

Management
in Practice

Daniel Gérard

Supplier Negotiation Made Simple

The 4C Method

Compose – Clarify
Confront – Commit

Foreword by Ed Ainsworth



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Fond Jean Pâques, 4 – 1348 Louvain-la-Neuve

1th edition

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Printed in Belgium

National Library, Paris: august 2014
Royal Belgian Library, Brussels: 2014/0074/240

ISSN 1373-0274
ISBN 978-2-8041-8921-1

Foreword

Developing a profitable growth model in an uncertain economic climate is an exciting challenge businesses are facing today. Despite unprecedented financial and market conditions, a number of European businesses are successful even in the most difficult times and they forge paths for others to follow.

Traditionally, businesses were cutting costs in economic downturns and growing sales in upturns. Today, successful businesses have shifted from defensive cost-cutting to cultural cost awareness, as a way to auto-finance growth, while many investors still shy from risks and cut equity exposure.

Buying quality goods and services at the best competitive price rather than the price they are ready to pay is a way for them to unlock their capacity to finance other profitable growth initiatives.

Supplier Negotiation Made Simple has helped a number of our clients in reaching this ambitious objective. I am therefore delighted to introduce you to the 4C method so you too can obtain “*more for less*” from your suppliers so as to support profitable growth in your interest – which in the end is theirs also.

Ed Ainsworth
Managing Director
4C Associates

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Part 1

INTRODUCTION TO NEGOTIATIONS

Chapter 1

Chapter

Negotiations and you

Every individual negotiates according to how they perceive the meaning of negotiations. For example, depending upon whether they view negotiating as a sport or as a combat, they adopt the behaviour they consider to be the most appropriate, an instinctively different way of doing things. Yes, but... what if they are mistaken about their perception of negotiation? What about you? Are you sure you have not got a misconceived idea about negotiating and have you ever assessed your results?

1.1 THE NEGOTIATION QUIZ

The following quiz has no scientific nor any other pretensions. It has the sole purpose of making you respond, in one way or another to a series of considerations directly related to the negotiation process and then, to reflect upon your answers.

The quiz is ultra simple. Read each statement and answer instinctively to each one, with either "agree" or "disagree".

Do not ponder over your answers, let your instinct take the lead. This is not about testing you but about testing your instincts.

Then mark your answers to determine whether your approach towards negotiations is instinctive approach or rational.

Are you ready?

Read the following quiz and answer the questions taking no more than 3 seconds between finishing reading the question and marking the “Agree” or “Disagree” column.

	STATEMENT	AGREE	DISAGREE
1.	Negotiating is a question of instinct, culture and personality and is something that cannot be learned.		
2.	To negotiate well, the other party should not be allowed too much time to express their own arguments.		
3.	In negotiations, the best form of defence is attack. To start the negotiations is to start the battle of wits.		
4.	Negotiating is a waste of time. It is better to clearly set out what you want, and let the other party take it or leave it.		
5.	You have to assert yourself at the start of a negotiation, define your position, defend it and not be swayed in any way.		
6.	A friendly approach in a negotiation is to cover up an underlying fear that your positions will not please the other party.		
7.	In negotiations you have to avoid tension, rationale must prevail over emotions.		
8.	The ideal situation is to dominate the other party to a degree that you control the negotiation and its outcome.		
9.	In order to negotiate for your best interests, you have to use the “carrot and the stick” concept.		
10.	Commercial negotiations must be rational and objective, there is no room for acting.		
11.	Good negotiators know how to change course according to the circumstances.		
12.	You have to have the ability not to compromise as to compromise is to lose ground.		
13.	To negotiate is to lose your free will and to a large extent concede to the diktat of the other party.		
14.	In any event, negotiating always comes down to meeting each other halfway.		
15.	In a negotiation, each party has to gain as much as the other.		
16.	The opposite of negotiating is collaborating. If you collaborate well, it is no longer necessary to negotiate.		
17.	It is never possible to find a solution that pleases everybody.		
18.	Negotiating is a contest in which one of the parties loses, the question is “how much”?		
19.	To ask for too much in a negotiation is neither moral nor ethical vis-à-vis the other party.		

STATEMENT		AGREE	DISAGREE
20.	Negotiating is a serious business, it is definitely not a game.		
21.	Negotiating is to reach a compromise. It is to lose the difference between what you wanted to obtain at the beginning and what you actually achieved.		
22.	Negotiating is a trial of strength, power or authority that enables you to achieve what you want.		
23.	The most effective negotiation is one in which you are able to skilfully and subtly trick the other party in such a manner that they do not even notice.		
24.	A good negotiator maintains his views and never sways.		
25.	Negotiating is to accept that you will finally end up with something that you did not want as there is no other alternative.		
26.	Negotiating is daring to say “no” more often than “yes” to the other party.		
27.	To negotiate well essentially means taking your time in order to analyse before deciding.		
28.	You should never consult the other party regarding your position, with a future negotiation in mind, as this would reveal your strategy.		
29.	Telling tales during negotiations always destroys the climate of trust.		
30.	If you have to negotiate, it means that you have neither the power nor the authority necessary to assert yourself.		

1.2 THE RESULTS OF THE QUIZ

The 30 questions that you have just answered are all preconceived ideas about negotiations that prevent us from negotiating objectively.

For the most part, these are unfounded beliefs that live within the western society as, we have to confess, the majority of us do not like to negotiate and more often than not, are scared to do so.

The results of the quiz are thus child’s play. The correct answer to every statement is “DISAGREE”.

- Less than 15 “disagrees”: You have done well to get this book, as you need to review your ideas about negotiations.
- From 15 to 20 “disagrees”: You are on the right track but you have to persevere. This book should help you to, and also provide you with negotiating techniques.
- From 20 to 25 “disagrees”: Do not change anything, you are ready to expand your negotiating techniques and become a master in the art.
- More than 25 “disagrees”: Either you have done this quiz before, or you are already a negotiating specialist, or, you are quite simply gifted and this book should teach you why.

Chapter 2

Chapter

Negotiation profiles

When acting on impulse, every negotiator will have a natural tendency towards a stereotypical behaviour called negotiation profile. This will depend upon their personality and approach towards negotiating, nevertheless, their behaviour will strongly influence the negotiation, but not necessarily in the right direction. It is thus essential to understand the implications each behaviour type will have on the other party. This enables anticipation of their reactions, be it natural behaviour or to elicit certain reactions by intentionally adopting a specific behaviour.

2.1 AGGRESSIVE PROFILE VERSUS FRIENDLY PROFILE

The first type of profile is centred on the quality (or lack of it) of the relationship that is established with the other party. At one extreme is the aggressive profile and at the other is the friendly profile.

The aggressive negotiator looks for a win-lose result through a conflicting relationship. He can only concede to having won his negotiation if the other party has lost.

Typical behaviour of an aggressive negotiator:

- Constant criticism in order to place themselves in a strong position, thereby positioning the other party in a weak position.
- The use of proverbs and sayings as arguments and expressing opinions in the form of universal truths.
- They neither ask nor propose, but demand and threaten retaliation if they do not obtain what they want.
- They consider the best form of defence is attack and strike at every opportunity.
- They alternate between the carrot and the stick concept, flattery when the other party agrees and intimidation when they do not.

Inexperienced negotiators often wrongly believe that aggressive behaviour is an effective means of conducting a negotiation. In fact, it is risky as it instils a sense of

defeat in the other party and a desire for revenge at the first opportunity. It is also a short-term approach as further negotiations with the same person will become very difficult. In general, an aggressive negotiator rapidly “burns out” and soon learns that they are unable to negotiate again with those who are aware of their reputation.

On the other hand, the friendly negotiator seeks to establish a climate of trust with the other person through a certain social proximity and complicity:

- They are warm and considerate. Their favourite weapon is emotion and have no hesitation to move away from the professional domain and make incursions into the private domain.
- In the event of disagreement, criticism or conflict, they rapidly attempt to smooth over tensions and to defuse the situation.
- They prefer to aim for partnerships and durable relationships.
- Consciously or otherwise, they very often look for a compromise as the outcome of a negotiation.

Negotiators who are reluctant to truly negotiate are quick to adopt a friendly behaviour. In the latter case, it is more of an evasion, although friendly behaviour does not per se exclude the possibility to negotiate, even firmly, and influences the climate and fosters a long term relationship.

The balance is always between these two extreme profiles as they are often used to prompt a given reaction from the other party. Aggressive behaviour may be used intentionally at the start of a negotiation to put pressure on the opposing negotiator, to unsettle them, to put them in a position of inferiority. Programmed friendly behaviour is regularly used, as the negotiation moves forward in the desired direction in order to encourage the other person to continue on this course.

2.2 DOMINATING PROFILE VERSUS SUBMISSIVE PROFILE

The second type of behaviour is centred on the balance (or lack of it) of the opposing forces. At one extreme is the dominating profile and at the other is the submissive profile.

The dominating negotiator deliberately seeks to establish an imbalanced relationship in their favour but do not necessarily resort to aggression. They can appear very friendly, but in such a case are not spontaneous and are in fact applying a strategy. Their objective is to dominate the talks in order to direct the negotiation to their advantage.

A dominating negotiator is very quickly recognised:

- They have a strong personality with an intelligence well above average or an impressive stature.
- They either have substantial power, enabling them to decide single-handedly as to the importance of an issue, or show great authority that allows them to easily get people to adopt their ideas.

Glossary

4C method: reasoned negotiating method based on four mental attitudes that enable the negotiating tool box to be systematically applied. The attitudes are “Compose”, “Clarify”, “Confront” and “Commit”.

4 steps: decision strategy that consists of inciting the other party to eventually adopt a position that he will judge favourably, while in reality it will only be one better than the one he wanted to avoid.

Aggressive (profile): natural behaviour by which a negotiator looks for a win-lose result through a conflicting relationship as he can only concede to having won his negotiation if the other party has lost.

Alliance: manipulative strategy that consists of contacting another potential “ally” in the negotiation with a view to joining forces, officially or unofficially, and taking turns in the arguments.

Analytical (profile): natural behaviour by which negotiators follow a sequential and progressive process which leads them to analyse the decision.

Application of force: decision strategy that consists of forcing the hand of the other party, being the strongest, asserting yourself and your position.

Argument: negotiating tool that consists of distilling the most relevant, specific, objective, original and concise arguments during the talks, in order to counteract the arguments of the other parties and possibly influence them to obtain concessions.

Assertive (profile): natural behaviour by which a negotiator openly seeks their ultimate goal by clearly asserting and adopting his positions.

Attack-defence spiral (avoidance of the): negotiating tool that consists of avoiding counterattacking in the event of attack, and recognising the difference between the problems and the people.

Breaking off negotiations: negotiating tool that consists of breaking off the dialogue in order to put enormous pressure on the other person for whom there is nothing left to do but make an additional concession to restore the dialogue, or to take responsibility for the failure of the negotiation.

Calling out of bounds: negotiating tool that consists of sanctioning the behaviour of a party who goes beyond the bounds of acceptability vis-à-vis the other party, and against common morals, laws and regulations, business ethics or the respect of people.

Clarify: assertive and dominating mental attitude advocated by the 4C method when clarifying your own position and analysing the positions of the other party.

Coercion (negotiation based on): natural negotiation style that relies on the willpower that one person imposes on the other.

Collaboration (negotiation based on): natural negotiation style that relies on the principle of negotiating the respective objectives openly and finding a solution together that meets the majority if not all of the objectives.

Colombo (effect): trick & ploy in a negotiation, which consists of raising a last stumbling block by making a last demand, just before an agreement is reached in an attempt to obtain a final concession.

Commit: analytical and reasonably assertive attitude that is recommended by the 4C method when formalising the agreement.

Competitive tendering: negotiating tool that consists of making rival sellers compete with one another to the benefit of the buyer.

Compose: relatively neutral mental attitude in the relationship with the other party; highly analytical as advocated by the 4C method when setting up the conditions for the negotiation: preparation, introductions and opening of the dialogue.

Compromise (negotiation based on): natural negotiation style that relies on the principle of mutual concessions.

Concession-compensation (matrix of): negotiating tool that consists of identifying, during the preparation for the negotiation, the compensation that you will endeavour to get from the other party for each concession requested by them.

Confront: assertive and dominating mental attitude, even slightly aggressive, advocated by the 4C method during the confrontation of the starting positions and the search for an agreement.

Confrontation: a stage in the negotiation process which consists of breaking the artificial equilibrium between the parties and their positions in order to find a new more representative balance between the opposing parties.

Good cop, bad cop: manipulative strategy that consists of creating complicity with the other party, taking their side in order to better influence them.

Cost price analysis: negotiating tool that consists of not being satisfied with just a total price, but asking for a comprehensive breakdown in order to increase the discussion points and arguments.

Decision strategy: strategy applied in a negotiation to influence the decision-making process of the other person in order to obtain a faster and more favourable decision rather than follow the path of their own normal decision-making process.

Decoy: manipulative strategy that consists of making the other party believe that a point of the negotiation is crucial, with an unacceptable demand, when it is in fact secondary. The person who employs this strategy will subsequently abandon all ambitions in this respect, but it ensures a good payback.

Divide and rule: trick & ploy in a negotiation that consists of highlighting a contradiction between the respective words of the opposing negotiators, in order to test and even break their cohesion, thereby putting them in a position of inferiority.

Dominating (profile): natural behaviour by which a negotiator deliberately seeks to establish an unbalanced relationship in their favour and to direct the negotiation in their favour.

Empathy: negotiating tool that consists of immersing oneself in the subjective world of the other person and understanding their logic.

Endurance: procedural strategy that consists of playing on time and prolonging the negotiation.

Enthusiasm (never display): trick & ploy in a negotiation that consists of systematically displaying scepticism, a lack of enthusiasm, indecision and preference for a competitor in order to incite the other party to surpass themselves and “hold nothing back”.

Express negotiation: natural negotiation style that relies on the ability of a negotiator to prevent the other party from putting forward their point of view and driving them to accept a proposal.

False pretext: manipulative strategy that puts pressure on the conditions that you want to obtain from the supplier (e.g. the price) or on the negotiation procedure (e.g. timing) in order to obtain one or more concessions.

First offer (never accept the): trick & ploy in a negotiation that consists of systematically rejecting the first offer, even if it is attractive, in order to force a negotiation and to avoid too rapid an agreement causing the other party to retract at a later stage.

Follow the flow: procedural strategy that consists of negotiating the various points in the order set out in the draft document which is being used as the basis for the negotiation.

Follow-up: step in the negotiation process that consists of implementing the agreement or subsequently resuming the negotiation in the event of failure.

Friendly (profile): natural behaviour by which a negotiator seeks to establish a climate of trust with the other person through a certain social proximity and complicity.

Give and take: procedural strategy that consists of grouping the items to be negotiated and the reciprocal concessions into balanced “packages”.

Intuitive (profile): natural behaviour by which a negotiator proceeds emotionally by perceiving the components of talks before the decision suddenly crystallises.

Intransigence (negotiation based on): natural stereotypical negotiation based on the refusal of a party to make any concessions.

Introductions: step in the negotiation process that consists of stating the name, position, level of authority and, if applicable, the role of each party in the negotiation process.

Impasse (getting out of an): trick & ploy in a negotiation which consists of diverting attention if deadlock is reached and the parties stick to their positions by changing the subject and reverting back to the contentious issue at the end of the negotiation.

Impossible (always ask for the): trick & ploy in a negotiation that consists of actually asking for the impossible based on the principle that, although excessive, the demand may sometimes tally with what the other party is prepared to give up and also because it gives greater room for manoeuvre in the subsequent negotiation.

Lose-lose (result): outcome of a negotiation process by which the parties have neutralised each other to the extent that neither has achieved the desired result. It is often the outcome of a failed “take it or leave it” tactic.

Manipulation (negotiation based on): natural negotiation style that relies on deception.

Manipulative (profile): natural behaviour by which a negotiator continually acts covertly, never revealing their true intentions, with the objective of obtaining a win-lose result.

Manipulative strategy: strategy applied in a negotiation to influence the decision-making process of the other party by using concealment or stratagems to take advantage of them and to lead them, without their knowledge, to a solution they would not have otherwise chosen.

Must do a lot better: trick & ploy in a negotiation that enables the buyer, once the seller has announced the price, to immediately return the ball to the other court and compels the seller to justify the price and in many cases to make a concession.

Natural behaviour (profile): the natural tendency of negotiators towards a certain type of behaviour called negotiation profile which depends on their personality and their approach to negotiations.

Natural negotiation (style): natural and practically instinctive inclination of a negotiator towards a negotiating style which depends on their negotiation profile and the circumstances in which they find themselves.

Negotiating tool: effective negotiating technique, widely acknowledged and intended to challenge the starting position of the other party with a view to inciting them to revise their position.

Negotiation: process by which two or more parties manoeuvre and make concessions with respect to their starting positions, which are necessarily different, in order to bring their points of view together and reach an agreement.

Non-verbal behaviour: trick & ploy in a negotiation, which consists of taking advantage of non-verbal behaviour, such as exhaling audibly when the price is announced, adopting a surprised expression, shaking your head, rubbing your forehead in order to influence the other party in your favour.

Opening the dialogue: step in the negotiation process that consists of immediately defining the terms of reference of the negotiation and ensuring that the parties are on the same wavelength.

Pareto (principle): trick & ploy in a negotiation that consists of taking advantage of the fact that 80% of concessions are made in the last 20% of the negotiating time and by taking advantage of the approaching conclusion to raise problems hostile to the agreement.

Participants (choice of): a negotiating tool that consists of choosing, prior to the negotiations, the participants who will speak at a given moment in order to increase the impact of the dialogue.

Physical discomfort (taking advantage of): trick & ploy in a negotiation that consists of placing the other parties in more difficult negotiation conditions than yourself.

Preparation: step in the negotiation process that consists of putting together the case file containing the objective and quantified elements, and the plan for the dialogue.

Procedural strategy: strategy applied in negotiations to influence the order of the discussions and to lead them in a favourable direction for one or the other party.

Push and Pull: decision strategy that consists of alternately pushing and pulling the other party in order to force them to make one or more concessions earlier than they would have otherwise accepted.

Recording the result: a step in the negotiation process which consists of formally recording the fact of having reached an agreement or continuing disagreement by giving everybody the time to consider the situation before accepting the result.

Relevant questioning: negotiating tool that consists of asking a question not only to obtain the desired information, but also to adapt the method of communication to the phase that the negotiation is in.

Room for manoeuvre: negotiating tool that consists of making demands that are greater than reality, in order to create the possibility to reduce the demands in exchange for compensation from the other party.

Salami: procedural strategy that consists of cutting the negotiation into sections and negotiating the different sections successively.

Search for an agreement: step in the negotiation process that consists of bringing the different points of view together by making alternative proposals and counterproposals and by accepting concessions and obtaining compensation.

Seating plan: negotiating tool that consists of seating the parties so as to strengthen the strategy chosen to conduct the dialogue.

Starting position: step in the negotiation process that consists of each party setting out their starting position.

Study of the positions: step in the negotiation process that consists of each party analysing the position of the other.

Submissive (profile): natural behaviour by which a negotiator displays eludes of confrontation with the other and flees from the situation.

Trick and ploy in a negotiation: negotiating technique which is not scientific but highly dependent on the personality and the feeling of the negotiator adopting it.

Underling: manipulative strategy that consists of making the other person wrongly believe that you are not the real decision-maker in order to better manipulate them. This strategy is also called the fall guy technique.

Win-lose (result): outcome of a negotiation process by which one party obtains a substantial share of the result initially targeted, whereas the other party obtains very little.

Win-win (result): outcome of a negotiation process by which each party obtains the same share of the result initially targeted.

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Filmography

DONALSON (R), *Thirteen Days*, based on the book by Ernest May and Philip Zelikow, with Kevin Costner, 2000

October 1962. An American spy plane discovers Soviet nuclear missiles on Cuban territory. If fired at the United States, they could wipe many American cities off the map. The trial of strength commences between the two superpowers. For John Fitzgerald Kennedy, the president of the United States, the threat is imminent. At his side are two of his most trusted men: Robert, his brother, and Kenneth O'Donnell, the chief of staff. For thirteen days the three men are at the centre of the most incredible and most dangerous negotiations where nothing more and nothing less than nuclear war was at stake.

A confrontation as amazing as it is historic which shows the strategies, techniques, tricks & ploys of negotiators who have to make terrible decisions for the future of humanity... leaving no margin for error.

LUMET (S), *Twelve Angry Men*, based on a play by Reginald Rose, with Henry Fonda, 1957

United States. The trial of a young man accused of murdering his father and where all evidence points to him. The district attorney develops a powerful and persuasive argument to prove his guilt, despite certain grey areas. When the jury retires to deliberate, eleven of the jurors are already convinced of the young man's guilt and only the twelfth juror has doubts. Alone against the others, he convinces, one by one, the remaining eleven jurors to find him not guilty.

An exceptional lesson in argument and persuasion, which has more to do with negotiating techniques than with justice as such.

MILLER (C), *Garde à Vue (Under Suspicion)*, based on a novel by John Wainwright, with Lino Ventura and Michel Serrault, 1981

New Year's Eve in a small town in Provence where the population is preoccupied by the rape and murder of two young girls. A lawyer, apparently with no history, is taken into police custody by the police chief who is convinced he has got his hands on the paedophile he is looking for. He attempts to extract a confession from the lawyer.

A surprising face-to-face confrontation between two characters that brings out the avoidance strategies of the two men. They turn around one another, size each other up, side-step, and even sometimes turn their backs on one another.

MOLINARO (E), *Le Souper (The Supper)*, based on a play by Jean-Claude Brisville, with Claude Brasseur and Claude Rich, 1992

June 1815. After having defeated Blucher in Ligny two days earlier, Napoleon loses the battle of Waterloo against all expectations. Paris is occupied by Austrian and Hungarian troops, while the British Navy is blockading the port of La Rochelle where Napoleon surrendered after having abdicated. In Paris, Talleyrand invites Fouché to dinner to negotiate the return of the Bourbon monarchy.

An example of subtle but ruthless negotiation between two men of formidable skill. The film is mainly about the confrontation phase in which the opposing parties vie with one another, using negotiating tools with subtlety and cynicism.

Obtain the best from your suppliers, ... a matter of know-how, not a matter of instinct!

For most people, negotiation is a question of natural instinct. It is something you cannot learn, you are either gifted or not gifted in this domain. However, no one has yet discovered the chromosome for negotiation!

And with good reason, **negotiation is not a matter of instinct but a matter of know-how that some develop while others don't.** Since it is based on know-how, negotiation is in fact, a process which can be analysed, understood, applied systematically and made simple to guarantee results that have nothing to do with luck.

This book will contribute towards you reaching this ambitious objective: **supplier negotiation made simple.** Negotiation profiles, styles, steps, procedural, decision and manipulative strategies, tools, techniques, tricks and ploys... the standard negotiation toolbox won't have any secret for you anymore. Yet, you will need to learn how to make the best use of it.

In this respect, the present book distinguishes itself from existing literature with the presentation of **a new approach to negotiation: the 4C model for Compose – Clarify – Confront – Commit**, a simple and efficient negotiation method... **surprisingly simple but incredibly efficient!**



Daniel Gérard

Trilingual business leader with all-round international expertise and an MBA majoring in Finance. The author made his career up to the level of Managing Director within international firms such as Monsanto, Ernst & Young, Le Guide du Bureau, Kuehne+Nagel, Ideal Standard and Euroclean, to whom he owes his success for his know-how in negotiation.

Today, Daniel Gérard is Practice Director at 4C Associates, an award winning consultancy and managed services firm with offices in London and Brussels, who specialise in helping British and Continental European clients, achieve cost leadership. He is also Managing Partner at Cyberness®, a training, consulting and management firm in general, operations, facility and supply chain management, a lecturer in different renowned business schools and an author so as to *"teach what makes you successful on the field but what you don't learn at school"*.

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ISBN 978-2-8041-8921-1

ISSN

1373-0274

www.deboeck.com



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