

TOOL #10: FORM JOINT NEGOTIATING COMMITTEE

The Joint Negotiating Committee will consist of representatives from [Agency A] and [Agency B], the sponsor organizations.

Purpose and Duties of the Committee:

- 1) To determine whether or not there is a mission and business case to be made for a merger or strategic partnership between the two organizations
- 2) To negotiate the terms of the merger
- 3) To draft a Memorandum of Understanding (MOU) to be presented to each Board of Directors for final approval
- 4) To regularly report to each Board of Directors about the progress being made in the negotiations process
- 5) To oversee all facets of the merger process, including preparation of an MOU, budget, and legal documents; due diligence; selection of an attorney; and implementation of the merger

Rules of Conduct:

- 1) Maintain confidentiality throughout the process.
- 2) Respect each person's opinions.
- 3) Put concerns on the table at the time a member has them.
- 4) Come prepared for meetings.
- 5) Follow communication protocols for your board and staff throughout the process.

Time Frame:

The Committee's work shall begin [DATE] and end no later than [DATE]. If the process is not completed by this deadline, the Committee must seek approval from each board in order to extend the process.