



11.255
Negotiation and
Dispute Resolution in the
Public Sector

Spring 2021

Class #10

Question

- In multi-party negotiations there may be spoilers involved whose unspoken goal is to block any agreement. How should the other parties protect themselves from the efforts of spoilers?

Videos from Game 3 and 4

Outcomes

✓ Agreement Outcomes for Round 3: Points Awarded to Each Party and Total (Red = Vote No, Green = Valid Agr., (X) = Potential Points Lost)

G	TYPE	IND	EC	EMP	FL	COM	HARBORCO	ENVIRONMENT	UNION	OTHERPORTS	FEDERALDCR	GOVERNOR	OBSERVER	TOTAL
G1	5 way	2	3	2	2	4	57	77	83	28	76	63		384
G2	No Agr.						55	50	50	150	65	30		400
Points Awarded If No Agreement Reached							55	50	50	150	65	30		

	Industry Mix	Ecological Impact	Employment Rules	Federal Loans	Compensation to Ports	
Group 1	2	3	2	2	4	
Group 2	2	3	2	2	3	
Final Scores Group 2						
	Harborco	Environment	Union	Other Ports	Federal	Government
Group 1	57	77	83	32	76	63
Group 2	63	77	81	50	79	60
Max score possible	77	100	90	64	100	77

HARBORCO SOLUTION SET: 55 Possible Agreements*

• 12 6-way agreements (marked with U) • Max points for each party are asterisked (*) • Points below party minimum are in brackets [25]

#	ISSUES (outcomes)					PARTIES (min required points in bold brackets)							TOT
						[55]	[50]	[50]	[31]	[65]	[30]		
	IND	EC	EMP	FL	COM	Har	Env	Uni	Por	DCR	Gov		
1	1	2	1	3	4	56	[25]	75	40	72	76	344	
2	1	2	2	3	3	56	[25]	66	51	77	67	342	
3	1	2	2	3	4	61	[25]	68	36	74	70	334	
4	1	2	3	2	3	70	[25]	66	44	65	68	338	
5	1	2	3	3	2	56	[25]	54	64*	72	59	330	
6	1	2	3	3	3	61	[25]	56	49	79	61	331	
7	1	2	3	3	4	66	[25]	58	34	76	64	323	
8	1	3	1	3	5	57	55	67	[25]	65	71	340	
9-U	1	3	2	2	3	68	55	76	46	68	66	379	
10-U	1	3	2	2	4	73	55	78	31	65	69	371	
11	1	3	2	3	5	62	55	60	[21]	67	65	330	
12-U	1	3	3	2	3	73	55	66	44	70	60	368	
13	1	3	3	2	4	68	55	68	[29]	67	63	350	
14-U	1	3	3	3	4	69	55	58	34	81	56	353	
15	1	3	3	3	5	67	55	50	[19]	69	59	319	
16	1	3	4	2	2	65	55	[39]	53	68	46	326	
17	1	3	4	2	3	70	55	[41]	38	75	48	327	
18	1	3	4	3	2	56	55	[29]	58	82	39	319	
19	1	3	4	3	3	61	55	[31]	43	89	41	320	
20	2	1	2	3	4	59	[22]	73	40	65	68	327	
21	2	1	3	3	3	59	[22]	61	53	70	59	324	
22	2	1	3	3	4	64	[22]	63	38	67	62	316	
23	2	2	1	2	4	59	[47]	90*	39	69	77*	381	
24	2	2	2	2	3	59	[47]	81	50	74	68	379	
25	2	2	2	2	4	64	[47]	83	35	71	71	371	
26	2	2	2	3	4	55	[47]	73	40	85	64	364	
27	2	2	3	2	2	59	[47]	69	63	69	60	367	
28	2	2	3	2	3	64	[47]	71	48	76	62	368	
29	2	2	3	2	4	69	[47]	73	33	73	65	360	
30	2	2	3	3	3	55	[47]	61	53	90	55	361	
31	2	2	3	3	4	60	[47]	63	38	87	58	353	

#	ISSUES (outcomes)					PARTIES (min required points in bold brackets)							TOT
						[55]	[50]	[50]	[31]	[65]	[30]		
	IND	EC	EMP	FL	COM	Har	Env	Uni	Por	DCR	Gov		
32	2	2	4	1	3	77*	[47]	56	34	65	60	339	
33-U	2	3	2	2	4	67	77*	83	35	76	63	401 max points	
34	2	3	2	3	5	56	77	65	[25]	78	59	360	
35-U	2	3	3	1	3	73	77	81	40	65	64	400	
36-U	2	3	3	2	3	67	77	71	48	81	54	398	
37-U	2	3	3	2	4	72	77	73	33	78	57	390	
38	2	3	3	2	5	70	77	65	[18]	66	60	356	
39	2	3	3	3	5	61	77	55	[23]	80	53	349	
40-U	2	3	4	1	3	80*	77	56	34	70	52	369	
41	2	3	4	1	4	75	77	58	[19]	67	55	351	
42	2	3	4	2	2	59	77	[44]	57	79	40	356	
43	2	3	4	2	3	64	77	[46]	42	86	42	357	
44	2	3	4	3	3	55	77	[36]	47	100*	35	350	
45	2	3	4	3	4	60	77	[38]	32	97	38	342	
46-U	3	2	2	2	4	66	70	63	41	65	63	368	
47	3	2	2	3	5	55	70	[45]	31	67	59	327	
48-U	3	2	3	2	3	66	70	51	54	70	54	365	
49-U	3	2	3	2	4	71	70	53	39	67	57	357	
50	3	2	4	2	2	58	70	[24]	63	68	40	323	
51	3	2	4	2	3	63	70	[26]	48	75	42	324	
52	3	2	4	2	4	68	70	[28]	33	72	45	316	
53	3	2	4	3	4	59	70	[18]	38	86	38	309	
54	3	3	4	2	3	56	100*	[26]	48	80	34	344	
55	3	3	4	2	4	61	100*	[28]	33	77	37	336	



* Note: While all 55 agreements technically are possible, the 35 5-way agreements in which a party other than Other Ports withholds agreement are strategically foolish from Other Ports' perspective. In those cases (i.e., 1-7, 16-32, 42-45, 47, and 50-55), even though Other Ports receives more than its 31-point minimum, Other Ports would have received even more points (150) by withholding its consent along with the other nonconsenting party, and thus scuttling the entire deal. So, assuming Other Ports plays its role strategically and never consents to a 5-way deal, there are only 8 possible 5-way agreements (8, 11, 13, 15, 34, 38, 39 & 41), with Other Ports as the lone holdout in each.

Scenario #3 Facilitation

- For the past three years, you have been facilitating the monthly meetings of the Westford Valley Advisory Committee.
- The Committee is in something of a quandary. After just one meeting - at which the Director of the Agency offered a PowerPoint review of the management plan - some of the Advisory Committee members are ready to vote to approve it. Others, however, are expecting to spend the next six meetings (once a month) going through each section of the plan in detail.
- Almost all of the members will have to explain the plan to the group, organization or municipality they represent. While the Advisory Committee has no formal authority (it is just advisory), the tradition has been that the WRMA doesn't take any important steps without discussing them with the Advisory Committee first.

Scenario #3 Facilitation

- The WRMA's director has given you a proposed agenda for the next meeting. He included a line that says, "Wrap up discussion on the instream flow plan." There are two other scheduled (non-controversial) items on the two-hour agenda (after the Wrap Up Discussion).
- **How will you proceed? Why?**

Scenario #3 Breakouts

[student names redacted]

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