractual relationships govern all business activities, it is increasingly important for all those dealing with outside organizations to understand how to obtain the best possible agreement for their organization.

The essentials of contracting and contract negotiation course involve skills in negotiating and drafting the contract, managing the same, and mediating issues and disputes that may arise. The Module of the contract negotiation course will look at how contracts are created, some of the main clauses that appear in contracts, and many alternative contracting strategies and structures.

The contracting and contract negotiation course essentials will also consider third-party dispute resolution techniques. The second Module will cover the whole range of negotiations, reviewing the entire negotiation process and showing how a collaborative style of handling disputes or conflict maintains the win/win approach which was set before any dispute arose!.

Enhancing Contract Negotiation and Management

In this era of global business dealings, contract negotiation, and management proficiency are critical skills. This contracting and contract negotiation course offers a comprehensive study suitable for those looking for contract negotiation courses, seeking to improve their contract drafting and writing abilities through an in-depth contract drafting course, or extending their expertise with advanced contract management course content.

In the essentials of contracting and contract negotiation course, participants will engage in a thorough contract law course to deepen their legal understanding and actively involve themselves in contract negotiation training courses to apply practical skills.

Targeted Groups

This essentials of contracting and contract negotiation training course will benefit all levels of personnel in contracts and project management, purchasing, supply, and procurement. It will enable them to enhance their understanding of different contracting strategies and structures in various applications.

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Course Objectives

At the end of this essential contracting and contract negotiation course, the participants will be able to:

- Provide an understanding of how contracts are formed.
- Give an in-depth analysis of issues behind major contract clauses.
- Enhance knowledge of different contracting strategies and structures.
- Learn how to transfer risk through different contract types.
- Understand dispute resolution techniques through courts and other alternative methods.
- Apply the main negotiation phases - Planning, Discussion, Proposing, Summarising, and Concluding.
- Achieve 'win-win' outcomes within the bargaining process.
- Understand the significance of disputes, their causes, and the long-term impact they can have on business relationships.
- Identify and use strategies to resolve the causes of conflicts.

Targeted Competencies

- Developing contract strategies and structures
- Understanding contract issues
- Analyzing and drafting contract clauses
- Resolution of claims and disputes
- Risk Analysis
- Principled negotiation techniques
- Critical thinking skills
- Building trust

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Course Content

Unit 1: How Contracts Are Formed?

- The reasons for using contracts.
- Basic principles in contract formation.
- Examples of formalities for contract formation.
- The use of written contracts or oral agreements.
- Authority to sign a contract.
- Basic contractual structures.
- Use of different types of contracts for other business models.
- Ethical issues.

Unit 2: Main Contract Provisions and Associated Issues

- Scope of Work.
- Force majeure.
- How do we deal with volatile market conditions?
- Delivery and acceptance.
- Termination and Suspension.
- Warranty.
- Selecting the appropriate law to govern the contract.
- Entire Agreement.

Unit 3: Changes and Variations

- Changes to the contract.
- Scope variations.
- Use of variations clauses.
- Evaluating scope changes.
- Extensions of time.
- Disruption.
- Changes in sequence and timing.
- Controlling and managing change.

Unit 4: Contractual Documents and Payment Issues

- Letters of Intent and Award.
- Bonds.
- Progress payments.
- Parent company guarantees.
- Use of commercial standard documents.
- How contracts end.
- Suspension and termination.
- Types of damages.

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Unit 5: Dispute Resolution

- Avoiding disputes.
- Recognizing disputes when they arise.
- Contract clause to encourage negotiation.
- Third-party dispute resolution.
- Courts.
- Arbitration.
- Alternative methods - including mediation.
- Post-review and analysis.

Unit 6: Fundamentals of Negotiation

- Building business relationships.
- The impact of disputes on partnerships.
- 4-phase structure: Preparation, Discussion, Proposing, Bargain & Close.
- Use of concessions: best alternative to a negotiated settlement BATNeS.
- Preparing the case, objectives entry/exit points, and concessions.
- Common mistakes to avoid.

Unit 7: The Negotiator's Toolbox

- Planning an appropriate environment for the meeting.
- Opening discussion, priorities, information needs, and building trust.
- Using proposals -conditional and unconditional to move the meeting on.
- Closing the bargain: trading concessions, summaries, recording outcomes.
- Alternatives to negotiating outcomes to a dispute.

Unit 8: Negotiating Styles, Tactics, and Ploys

- Cultural & international issues: negotiating styles around the World.
- Emotion and negotiation.
- Managing negative emotions.
- Interpreting non-verbal communication.
- Do's and don'ts.
- Push/Pull styles and silence as a tactic.
- 60 common tactics and how to counter them.

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Unit 9: Personal Skills in Dispute Negotiation

- Motivation - analysis of needs, interests, positions, and escalation.
- Motivators of conflict and 5 alternative approaches to dispute resolution.
- Team negotiations - Why? What? How? Who? When?
- Handling conflict and deadlock.
- Personal skills development.
- Fitness check.

Unit 10: Putting it All Into Practice

- Leaders' contribution of mission and self-belief in critical situations.
- Team allocation and orchestration of specialists.
- Mediation process.
- Negotiation case study - plan, bargain, review, analysis of results.
- The do's and don'ts of negotiating.
- Success in dealing with assumptions.
- Murphy's law - improving what we do.
- Action planning.