

Journal of Strategic Contracting and Negotiation

Call for Papers

The Present and Future of Contracting and Megaprojects

Deadline for paper submissions: 1st November 2017

Please submit papers to <https://mc.manuscriptcentral.com/jscan>

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It's a very sobering feeling to be up in space and realize that one's safety factor was determined by the lowest bidder on a government contract.

Alan Shepard, US Astronaut (1923-1998)

Megaprojects are temporary endeavors (i.e. projects) characterized by: large investment commitments, immense organizational complexity, and long-lasting impact on the economy, the environment, and society (Brookes and Locatelli, 2015). Although megaprojects are important for modern economies and societies, they have a history of poor performance in the delivery phase (Flyvbjerg, 2006; Cantarelli *et al.*, 2010; Locatelli *et al.*, 2017).

van Marrewijk *et al.*, (2008) argue that megaprojects' failures are caused by uncertainty in the way projects must be governed, their scope ambiguity, technical complexity, involvement of a large number of partners with different cultures and different ways of work. According to the authors, it is possible to improve project performance with better project governance and a better definition of the responsibilities of the key stakeholders involved. In particular, Child and Faulkner (1998), highlight the "control versus commitment dilemma" to refer to when the project organization exercises dominant control, the partners lose micro-management commitment to the project. Partners feel that they do not have autonomy to make decisions and consider their role focused only on accomplishing tasks they are put in charge of. However, commitment is fundamental in order to achieve success, so it is necessary to find an optimal compromise between control and freedom.

Since megaprojects involve several clusters of stakeholders working towards common objectives, governance problems (e.g. agency problem, high transaction costs, and culture etc.) are magnified (Morrow, 2011; van den Ende and van Marrewijk, 2015). While governance in projects and programmes is receiving the attention it deserves (see Pitsis *et al.* 2014), governance in megaprojects at a strategic management level has been less abundant. This is especially so when we consider the design and nature of contracting in various forms. Governance in megaprojects is a complex multi-level concept that can be argued to be embedded in institutional theory (Müller, Pemsel and Shao, 2015). However, a way of looking at it is through the lenses of contracting. This perspective is grounded on the regulative-governances dealing with formal rules and regulations but also encompassing other aspects of institutional theory (i.e. normative and socio-cultural, Scott, 2014).

Under a contracting perspective, the different project stakeholders negotiate, agree, contest, and perform contracts (or other regulative instruments) in accordance within the existing legal and regulatory

context(s). This perspective focuses primarily on contracts, which are enforceable mechanisms affecting the project governance in different ways such as to:

- set common objectives and rules for the contracting parties, which are a subset of project stakeholders (Eslerod, Huemann and Ringhofer, 2016);
- define roles and responsibilities (van Marrewijk and Smits, 2016)
- allow the sharing or transfer of some project risks;
- settle the decision-making process of the megaprojects

The contracting perspective also contemplates other types of formal instruments such as: public concessions, licenses, ownership links, financial transactions (e.g. loans), securities, ad hoc companies, etc. (Corielli, Gatti and Stefannoni, 2010)

The purpose of this special issue is to understand the nature and impact of various forms of contracting (be it traditional contracts, or more innovative and relational forms) on megaproject performance, complex relations and outcomes. Our goal is to publish thoughtful and provocative papers that advance our ability to conceptualize, measure, manage and advise network emergence and evolution within and across organizational boundaries, as well as to assess the impact of contracting on megaprojects.

Although our aim is to be broadly inclusive, we are especially interested in papers that advance understanding of the design and dynamics and resulting relational implications of contracts within and between organizations in megaprojects: be they private, public, third sector or a combination of all these. We invite contributions from organizational scholars, irrespective of their theoretical or methodological orientation, and disciplinary background, but which cover questions such as the following:

- The influence of contracting in the planning and procurement of megaprojects
- Management implications of contracting paradigms (PPP, Project finance...)
- Dynamic evolution of the contracting network alongside the megaproject lifecycle
- How contracts are negotiated in megaprojects
- Institutional logics that impact on contracting in megaprojects
- “Ad-hoc regulation & normative framework” giving the special status to the contracting in megaprojects
- Litigation and enforceability of contracts in megaprojects
- The public accountability of megaprojects and the information disclosure clauses: trends and trade-offs
- Incentives and motivating aspects of contracting in megaprojects
- The negotiation and due diligence of megaprojects
- Legal and Ethical aspects connected to contracting (including corruption)
- The influence of politics in the contracting of megaprojects
- The impact and effect of contracts on megaproject behavior and performance
- The use of agile contracts or contracting techniques in the delivery of complex projects
- The integration and management of supply ecosystems: the impact of contracting practices on performance in megaprojects
- Alternative models to megaprojects in order to deliver major initiatives.

This list of questions is clearly suggestive rather than exhaustive. Again, we welcome submissions irrespective of their disciplinary or methodological orientation as long as they are consistent with our broad goal of advancing our understanding of the management of network dynamics and its strategic impact on organizations and society.

Please submit papers to <https://mc.manuscriptcentral.com/jscan> . All papers will be blind reviewed following JSCAN's normal review process and criteria. Any papers accepted for publication but not included in the Special Issue will be published later, in a regular issue. Please be sure to follow the JSCAN style guide: <https://us.sagepub.com/en-us/nam/journal/journal-strategic-contracting-and-negotiation#MANUSCRIPTSTYLE>

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