## BAM 3213 CONTRACTS AND NEGOTIATION MANAGEMENT

**Short description**

The course makes an over view of thecontractual management process; negotiation roles and responsibilities, negotiation strategy and techniques. The course aims at addressing the principles in contracting, negotiation and disputes that arise during the procurement process

**Course objectives**

The course will help students achieve the following objectives:

* Describe the contractual management process and contractual relationships.
* Discuss the general legal issues, business ethics, contractual strategies and business alliances.
* Describe financial strategies, negotiating objectives and negotiation process
* Describe negotiation roles and responsibilities, negotiation strategy and techniques.
* Identify the sources of disputes and strategies in contract management.

**Learning Outcomes**

At the end of the course the students should be able to;

* Plan and prepare for contract negotiations
* Develop and interpret different negotiation instruments.
* Make a case for emerging issues and future trends in contract negotiations
* Advise management on appropriate contracts.

**Intellectual, practical and transferable skills**

* Problem solving skills, Team work, Analytical, Communication

**Teaching and Learning Patterns**

* Use of case studies, class discussions, straight lecture, Group presentations

**Indicative Content**

Introduction: Meaning of contracts and negotiation management, Categories of procurements, Forms of contracts, Contract management process contractual relationships, contracting strategies, contracting strategy formation, business alliances, and financial strategies Disputes in contracts: Sources of disputes in contract management, Strategies of disputes management, Legal provisions for contract disputes. Management and negotiation of variations and claims: negotiating objectives, the negotiation process, negotiation roles and responsibilities, Negotiation strategy and approaches conducting the negotiations, Contract closure and liability for defects, Post-implementation appraisal

**Assessment Method**

The assessment method is structured to include coursework and final examination. Coursework consists of assignments, presentations and tests.

Each course in the programme shall be assessed on the basis course work and final examination represented as

Course work assessment 30%

Final Examination 70%

100%

The minimum mark required to pass is 50%, this includes course work and final examination. Each course in the programme is allowed a maximum of three hours for final examination

**Indicative Sources**

1. Kolb,D.M. and Williams,J.(2003) Everyday negotiation: navigating the hidden agendas in bargaining. San Francisco, Calif.: Jossey-Bass
2. Kramer,H.S.(2001) Game, set, match: winning the negotiations game. New York: Alm Publishes
3. Kremeniuk,V.A.(2002). International negotiation: analysis, approaches, issues. 2nd ed. San Francisco: Jossey-Bass
4. Howard,R.(1982).The art and science of negotiation. Cambridge, Mass: Belknap Press of Harvard University Press.
5. Carroll, P. (1995).[A professional approach to contract negotiation and management](http://www.amazon.com/professional-approach-contract-negotiation-management/dp/087258707X/ref=sr_1_1?ie=UTF8&s=books&qid=1245419714&sr=1-1)
6. Eyster,J.J.(2009)[Recent trends in the negotiation of hotel management contracts: terms and termination: changes in bargaining strength have given owners more leverage to ... article from: Cornell Hospitality Quarterly](http://www.amazon.com/Recent-trends-negotiation-management-contracts/dp/B002AMHDVK/ref=sr_1_4?ie=UTF8&s=books&qid=1245419714&sr=1-4)
7. Guth,S. (2007)[The Contract Negotiation Handbook: An Indispensable Guide for Contract Professionals](http://www.amazon.com/Contract-Negotiation-Handbook-Indispensable-Professionals/dp/1435706390/ref=sr_1_15?ie=UTF8&s=books&qid=1245419885&sr=1-15)
8. Moore,D.C.(1996)[Government Contract Negotiations : A Practical Guide for Small Businesses](http://www.amazon.com/Government-Contract-Negotiations-Practical-Businesses/dp/0471134511/ref=sr_1_22?ie=UTF8&s=books&qid=1245419885&sr=1-22)