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Thank you for your “Mergers & Acquisitions Representation Agreement” with RCG. You are now an official part of enviable representation and tireless work performed by some of the most connected and experienced experts in the area of M&A!

Your RCG M&A Consultant is your partner on the road to a successful transaction. It is important to maintain efficient communication. You’re on the same team and it is everyone’s paramount concern at RCG to represent your best interests and see you and the buyer, to a positive end. Therefore, please keep the following in mind...

ADVERTISING – RCG engages in a wide range of advertising including, but not limited to, direct contact to pre-qualified leads compiled over the years, blind marketing to like businesses, BizBuySell, Craigslist, MergerMart, LoopNet, direct mailing, newspapers and more. Remember, just because your friends don’t see your business advertised, doesn’t mean it’s not being publicized. Some media works better than others for certain business sectors. RCG is experienced with this and will work hard to target your opportunity to the right audience.

CONFIDENTIALITY – Irrespective of any past policy prior to our involvement, your business will be marketed and discussed with anonymity, to the best of our ability, prior to any potential buyer signing a non-disclosure agreement (NDA). Given that however, some people may in fact deduce your business is for sale, or in rare instances, violate the terms of an NDA. RCG will work to mitigate the damage caused by this. It has been our experience that tempering the delicate balance of confidentiality with marketing an opportunity can best be handled by a skilled M&A Company. Your consultant will share the NDA with you and help you with inquiries you might find suspicious.

CHANGES – This is probably the most important. If your business changes, your level of interest in selling changes, or anything with a direct impact on the transaction changes, YOU ARE OBLIGATED to alert RCG. Don’t assume because you haven’t heard from your consultant that his or her efforts have ceased. RCG constantly represents your business in person, at events, and in print or online. It’s embarrassing to us and you if something is going on with your business that we don’t know. If you change your mind about selling, alert RCG immediately.

POTENTIAL BUYERS – If anyone presents an interest in your business to you in person, alert your consultant immediately. It serves no party any benefit if negotiations aren’t centralized with RCG. Besides, any attempt to circumvent your representation agreement is actionable and nobody wants that. And remember, NDA’s bind any potential buyer for a year, beyond your agreement so their attempt to wait out your agreement is futile and those tactics are most likely NOT the attributes of someone with whom you’d want to do business anyway.

LEGAL REPRESENTATION – If you are anticipating being represented by an attorney in the sale of your business, please let your consultant know as early in the process as possible. This saves time when the transaction nears and things start moving quickly. If you need a recommendation, RCG has worked with some of the area’s best attorneys. We’d be happy to pass along some names.

ACCESSIBILITY – It is best to be accessible to your consultant by phone and/or e-mail with regular frequency. RCG knows when the time is right to maximize urgency and move expeditiously. Your consultant cannot do his/her job with efficiency if you cannot be reached or your accountant, lawyer, landlord, etc. is equally unresponsive. As common practice with conducting business in the 21st century, many sensitive correspondences are communicated electronically so as to maintain accurate documentation and accountability. If you do not use or check e-mail with daily frequency, RCG requests you appoint someone who does, and with whom your consultant can effectively communicate.

SHOWING THE BUSINESS – After the execution of an NDA, the potential buyer will be instructed to visit your business (if the type warrants). (S)he will be instructed *NOT* to make their intentions known as a potential buyer. They may make a small purchase, inquire about a gift card, ask for a tour since they are new in town, or something similar. Your consultant will then follow-up with them about this site visit. If sufficient interest exists, a more detailed vetting of the potential buyer is undertaken and a private showing of your business, outside business hours if warranted, with or without you present, is scheduled.

VETTING – RCG engages in investigating the backgrounds and financial strength of a potential buyer who moves beyond the initial site visit stage. A personal financial data examination is conducted along with an investigation into public records related to criminal convictions and civil lawsuits. Not only does this protect you as the seller, it serves to eliminate the casual dreamer with no intentions of buying a business but every intention to waste time. If financing is required, this is the time RCG's finance department works on qualifications for different financing vehicles as well as ascertaining liquid assets for down payments, leases, etc.

OFFERS – RCG does not accept verbal offers. A detailed offer to purchase document (O2P) is developed in such a way as to offer maximum protection to you as the seller and RCG as the architect of the deal. This offer is accompanied by a deposit which is placed in escrow. A 10-day post offer payment is then required and a closing scheduled. Again, RCG likes to move meticulously but quickly to reach the closing. It is your obligation to ensure your legal representatives are available and efficient. Remember, they work for you. During this time, RCG will also help with lease transfers, tax statuses, etc.

EXPIRATION OF LISTING – In most cases, RCG likes to engage clients in at least a 180-day representation period. It has been our experience, unless a qualified buyer is secured for negotiations, most businesses can take up to a year to secure a viable offer to purchase with deposit. As the listing period end draws close, your consultant will contact you with options to modify, extend, or terminate the agreement.



Our consultant is a member of a larger organization. The Rivo Consulting Group has many agents, marketers, consultants, finance people, negotiators and even a graphic artist, working on your behalf to reach your goals. This is all supported by a central office providing material and counsel to ensure a seamless transaction. We've built this model as an alternative to mere real estate agencies or fee-hungry chain/franchise business brokers. It's worked well for us and our clients. Our growth, satisfaction, and increasing referrals is testament to our dedicated team of professionals. If you have questions or concerns throughout this entire process, you may always contact your assigned consultant or RCG Central Office directly.

The Rivo Consulting Group has been in business for over ten years, structuring deals in many different states and even Canada. It is our paramount goal to represent business sellers to the very best standards our ability and experience dictates. We also want to be fair to buyers, landlords, attorneys and accountants. We've built a large network of professionals throughout the area and are respected by the legal, financial and commercial real estate communities. This hard-earned honor is something we do not take lightly. Our business relies heavily on referrals because most of our clients eventually become our friends. We treat every side of a deal fairly, honestly, and with integrity and expect the same in return.

