



# The Four Critical Elements in Negotiation Analysis



# Program Objectives

Analyze negotiation actions and agendas from the other party  
Create side-by-side problem solving rather than confrontation  
Uncover alternatives and added value available to the other party

# The Negotiation Process

## Discovery

Understand and learn about the other parties wants, needs, desires and interests.

## The “Offer”

Prepare and present your requests so that it aligns with desired outcomes

## Bargaining

The process of give and take, compromise and creative problem solving

## Agreement

Nail down the terms, put it in writing, and deliver on promises.

# Position vs. Interest

**Position:** WHAT they want



**Interest:** WHY they want







# Discovery happens through the art of asking questions

- Goal is to uncover their:
  - “What they What” (Position)
  - “Absolutes”
  - “Nice to Haves”
  - “Emotional Motives” (Interest)
- Use Open Ended Question
  - Who, What, When, Where, How, Why?



# Analyzing and Planning

<i><b>Negotiable Items</b></i>	<i><b>My Ideal</b></i>	<i><b>My Realistic</b></i>	<i><b>My Fallback</b></i>	<i><b>Other Party Fallback</b></i>	<i><b>Other Party Realistic</b></i>	<i><b>Other Party Ideal</b></i>

# Create Alignment

1. **Cushion to Connect-** empathize with what the other party is asking for
2. **Clarify-** ask questions to ensure understanding
3. **Align/Reframe-** to remove negativity and state as a mutual problem
4. **Nail Down Question-** to get agreement on why they object

# Example Create Alignment

## Agenda Point- I don't like where you relocated my cattle (Position)

1. **Cushion to Connect:** “I agree, your cattle are very important to your livelihood.”
2. **Clarify:** “What is really concerning you most about relocating them to the west side of your property?”
3. **Align/Reframe:** “Ah, “I see, so we need to work a solution that will make it easier for you to get to your cattle on a daily basis?”
4. **Nail Down:** Would that make you more comfortable with going forward? **(you have just uncovered their interest)**



# Provide an Alignment Statement

**Value-** State what you will compromise or give the other party.

**Benefit-** Explain how this concession will meet their request/concern

**Evidence-** Prove your commitment by removing their doubt

**Nail Down-** Get agreement to move forward

# Example Alignment Statement

**Value-** “We can install a temporary access road from the barn to the relocated field.”

**Benefit-** “What this will do is provide you with a convenient and easy right of way around the construction site directly to the cattle. The access road will not cost you anything and we’ll restore the land back to it’s original state once construction is over.”

**Evidence-** “Here is a new map of your property showing the road layout.”

**Nail Down-** “How does that look to you?”

# Use Evidence

**D***emonstrations*

**E***xamples*

**F***acts*

**E***xhibits*

**A***nalogies*

**T***estimonials*

**S***tatistics*

**Doubt**





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“ Every battle is won  
**BEFORE**  
it is fought. ”

Sun Tzu