

# In the Weeds

## *Securing a Grass-Mowing Contract in Stockton, CA*

### *Practitioner Guide*

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### Overview

A case study is a story about how a person or group of people dealt with challenges or opportunities they faced. It is based on desk research and interviews with key actors, but it does not provide analysis or conclusions. It is written from the perspective of the protagonist(s) and is designed to raise questions and generate discussion about the challenges the protagonist(s) faced. Cases are meant to help participants develop analytic reasoning, listening, and judgment skills to help them make the best decisions in other future contexts.

A case-based conversation is a way to anchor a conceptual discussion to concrete examples. It can bring a case to life and enable discussion participants to place themselves in the shoes of the case protagonist(s). It should also allow participants to surface a variety of perspectives. This note is designed to help you run a conversation about the case, “In the Weeds: Securing a Grass-Mowing Contract in Stockton, CA.”

### Role of Facilitator

The facilitator leads a conversation with a clear beginning and end, ensures that everyone is heard, and keeps the group focused. The conversation can be broken into three distinct segments: exploring the case, diagnosing the challenges, and formulating takeaways. Some facilitation tips and tricks to keep in mind are below:

#### **BEFORE the discussion**

Make sure everyone takes the time to read the case and fill out the attached worksheet to prepare for the case discussion. When setting up the room, think about situating discussion participants where everyone can see each other and you. Designate a note taker, as well as a place where you can take notes on a flipchart or white board.

Plan for at least forty-five to seventy-five minutes to discuss the case and takeaways (depending on participants’ familiarity with negotiation) and have a clock in the room and/or an assigned timekeeper. Mention that you might interrupt participants in the interest of progressing the conversation.

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**DURING the discussion**

Encourage participants to debate and share opinions. State very clearly that there is no right or wrong “answer” to the case—cases are written so that reasonable people can disagree and debate different ideas and approaches. Be careful not to allow yourself or others to dominate the discussion. If the conversation is getting heated or bogged down on a particular issue, consider allowing participants to talk in pairs for a few minutes before returning to a full group discussion. Do not worry about reaching consensus, just make the most of this opportunity to practice thinking and learning together!

## Case Synopsis

Kurt Wilson, the City Manager of Stockton, CA, joined the city government ten months after the City declared bankruptcy. After successfully steering Stockton out of bankruptcy, Wilson committed to implementing a set of permanent financial control measures to ensure that the City remained fiscally solvent well into the future. He had an extensive background in both the private and nonprofit sectors and had served as city manager in four other California cities.

Stockton’s Long-Range Financial Plan (L-RFP) indicated the City could spend, at most, approximately \$1.3M maximum in 2019 fiscal year (FY19) on a contract to mow grass on city medians. In the previous year, the City had spent \$1.2M, but Wilson believed shortages of tradespeople in the Bay Area—caused in part by demand for construction after California wildfires—would affect price points. Wilson cared about the fiscal health of Stockton but also wanted to provide high-quality public services; at worst, he thought he could justify spending \$1.6M on the contract. But when the City issued its RFP, vendors bid \$2.26M or more, well above what Stockton could afford. Wilson responded by issuing a new RFP that included a lower “base” scope of services with modular components that the City could accept or decline depending on cost. Stockton ended up spending \$1.91 million for a year of service, but even as costs increased, tall grasses remained on city medians. Wilson wondered whether there might have been a better way for the City to have anticipated the higher prices.

## Conversation Plan

**Part 1: Exploring the Case (15–30 minutes)**

Ask if someone will volunteer to summarize facts of the case and the questions facing the reader, without stating their opinions. The goal of this part of the conversation is to review the case from the point of view of the people involved. Suggested questions:

- *What did City Manager Kurt Wilson know about the possible vendors as he started this process?*
- *What did Wilson do well in your opinion?*
- *What would you have done differently if you were in Wilson’s position, and why?*

**Part 2a: Diagnosing Negotiation Challenges (15–30 minutes)**

This part of the discussion allows participants to analyze what Wilson and Stockton were doing from a negotiation perspective, and why. The discussion section may be based on the following simple questions:

- *What were Stockton’s goals and priorities for negotiating the landscaping contract?*
- *What were the vendors’ goals and priorities for negotiating the landscaping contract?*
- *Why did Stockton and Al Fresco Landscaping settle on the agreement?*
- *How did the process impact Wilson’s ability to negotiate?*

**Part 2b: Application** (10 minutes)

If time allows, participants may break into groups or continue in plenary to apply the concepts discussed to their own negotiation challenges. Suggested questions:

- *Are you currently negotiating a contract or less formal agreement in your professional life? What are your goals and priorities?*
- *What are your counterparts’ goals and priorities?*
- *How can you apply the negotiating tools and tactics you have learned?*

**Part 3: Formulating Lessons** (5–20 minutes)

This part of the conversation focuses on the lessons of the case that participants will continue to reflect on and apply to challenges in their work. Some sample, high-level takeaways to review after a productive discussion may include:

- Strong negotiators format their goals explicitly through specific “target points” or aspirational goals that represent the outcome they hope for in a negotiation. Stockton did not do this.
- Never assume that your counterpart formulates a negotiation challenge the same way you do. Just because cities expect distributive negotiations to go one way does not mean the vendors have the same expectations.
- When an agreement falls outside the ZOPA for one or multiple parties in a negotiation, it is wise to broadly examine your alternatives, which might include doing nothing or going back to the drawing board.
- Be wary of solutions that are short and technical when the scope of a problem is large and structural. Negotiations inevitably exist within a larger system and set of assumptions; creatively finding better alternatives to the status quo increases negotiating leverage.

## Appendix

### Appendix 1 Worksheet: Pre-Discussion Questions

Use this worksheet to prepare for a conversation about the case study.

**Key terms:**

**Alternatives:** What a negotiator can do without agreement from their negotiation counterpart

**Best Alternative To Negotiated Agreement (BATNA):** Most favorable alternative if an agreement is not reached with the other party

**Reservation Point:** Minimum value a negotiator is willing to accept before walking away

**Target Point:** A negotiator's goal; it should be ambitious, but realistic.

**Zone of Possible Agreement (ZOPA):** The bargaining space between negotiators' reservation points

1. *What alternatives did Kurt Wilson have for his grass-cutting contract? What alternatives did the Stockton vendors have?*
  
2. *What was the Best Alternative To this Negotiated Agreement for Wilson? For Stockton-area vendors?*
  
3. *What was the target point for Wilson? For vendors?*
  
4. *Was there a Zone of Possible Agreement (ZOPA) in this negotiation? If so, what was it? If not, why not?*