

SUCCEED AT CONSTRUCTION INDUSTRY NEGOTIATION | MEDIATION

A must read to achieve your business objectives and legal strategies in negotiation | mediation of construction industry disputes.

It is important to understand how **Negotiation | Mediation** is really done. If you fully comprehend what's really happening, you will do the right things at the right times.

Gain **superior knowledge**: the true key to success in negotiation | mediation.

If you fully understand the processes of negotiation | mediation, you will know what to do when and how to do it. You can neither simply follow a predetermined script, nor allow your preconceptions or emotions interfere and over-ride what has to be done because at the extremes, preconceptions and emotions prevent successful negotiation.

Avoid negativity, **worries, fear, angst, skepticism**, despair, anxiety, **doubt, weakness**, and pessimism.



Bolster your **confidence** based upon proven techniques from successful construction claim negotiations and construction mediations.

This white paper presents key points, guidelines, and tips on the specific

things to consider and actions to undertake to achieve an acceptable agreement in construction negotiation and construction mediation.

Learn how to cost-effectively carry your construction dispute forward at reasonable expense and without without loss of effort or momentum into construction litigation, if an acceptable agreement cannot be reached in negotiation or mediation.

Success in negotiation | mediation requires full confidence, careful preparation and a hard, realistic appraisal of your case and the other side's case.

Success requires a focused presentation; active looking and listening; good business decisions to achieve resolution short of expensive and time consuming litigation.

Properly done, negotiation | mediation is a cost-effective construction dispute resolution mechanism.

Improperly done, it can be a very frustrating experience and may result in a significant amount of wasted effort, unnecessary expense and "free discovery" for the other side.

Avoid frustration, waste, and "free discovery" for the other side.

Follow the points, guidelines, and tips set forth in this white paper, then you will enhance your opportunity for settlement, and put your efforts "In-the-Bank," which you can take forward, if necessary, into litigation without loss of momentum

Written by a Professional Engineer with 35+ years' experience in engineering and construction management, contracting, scheduling, disputes, claims, and expert witness testimony at negotiation | mediation and litigation (e.g., boards, arbitrations, state and Federal courts).

This is a "How-To" guide, which you can do "In-house," thus significantly reducing the cost of outside legal and consultant expertise.

Plus, it includes construction expert support regarding the application of

the information therein (**See Below**).

Abstract

When project level negotiations under the terms of the contract have not resolved disputes, the parties may consider a construction negotiation process above the project level followed by construction mediation prior to commencing litigation, hence the term Negotiation | Mediation.

Negotiation | Mediation is never easy, and it is not cheap. It requires thorough preparation and focused execution, which entails significant effort, time and expense; but much less than proceeding directly into litigation.

The goal of negotiation | mediation is to achieve an agreement among affected parties to resolve construction disputes without the time, expense and risk of construction litigation. Each party wants to arrive at an amount of consideration each is happy with for a prudent expenditure of time and expense.

Construction mediation is the continuation of unsuccessful negotiation, in a more structured setting, and with the assistance of an outside neutral, legal counsel and subject matter expertise.

This white paper presents key points, guidelines, and tips on the specific things to consider and actions to undertake to negotiate a settlement under the administrative provisions of the construction contract (e.g., Changes), and; if that does not happen, seek an acceptable settlement agreement via construction mediation, including how to cost-effectively prepare for negotiation and mediation so your construction claims can be taken forward beyond negotiation or mediation to construction litigation without loss of effort or momentum.

White Paper Contents

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*** As a registered purchaser of this white paper, you can ask questions, get answers, and request further information about the application of the information set forth in this white paper with respect to any anticipated or current construction claim, at no additional cost. ***

Any questions, please [email](#).