Collaborative Contracting

**Location:** Knoxville, Tennessee  
**Duration:** 2 Days  
**Tuition:** $2,000 ($1,900 for CSCMP members; $1,700 for UT Supply Chain Forum members); $1,000 if repeating the course; Includes meals and lodging.

**Location:** Copenhagen, Denmark  
**Duration:** 2 Days  
**Tuition:** $1,800 ($1,700 for CSCMP members; $1,530 for UT Supply Chain Forum members); $900 if repeating the course; Includes some meals

Program fees are subject to change. Check our website: [http://ExecEd.utk.edu/CC](http://ExecEd.utk.edu/CC) for the latest information.

**WHO SHOULD ATTEND?**
Teams and individuals who draft, negotiate or manage complex contracts, including:
- commercial managers
- contract negotiators
- contract managers/administrators
- procurement professionals
- business development executives
- account executives
- alliance managers
- corporate managers in charge of procuring/providing outsourcing operations
- supply chain managers
- lawyers who support these functions.

**PROGRAM OVERVIEW**
Contracting is changing fast. Customer-supplier relationships are evolving. There are several newer contracting models in addition to the traditional commodity models, such as performance-based, relationship-based, Alliance, and Vested Outsourcing models. These new collaborative styles of contracting are quickly moving from buzz words to serious business approaches.

Relationship-based agreements require highly collaborative win-win contracting techniques rather than conventional win-lose negotiation techniques. This program will provide business professionals with a process for working together in a non-adversarial legal and contract framework to create greater financial returns and better customer-supplier relationships.

**Collaborative Contracting** is an advanced-skills Vested course covering developing, drafting, and aligning interests in a collaborative contracting environment. Participants learn to work with various stakeholders who may have opposing points of view, establish deal guardrails, and draft balanced agreements. The course covers must-have skills for developing agreements that are highly collaborative and highly profitable.

Note that there is online pre-work.

**KEY PARTICIPANT BENEFITS**
Collaborative Contracting principles apply to a variety of customer-supplier relationships, including strategic partnerships/alliances, sole supplier agreements, and outsourcing arrangements. To reap the rewards promised by these relationship-based agreements, you will need to master 21st century contracting approaches.

Yesterday’s negotiation skills will not work for tomorrow’s deals. Drawing from leading contracting experts and cutting-edge economic theories, you will leave the class inspired and motivated to take your contracting skills to the next level.

Throughout the course, you will apply proven, cutting-edge techniques and learn to:
- Set the stage for relationship-based, collaborative contracting
- Align and incorporate stakeholders who may have different points of view, agendas, policies and requirements
- Write contract language that incorporates business objectives and deal points into a flexible framework
- Write contract clauses and schedules that are fair and balanced

**METHODS OF INSTRUCTION**
This course is based on extensive research about successful performance-based agreements, cutting-edge behavioral economic theory and case studies showing how to document collaborative principles into the contract. Participants are expected to have taken basic
Collaborative Contracting

negotiation skills training and be familiar with drafting contracts. The course balances theory, case studies, small-group exercises, and large-group question-and-answer time. Please refer to the program schedule included with this profile sheet.

DISTINGUISHING FEATURES
Collaborative Contracting is:
• The only course designed to teach contracting professionals to develop collaborative contracts; align a myriad of interests; and draft complex, relationship-based agreements – including Vested Outsourcing agreements
• Based on applied research studying successful performance-based and collaborative agreements and case studies showing how to document collaborative principles into the contract
• Co-sponsored with CSCMP, IAOP Academic Alliance Partner.
• This course counts towards the University of Tennessee’s Certified Deal Architect Certification and CSCMP’s SCPro1TM certification maintenance (15 CEUs).
• UT’s Graduate and Executive Education is CSCMP’s Approved Continuing Education Provider (ACEP).
• Co-sponsored supply chain courses to earn CEUs good towards certification maintenance.
• Class size is limited in order to ensure interaction with faculty and fellow participants.

This program, like all Graduate and Executive Education open enrollment programs, is available as a customized, in-house program for organizations.

FACULTY
Program faculty consists of key experts in Vested’s collaborative contracting approach, including:
• David Frydlinger, CDA – lawyer, partner at Lindahl law firm, co-author of Getting to We—Negotiating Agreements For Highly Collaborative Relationships (Palgrave Macmillan 2013) and Certified Deal Architect in the Vested model. David has almost fifteen years’ experience in assisting large and mid-size Nordic companies in industries such as IT, telecommunications, steel, rail freight and public sector with outsourcing and other complex strategic contracts. He combines unique skills in collaborative negotiations and drafting of relational contracts to create business relationships for the mutual benefit of both parties.
• Kate Vitasek, MBA, CDA – faculty member at the University of Tennessee’s Graduate and Executive Education and the founder of, faculty, and lead researcher for Vested. She is an international authority for her award-winning research and Vested business model for highly collaborative relationships. Kate has been lauded by World Trade Magazine as one of the “Fabulous 50+1” most influential people impacting global commerce. Her work has led to 5 books, including, Vested Outsourcing: Five Rules That Will Transform Outsourcing, Vested, How P&G, McDonald’s, and Microsoft are Redefining Winning in Business Relationships, and Getting to We: Negotiating Agreements for Highly Collaborative Relationships. Kate has also been featured on Bloomberg radio multiple times, NPR, and on Fox Business News.

FACILITIES
Knoxville classes are held in the Graduate and Executive Education executive classrooms of the University of Tennessee Haslam College of Business. These facilities are designed to promote group interaction in an environment conducive to applied discussion, feedback, and the development of relational networks that frequently continue well beyond the on-campus experience.

Copenhagen classes are held at the ISS World Services headquarters.

Knoxville accommodations are single-occupancy rooms at the nearby Knoxville Hilton Hotel. Transportation from the hotel to the University and to dining is provided.

CONTACT
For more information on Collaborative Contracting, please contact:

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## Collaborative Contracting

### WEBSITE
For current information about Graduate and Executive Education and its offerings, visit our web site at [http://ExecEd.utk.edu](http://ExecEd.utk.edu).

### RELATED COURSES
- Global Supply Chain Executive Development Program
- Vested Outsourcing
- Certified Deal Architect
- PBL: A Proven Product Support Strategy

### TYPICAL COURSE SCHEDULE

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<tr>
<th>DAY 1</th>
<th>DAY 2</th>
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<tbody>
<tr>
<td><strong>Setting the Collaborative Stage</strong></td>
<td><strong>Structuring the Deal</strong></td>
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<tr>
<td>Participant Introductions</td>
<td>Interactive Review of Day 1</td>
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<tr>
<td>Role Play: Negotiating the Deal Part I</td>
<td>Collaborative Contract Structure: Performance-based, Relationship-based, Alliance and Vested Outsourcing</td>
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<tr>
<td>Background: Vested Outsourcing, Performance-based, Relationship-based, Alliance Agreements</td>
<td>Small-group exercises: Structuring various deals</td>
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<tr>
<td>Behavioral Economics and Contract Effectiveness: Cost of competitive contracting practices</td>
<td>Documenting assumptions, baseline models, guardrails, and other aids to continued contract interpretation</td>
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<td>Assessment: How collaborative are your purchasing/sales processes? Collaboration is a Continuum Small-group Exercises</td>
<td>Small-group drafting exercises</td>
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<td>Sitting on the Same Side of the Table: Practical techniques from a mediator’s (neutral’s) point of view</td>
<td>Long-Term Value: The deal you draft drives behavior and profits Drafting balanced articles, clauses and schedules</td>
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<tr>
<td>Role Play: Negotiating the Deal: Part II</td>
<td>Wrap up: One thing I’ll do on Monday</td>
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**NOTE:** While this course is taught mostly by attorneys, neither the attorneys nor the University of Tennessee will be giving any legal advice. All participants are encouraged to work with their legal team to implement the strategies introduced in this course.