

SBE NEWS ALERT

The 7 Most Common Negotiating Mistakes

THINK LIKE A NEGOTIATOR



50 Ways to Create Win-Win Results by Understanding the Pitfalls to Avoid

ELDONNA LEWIS FERNANDEZ

By Eldonna Lewis-Fernandez

While even the word “negotiation” can evoke fear, stress and anxiety for many, the intent is quite simple: to discuss and ultimately agree on a deal. Whether it’s a multimillion dollar contract or just deciding where to meet for lunch, life is rife with negotiations. And, the negotiation process is a lot like a chess game where strategy reigns supreme—one thoughtfully considered move at a time. Make a careless, short-sighted, ill-conceived move and suffer the perilous consequences.

“Even when faced with the most daunting of deals, regarding the act of negotiation as a ‘game’ may alleviate the apprehension and give

you the confidence to make power plays that will ultimately facilitate your desired result,” notes veteran negotiation and contracts expert Eldonna Lewis-Fernandez, author of “Think Like a Negotiator” (www.ThinkLikeANegotiator.com). “Unlike strategy games like chess, however, the most effective deals are a win-win proposition for all parties rather than a winner-loser result.”

To help individuals maximize their bargaining prowess in business and in life, below Eldonna cites the 7 most common mistakes that are made during a negotiation:

1. Lacking confidence

Many people think they need to show a certain kind of confidence, like being loud, bold or brazen, to successfully negotiate a deal. Others think that a lot of experience is required to be a good negotiator. Most of the time it merely takes tenacity and good old preparation to ensure you are aptly equipped to assert mutually desirable terms, anticipate objections, and discern what are motivators or “hot buttons” will resonate with your opponent. Projecting confidence also means having heart, which is endearing to others whether or not you have years of negotiation experience. This can also result in the opposition having a less defensive stance, making them more amenable to your stipulations. Without projecting a notable level of confidence, and backing that up with solid, well-researched information, failure will surely prevail.

2. Thinking something is non-negotiable

When you think like a negotiator, everything is negotiable! It’s a mindset you have to operate from in order to become not just a good negotiator, but a great one. When you decide that the terms for anything can be changed in your favor, a world of opportunity presents. Of course, as with most things in life, there will be rules to adhere to with each deal on the table, which are needed to evade chaos and keep discussions on track. However, even rules are negotiable! They can be modified if

you simply propose an ethical, viable and mutually beneficial alternative solution. Powerful negotiators are rule breakers!

3. Not building relationships first

This is probably one of the biggest mistakes individuals make in regards to negotiation and in business in general. Perhaps you have attended the standard “networking” event where you give dozens of cards out without having a real conversation with anyone. It’s time to slow down and start making real connections with people—particularly those you

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California Sub-Bid Request Ads

Sub Bids Requested From Qualified
DBE, UDBE Subcontractors & Suppliers for

**County of Stanislaus -
Airport Neighborhood Sewer Improvement
Location: Modesto, CA
Project No. 8063
Bid Date: July 16, 2014 @ 2:30 PM**

McGuire and Hester is seeking qualified subcontractors in the following trades: trucking; striping; pipeline TV; sawcutting; street sweeping; grinding; traffic control; precast structures; pipeline materials; aggregate; and asphalt. We will pay up to and including one and one-half percent (1-1/2%) of your bonding cost. Certification assistance is available, as well as viewing plans and specs.

McGuire and Hester

9009 Railroad Avenue • Oakland, CA 94603
Phone: (510) 632-7676 • Fax: (510) 562-5209
Contact: Hugo Gutierrez
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Sub Bids Requested From Qualified
DBE, UDBE Subcontractors & Suppliers for

**County of Mendocino -
School Way Bridge Replacement
Location: Ukiah, CA
BRLSZD-5910(039)
Bid Date: July 17, 2014 @ 2:30 PM**

McGuire and Hester is seeking qualified subcontractors in the following trades: vibration monitoring; asphalt & aggregate; post tensioning; construction area signs; concrete stainer; concrete; surveying; demolition; hydroseeding; striping; utilities; fencing; metal beam guard rail; piles; rebar; precast; signals; misc. metals; and SWPPP. We will pay up to and including one and one-half percent (1-1/2%) of your bonding cost. Certification assistance is available, as well as viewing plans and specs.

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Sub Bids Requested From Qualified
DBE, UDBE Subcontractors & Suppliers for

**City of Davis -
East Eighth Street Improvements
Location: Davis, CA
7252 (STPL 5238(060)
Bid Date: July 15, 2014 @ 2:00 PM**

McGuire and Hester is seeking qualified subcontractors in the following trades: trucking; cold planning; crack sealing; tree trimming; concrete flatwork; striping; and traffic loops. We will pay up to and including one and one-half percent (1-1/2%) of your bonding cost. Certification assistance is available, as well as viewing plans and specs.

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Small Business Exchange

The Sub-Bid Request Specialist

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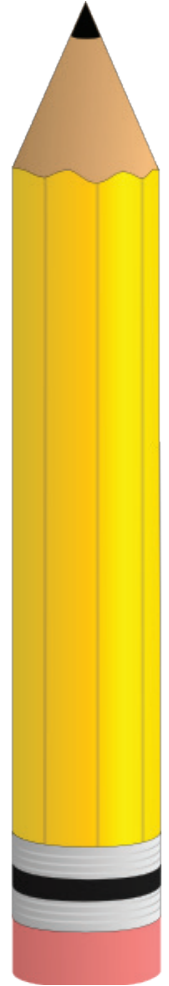
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REQUEST FOR DBE SUBCONTRACTORS
AND SUPPLIERS FOR:

**Petaluma Municipal Airport Runway 11-29
Pavement Improvements Project
City of Petaluma
Federal Project No. A.I.P. 3-06-0186-24
City Project No. C61501402
BID DATE: July 16, 2014 @ 3:30 PM**

We are soliciting quotes for (including but not limited to): Trucking, Airfield Safety and Traffic Control, SWPPP, Survey Monuments, Transition Grind, Pavement Marking, L-853 Taxiway Reflective Markers, Tack Coat, Lighted Runway Closure Markers, Low Profile Barricades, Striping & Marking Removals, Crack Sealing, Electrical, Signs, Markers and Construction Materials

O.C. Jones & Sons, Inc.

1520 Fourth Street • Berkeley, CA 94710 • Phone:
510-526-3424 • FAX: 510-526-0990
Contact: Jean Sicard
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100% Performance & Payment Bonds may be required. Worker's Compensation Waiver of Subrogation required. Please call OCJ for assistance with bonding, insurance, necessary equipment, material and/or supplies. OCJ is willing to breakout any portion of work to encourage DBE Participation. Plans & Specs are available for viewing at our office.

Sub Bids Requested From Qualified
DBE, UDBE Subcontractors & Suppliers for

**County of Lake - Soda Bay Road at
Cole Creek Bridge Replacement Project
Location: Kelseyville, CA
Bridge No. 14C-0061 / BRLS-5914(025)
Bid Date: July 17, 2014 @ 3:00 PM**

McGuire and Hester is seeking qualified subcontractors in the following trades: SWPPP; construction area signs; biologist; bridge demo; clearing & grubbing; hydroseeding; fencing; pile driving; rebar; precast deck slab; and misc. metals. We will pay up to and including one and one-half percent (1-1/2%) of your bonding cost. Certification assistance is available, as well as viewing plans and specs.

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California Sub-Bid Request Ads

REQUESTING BIDS FROM QUALIFIED DBE SUBCONTRACTORS
AND SUPPLIERS FOR THE FOLLOWING PROJECT:

Rt. 4, 5, 99, 205 - Various Loc Bridge Rehab
San Joaquin County, Caltrans Project #10-0W6904, Bid Date: July 23, 2014 at 2:00 pm

We hereby encourage responsible participation of local Disadvantaged Business Enterprises (10% Goal), and solicit their subcontractor or material quotation for the following types of work. This is a highway project with the typical items of work associated, but not limited to: Lead Compliance Plan, Construction Area Signs, Traffic Control System, Temporary Traffic Stripe, Temporary Pavement Marker, Portable Changeable Message Sign, Job Site Management, Prepare Water Pollution Control Program, Temporary Concrete Washout, Remove Thermoplastic Traffic Stripe, Public Safety Plan, Rapid Setting Concrete, Remove Thermoplastic Pavement Marking, Remove Pavement Marker, Remove Channelizers, Remove Asphalt Concrete Dike, Cold Plane Asphalt Concrete Pavement, Remove Unsound Concrete, Prep Concrete Bridge Deck Surface, Treat Bridge Deck, Furnish Bridge Deck Treatment Material, Remove Epoxy Chip Seal, Hot Mix Asphalt, Superpave (Type A), Place Hot Mix Asphalt (Type C, E, F), Tack Coat, Aggregate Base, Structural Concrete, Paving Notch Extension, Clean Expansion Joint, Joint Seal, Thermoplastic Traffic Stripe, Thermoplastic Pavement Marking, Pavement Marker, Maintain Existing Traffic Management System Elements During Construction, Construction/Equipment Rentals, Trucking, etc.

C.C. Myers, Inc. is willing to break down items of work into economically feasible units to encourage DBE participation. If you are interested in any of this work, please provide us with a scope letter or contact us immediately. Plans and Specifications are available from Caltrans at: www.dot.ca.gov/hq/esc/oe.

Conditions or exceptions in Subcontractor's quote are expressly rejected unless expressly accepted in writing. Subcontractor and Supplier quotes are required 24 hours prior to the bid date to enable thorough evaluation.

C.C. Myers, Inc.



3286 Fitzgerald Rd. • Rancho Cordova, CA 95742 • 916-635-9370 • Fax 916-635-1527

Each Subcontractor shall be prepared to submit faithful performance and payment bonds equal to 100% of their quotation. The Contractor will pay standard industry rates for these bonds.

Contact C. C. Myers, Inc. for assistance with bonds, insurance, lines of credit, equipment, supplies or project plans and specifications. C.C. Myers, Inc., is a Union Contractor.

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Is requesting quotes from qualified DBE Subcontractors, Suppliers, and Service Providers for the following (but not limited to) work:

Survey, Traffic Control, SWPPP, Trucking, Soil Testing, Masonry, Fencing, Minor Structural Concrete, Landscaping, Electrical, Paving

Fletcher Recharge Basin Project
City of Orange, CA

Orange County Water District
Contract No. FB-2014-1

BID DATE July 29, 2014 @ 2:00 p.m.

Sub & Vendor Bids Due Prior
Sukut Construction, LLC

4010 W. Chandler Avenue, Santa Ana, CA 92704

Contact: Mike Greenlee

Phone: (714) 540-5351 • Fax: (714) 545-2003 • Email: estimating@sukut.com

Plans/specs are available for viewing at our office by appointment, or may be obtained from Owner. Subcontractors must be prepared to furnish 100% performance and payment bonds and possess current insurance and workers' comp coverage. Sukut Construction will assist Qualified Subcontractors in obtaining bonds, insurance, and/or lines of credit. Please contact Sukut Construction for assistance in responding to this solicitation. Subcontractors/Vendors will be required to sign Sukut's Standard Subcontract/Purchase Order. Copies are available for examination.

Sukut Construction's listing of a Subcontractor in its bid to the agency is not to be construed as an acceptance of all of the Subcontractor's conditions or exceptions included with Subcontractor's price quotes. Quotations must be valid for the same duration as specified by Owner for contract award.

Sukut Construction, LLC - An Equal Opportunity Employer

Pacific States Environmental Contractors, Inc. is soliciting for ALL business enterprises (including, but not limited to minority and women—owned business enterprise) and solicits them as a SUB-CONSULTANT or subcontractor or materials and/or suppliers and trucking quotations.

Summit Reservoir and Shasta / Woods Pumping Plant, Berkeley, Ca
Owner: EAST BAY REGIONAL PARK DISTRICT,
2950 PERALTA OAKS COURT,
OAKLAND, CA 94605

BID DATE: July 16, 2014 TIME: 1:30 P.M.

We hereby encourage responsible participation of ALL business enterprises (not limited to minority and women—owned business enterprise) and solicit their subcontractor or material quotation for the following types of work including but not limited to:

DEMOLITION, CONCRETE TANK, CONCRETE STRUCTURAL, ELECTRICAL, MECHANICAL, PIPELINE CONSTRUCTION, DRY UTILITY CONSTRUCTION – CONDUITS, GRADING AND EXCAVATION, PAVING, LANDSCAPING, TRUCKING, SHORING, HVAC, PLUMBING, SURVEYING, SWPPP, FENCING, SPECIALTIES – FIRE PROTECTION, SIGNAGE

100% Performance and Payment Bonds may be required for full amounts of the subcontract price. Surety Company will have to be approved by Pacific States Environmental Contractors, Inc. Pacific States Environmental Contractors, Inc. will pay bond premium up to 2%. Subcontractors must possess current insurance and worker's compensation coverage meeting Pacific States Environmental Contractors, Inc.'s requirements. Please call if you need assistance in obtaining bonding, insurance, equipment, materials and/or supplies. Plans and specifications are available for review on ftp://ftp%25pacificstates.net:f7pa55wd1@pub.pacificstates.net or call 510-287-1040 ask for a free hard copy set of Specification 2070

Pacific States Environmental Contractors, Inc.
CAL LIC. NO. 723241
11555 Dublin Boulevard
Dublin, CA 94568-2909

Phone: (925) 803-4333 • FAX: (925) 803-4334

ESTIMATOR: KEITH DONAHUE
EMAIL: kdonahue@pacificstates.net

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Public Legal Notices

UC SAN FRANCISCO MEDICAL CENTER

RE-ADVERTISEMENT FOR BIDS

Subject to conditions prescribed by the University of California, San Francisco Medical Center, sealed bids for a lump-sum contract are invited for the following work:

Mount Zion (MZ) "A" Building Freight Elevator No.8 Upgrade – Re-Bid
Project Number: 11-651
Contract Number: L00166

Description of Work: Modernize one (1) existing hydraulic three (3) stop freight elevator including conversion from three (3) stops to two (2) stops and from manual door to power doors. Provide 12-month maintenance service upon completion of the modernization of hydraulic elevator.

Estimated construction cost:
 \$150,000 - \$175,000

BIDDER QUALIFICATIONS: To be eligible for consideration of award, bidders must have the minimum experience and certify their firm has not been cited by the Medical Center for health, safety, infection control or interim life safety violations set forth in the Supplementary Instructions To Bidders.

Bidders must submit qualification documents as an attachment to the Bid Form.

Procedures: Bidding documents will be available on **Tuesday July 1, 2014, 10:00 AM**, and will be issued only at:

UCSF Documents, Media & Mail (UCSF-DMM)
 1855 Folsom Street, Room 135
 San Francisco, CA 94103
 Contact Persons: Ben La (415) 476-5030 (9AM – 5PM)
 Customer Service Line (415) 514-2054 (before & after working hours)
 Fax No. (415) 476-8278

Bidding Documents and complete advertisement can be viewed and may be ordered on line at the following website address: <http://www.ucsfplans.com/>

Bidders must attend a **mandatory** pre-bid conference on **Thursday July 10, 2014** beginning promptly at **10:00 AM**. For details, see above website address.

Bids will be received only at Office of Design and Construction, University of California, San Francisco, Medical Center, 3333 California Street, Suite 115, San Francisco, CA 94118. Phone: (415) 885-7257. **Bid Deadline:** Sealed bids must be received on or before **2:00 PM**,

Thursday July 31, 2014. And Bids will be opened after **2:05 P.M.**

Every effort will be made to ensure that all persons have equal access to contracts and other business opportunities with the University within the limits imposed by law or University policy. Each Bidder may be required to show evidence of its equal employment opportunity policy. The successful Bidder and its subcontractors will be required to follow the nondiscrimination requirements set forth in the Bidding Documents and to pay prevailing wage at the location of the work.

The work described in the contract is a public work subject to section 1771 of the California Labor Code.

The successful Bidder will be required to have the following California current and active contractor's license at the time of submission of the Bid: Elevator Contractor, C11

THE REGENTS OF THE UNIVERSITY OF CALIFORNIA
 University of California,
 San Francisco Medical Center
 July, 2014

The 7 Most Common Negotiating Mistakes

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might be involved in a deal with later on. Find out something about them and their lives. Get personal. Much useful information can be gleaned during casual conversation, including what they value in life, what motivates them, what annoys them, their ethics, etc. Find out something about them, personally, and not just their business. You might be surprised how well you can leverage what you learn through a genuine conversation with someone.

4. Not asking for what you want

There is one key truth in negotiations: you must ask for what you want. Sounds simple enough, but in practice it can often be daunting. People naturally fear rejection or were taught not to be "greedy" as children, so we instinctually refrain from asking for things in life. However, in business, rejection is never personal—it's merely a reflection that you did not present a viable argument substantiating why you should get what you want. It's the offer that is being rejected, not you, so keep emotions in check and re-calibrate your approach. "No" often just reflects a need for more information, and take heart in knowing that people say no an average of 3 times before they say "yes." It is important to understand that if you don't ask you don't get and the only way to master the art of rejection is to get rejected and keep asking. When negotiating, make it a priority to ask for exactly what you want. Most of the time you will either receive what you want or an acceptable alternative.

5. Talking too much

Talking too much is a sure-fire way to kill a deal. Have you ever been offered a product or service, and the salesperson kept talking until he or she talked you right out of the purchase? If they would have simply asked for the sale and stopped talking, their chance for success would have increased significantly. Never underestimate the power of silence. There's an old adage that says "he or she who speaks next loses." When discussing a deal, if you simply stop talking and get comfortable with the awkwardness of silence, your ability to win your argument, sell the product, or a get concession in the negotiation increases significantly.

6. Not documenting

The importance of getting the final agreement in writing cannot be stressed enough. Even better, consult with a contracts attorney to review contractual documents or any that require a signature. The purpose of a written agreement or contract is to provide protection for both sides and alleviate any ambiguity of terms. A myriad of problems can occur when the terms of a deal are not put in writing because what you "think" the other party said and what they "think" you said can be two different things. Documenting the agreement eliminates such "perception" problems and protects the interests of all parties involved.

7. Signing without reading

Before you sign on the dotted line, it's imperative you read what you are signing—no matter how large of a packet it entails. Modern life is fast-paced and people are usually engaged in multiple things at once, making it difficult to focus and causing

some to sign legal documents without reading them first. The result can be nothing short of disastrous. Make sure you read any agreement or contract in full, to ensure you are not confirming terms you will regret and cannot undo, which can cause copious problems for your future.

Whether you are a seasoned negotiator or avoid wheeling and dealing with people altogether, you will vastly improve your results and be motivated to "get in the game" by knowing how to avoid these prime pitfalls. Whether seeking to gain advantages in your business or personal life, the art of "thinking like a negotiator" will profoundly impact your ability to actualize your desired outcome.

Veteran negotiation and contracts expert Eldonna Lewis-Fernandez, author of "Think Like a Negotiator," has over 30 years of experience crafting killer deals both stateside and internationally, many in excess of \$100 million. She's currently the CEO of Dynamic Vision International—a specialized consulting and training firm that helps individuals hone negotiation skills—as well as a nationally regarded keynote speaker, session leader and panelist on the Art of Negotiation. Eldonna may be reached online at www.ThinkLikeANegotiator.com.

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