



Contract Negotiation for Contractors

Course Syllabus

Session 1: Placing Your Footers (The Foundation of Great Negotiation)

- Drawing Your Lines
- Rule #1
- The Three Tactical Changes Necessary for Strategic Success
- The Structure of a Winning Conversation
- *GCs Only*: Strategic Empathy

Session 2: The Hidden Power of Themes

- Introduction to Themes
- The Theme of Control
- The Theme of Notice
- The Theme of Proportionality
- The Theme of Objectivity
- The Negotiation Call
- *GCs Only*:
 - Looking Up The Chain
 - Subcontract Agreement Themes

Session 3: Day-to-Day Done Better (Reducing Legal Risk)

- The Fishbone
- *GCs Only*: *Relationship-Based Negotiation*
- Due Diligence
- Deviation & Discrepancy
- *Subs Only*: Risk of Loss

Session 4 (and 5 for GCs): Damage Control

- Damages
- Indemnification
- Force Majeure
- Changes in the Work
- Warranty
- Payment
- Notice
- Termination
- Dispute Resolution