



Agency Review Participation Agreement

As a proud member of the 4A's, we fully support the agency search guidelines the ANA and the 4A's have developed over the years.

We are very pleased to have been asked to participate in your agency review process. Finding the right agency partner can be a critical part of driving your optimal business results. For us, the right client partner can provide the opportunity to create highly creative and effective work. When the partnership is a good fit, with an alignment of interests, better work and better business results can be expected.

Your agency review requires an investment of time, energy, and resources on both our parts. In order to help streamline the process for our organizations, we are providing this short list of guidelines for your consideration. If you have any questions or concerns regarding these guidelines, please let us know so we can discuss together.

1. **Communication is key.** At the core of any partnership is frequent and open conversation and that includes during the agency review process. It is important for us to get to know what it would be like to work together and having open lines of communication is the first step.
2. **Clearly defined budget and expectations.** We would like to know at the outset what budget you have allocated for your advertising initiatives, what you are hoping to achieve, and how your success and our success will be measured. We look forward to communicating our expectations as well, as we get to know your business and participate in the review.
3. **Internal Alignment.** Some organizations have representatives from Marketing and Procurement involved in the agency selection process. If you plan to do so, it would be highly beneficial for everyone involved to ensure those individuals are aligned on the marketing goals and expectations for the agency.



4. **Process & Timing.** We ask that you share your process and timeline with us and let us know with as much advance notice as possible if there will be changes. We would also like to ensure we have sufficient time to review your brief and put our best thinking against it. If there are deadlines you need to meet for specific reasons, please let us know. We will do our best to accommodate them or discuss options with you.

5. **Confidentiality of Material and Data Submitted.** Should you provide us with any confidential or proprietary information as part of the agency review process, we will, of course, treat that information as confidential and will not disclose it to any other party, other than as may be required by law. We expect that our confidential or proprietary information will be treated the same way. To avoid any misunderstandings in this area, we suggest we sign a mutual non-disclosure agreement (NDA).

6. **Speculative Work.** A lot has been written about the pros and cons of spec work being requested during an agency review. We don't believe that it is necessarily the best way to determine whether an agency will be a partner for you. That being said, if it is a requirement in your review, please let us know and we will consider it. However, in the absence of an explicit agreement otherwise, we do expect that we will retain ownership of the IP. Should you desire to purchase any work we show you, we can discuss what a fair value for that work would be. On the other hand, if you are not requesting spec work during the review, we would ask that you make that quite clear to all participants, and not look favorably on an agency participating in the review if they decide to provide spec work anyway.

7. **Payment Terms.** If we become business partners, our expectation is that payment for the services we provide will be made within 30 – 60 days after you receive our invoices. The only exception is that, in some situations, payment may be required sooner in order to process and meet any payment deadlines imposed by third parties, including media owners, production companies and other suppliers we discuss and contract with on your behalf.



- 8. **Timely Notification and Actionable Feedback.** Once your agency review concludes, please let us know the result as soon as you can. We promise to respect your decision either way. Of course, we hope we prevail and become your agency partner. But if not, we ask that you please tell us why. Your candid feedback will help us improve how we present ourselves in the future.

- 9. **Public Commentary.** Many marketers prefer that their agency review be kept confidential. We look forward to discussing your preferences regarding this review.

Date

Date

Agency Name

Company Name

Name

Name

Title

Title

Signature

Signature

For further information or clarification, please contact:
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Related 4A's/ANA resources:

- Agency Reviews for Project Work; available on both the [4A's](#) and the [ANA](#) websites
- Agency Selection Briefing Guidance; available on both the [4A's](#) and the [ANA](#) websites
- Guidelines for Agency Search; available on both the [4A's](#) and the [ANA](#) websites