



THE PROFIT PROTECTOR BLUEPRINT

Shortcut To
Dispute Avoidance &
Resolution

 SUBCONTRACTOR'S **EDGE**



Dispute Resolution Meeting Planning Guide

Action Steps

- ☐ Set Up the Meeting
- ☐ Set the tone of the meeting and maintain the frame control. Do not allow the conversation to break down into technical back and forth.
- ☐ Set the Agenda
- ☐ They Speak -
 - ☐ Goal - Make Them Feel Heard
 - ☐ Take Notes
 - ☐ Do Not Interrupt
 - ☐ "To make sure I've heard you correctly, you're saying.... Give back what they said in bullet points"
- ☐ Use the **GROW Model**

GOAL

- What is it you would like to achieve?
- What is the other party trying to achieve?

Frame the opening in a way that makes it an open discussion - do not use "we want" language, use "our goal is"

Our goal today, is to come a fair agreement so we can move forward – Is that ok?

(Get their buy in on the goal.)

REALITY

- What has happened so far?
- What results did this produce?

Open this portion as follows:

"Look, as we see it here is where we are..."

BODY OF EVIDENCE ASSESSMENT

OPTIONS

- What is your best case, worst case, and compromise option?

Present them in the following order:

As we see it, there are a few options:

- Not a very reasonable option: Go completely legal
- Reasonable option:
- Very reasonable option:

WAY FORWARD

This is what I am going to do ... are you in agreement?

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Insider Tips for Successful Negotiation

1. **Do Your Homework:** Thoroughly research the project scope, budget, timeline, and relevant regulations before entering negotiations. Understanding the project parameters will give you a solid foundation to negotiate from.
2. **Know Your Value:** Highlight your expertise, track record of success, and unique selling points during negotiations to demonstrate why you're the best choice for the project. Confidently articulate the value you provide and negotiate from a position of strength.
3. **Prioritize Objectives:** Identify your top priorities and objectives for negotiations, whether it's securing favorable payment terms or clarifying scope of work. Focus your negotiation efforts on achieving these key objectives while remaining flexible on less critical points.
4. **Build Rapport:** Establishing rapport and building positive relationships with the other party can greatly influence negotiation outcomes. Take the time to listen actively, show empathy, and seek mutual understanding during discussions.
5. **Be Prepared to Compromise:** Negotiations often involve give-and-take, so be prepared to make concessions on certain points to reach a mutually beneficial agreement. Prioritize your objectives and be strategic about where you're willing to compromise.
6. **Keep Emotions in Check:** Remain calm, composed, and professional throughout the negotiation process. Avoid reacting impulsively to offers or counteroffers, and instead, respond thoughtfully and strategically.
7. **Document Everything:** Once an agreement is reached, document all terms and conditions in writing to avoid misunderstandings or disputes later on. Clearly outline the scope of work, payment terms, timelines, and any other relevant details in a formal contract or agreement.
8. **Way Forward:** Develop a plan of action based on the goals, reality, and options identified. What specific steps will you take to achieve your goals? Implementing a clear plan of action will guide your negotiations and keep you focused on achieving your desired outcomes.

Useful Questions around GROW:

You may want to consider the following questions in the GROW sequence as you plan further:

Goal

- What is it you would like to achieve?
- By when do you want to achieve it?
- Is it completely within your control? If not, what part is?

Reality

- What has happened so far?
- What results did this produce?
- What, if anything, have you done about this so far?
- Are there any constraints to you moving this action plan forward?

Options

- What could you do to move forward on this action plan?
- What is your best case, worst case and compromise option?

Way Forward

- Based on the options for your action plan, what are you going to do?
- What obstacles could you face?
- How will you overcome them?
- Who needs to know?
- What support do you need?
- When, specifically, will you start your action plan (day, time)?