**REQUEST FOR PROPOSALS**

**TARGETED COUNTRY ASSISTANCE**

**(045-2024-GAVI-RFP)**

|  |  |  |
| --- | --- | --- |
| **Request for Proposals Targeted Country Assistance for (1) Embedded operational support to the Lao PDR National Immunization Programme (NIP) and (2) communication and demand generation support to Lao PDR NIP for the 2nd year of life** | | |
| **Country: Lao PDR** |  | **Programmatic Area(s): Programme Management, Supply Chain, Service Delivery** |
| **RFP Opening Date: 18 April 2024** |  | **RFP Closing Date: 09 May 2024** |
| **Address Technical, Financial Proposals and required documents via email to** [**procurement@gavi.org**](file:///C:/Users/mwattinger/AppData/Local/Microsoft/Windows/INetCache/Content.Outlook/ILKZ9D01/procurement@gavi.org) | | |

Section 1: RFP SCOPE AND REQUIREMENTS

**Background and Introduction:**

Gavi Alliance’s (“**Gavi**”) mission is to save children’s lives and protect people’s health by increasing access to immunisation in poor countries.

Gavi is a unique organisation that aligns public and private resources in a global effort to create greater access to the benefits of immunisation. It does this with precision and in creative, innovative ways to ensure that donor contributions efficiently save lives and help build self-sufficiency in the world’s poorest communities and regions.

For more information please visit the Gavi website: <http://www.gavi.org/about/mission>

**RFP Timelines:**

|  |  |  |
| --- | --- | --- |
| Procurement Activity | Responsible Party | Due Date |
| RFP Issue Date | Gavi | 18 Apr. 24 |
| Intent to Participate due | Bidder | 29 Apr. 24 |
| Final date for submitting Questions | Bidder | 30 Apr. 24 |
| Gavi Response to Questions | Gavi | 03 May. 24 |
| Bid submission deadline (CET) | Bidder | 09 May 2024 |
| Estimated Contract Award Date | Gavi | 16 May. 24 |
| Estimated Contract Start Date | Gavi | 01 Jun. 24 |

The proposed timeline set out above indicates the process Gavi intends to follow. If there are any changes to this time plan, Gavi will notify all Bidders of this in writing.

# Gavi Project

There have been significant improvements over the past few decades in maternal and child health in Lao PDR. However, there are still many areas for improvement. Immunization coverage has stagnated and in some areas faced backsliding due to the COVID-19 pandemic. Although 2022 WUENIC results show recovery from 2021, Lao PDR has yet to reach pre-pandemic coverage levels across antigens, and Penta-1, Penta-3, MCV1, and MCV-2 have been declining since before the pandemic. The declining trend for Pentavalent and MCV vaccines is consistent across the administrative and WUENIC data and is also aligned with Gavi zero-dose estimates, the largest number of which reported as being in low performing districts where Penta-1 coverage is below 85%.

Efforts to restore the vaccine coverage to pre-pandemic levels are ongoing and include periodic intensification of routine immunization (PIRI) and vaccine-specific campaigns. Gavi is currently contributing to these areas through ongoing Health Systems Strengthening (HSS), COVID-19 vaccine Delivery Support (CDS) and Targeted Country Assistance (TCA) support. Lao PDR received an extension of Gavi support through December 2025 under the revision to Gavi support eligibility policies in December 2022. This extension aims to address the above challenges and ensure a successful and sustainable transition through extended implementation timelines and access to additional resources for vaccine procurement and operational support ($7.2m to be approved through Equity Accelerator Fund (EAF), HSS, and TCA envelopes).

Government commitment for immunisation is high, and the National Immunization Programme (NIP) is leading engagement with the Ministry of Planning and Investment (MPI) and Ministry of Finance (MoF) to prepare for Gavi transition. Economic factors have severely impacted real household income and health spending in the past year, and they continue to pose significant risk to a successful transition from Gavi support without jeopardizing other health programmes. As the extension of the Accelerated Transition phase means that Lao PDR is eligible for Gavi support through 2025, one major focus of remaining support is to address backsliding coverage and strengthening routine immunization sustainably.

## Work Context

The tasks shall be performed for Country Programmes Team under the supervision of Nadia Lasri.

## Scope of Work

The requirement involves the following key activities[[1]](#footnote-2):

**Component 1**

**Embedded Support**

* Support to organize coordination & monitoring meetings with other partners as needed by government counterparts
* Support NIP and NMCH to prepare programmatic reporting to Gavi on a quarterly basis, including support for the joint appraisal (JA) process as needed
* Provide on-the-job operational support to the NIP to scale and transition support to priority provinces:
  + To plan and implement routine EPI activities integrated with other services such as Maternal Child Health, nutrition and COVID-19 vaccination through a well-child approach
  + To increase utilization of fixed services to strengthen and sustain vaccination
* Provide on-the-job operational support to the NIP and NMCH and provinces to carry-out a costed and integrated operational planning including accurate microplanning, budgeting, monitoring/tracking of implementation at the national and sub-national levels, aligned with other health sector or partner initiatives (HANSAII, JSI, UNICEF, WHO, DFAT) to identify and reach high-risk groups through effective use of data visualization and dashboards to facilitate data-driven decision-making for continuous improvement
* Support NIP and NMCH to identify domestic resources (including through prioritization and evidence-based resource allocation) for NIP (e.g. operational costs, vaccine costs, and for health workers) to link to the National Immunization Strategy (NIS) through resource mapping to support allocation, tracking, and use of funds down to the operational level, with emphasis on sub-national level, to ensure equity in resource allocation and continued reach of un-immunization and under-immunized children
* Provide support to any emerging needs (e.g. outbreaks, other activities requested by NIP) as defined by the NIP and NMCH

**Supply Chain**

* Support NIP and NMCH on piloting integrated distribution of vaccines with other commodities, as feasible and as per government guidance, to acheive cost and time efficiencies, improve reliability of distribution and distribution systems, and ensure improved and ongoing availability in Gavi transition context, in agreed 4 provinces testing the model of integration of distribution at the provincal level down to the PHC level
* Operational support to NIP and NMCH, in coordination and collaboration with WHO & UNICEF, on strengthening data recording, reporting, visibility, and reviews for action at national and sub-national levels, particular coordination between EPI, FDU and Medical Products Supply Center for improved stock management, reduced stock outs and wastage towards sustainability of vaccines supply at all levels, improvement and fully transition of use of stock dashboard as needed by the government
* Support NIP and NMCH to implement recommendations of ongoing iSCM diagnostic activities by senior experts, including: improved forecasting, distribution optimization, stock monitoring and reporting, and integrated distribution in accordance with government guidance/policy among others

**Component 2**

* Support NIP to develop through human-centered design (HCD) and implement approaches to improve routine vaccination in the second year of life; including support for communication, community engagement, and demand generation activities, improved defaulter tracking and use of data to reduce drop-out rates at the national and sub-national level in selected provinces and for key population segments, including urban poor, ethnic minorities, and rural/remote communities, etc., and including development of accountability principles between PHC and communities
* Support NIP to tailor, implement, and monitor strategies to reach key populations including urban populations, ethnic minorities, and rural/remote populations etc. including development of accountability principles between PHC and communities

## Deliverables

The following deliverables shall be produced through the completing these tasks[[2]](#footnote-3):

**Component 1:**

* Quarterly review of Gavi workplan and implementation monitoring conducted; and joint appraisal(s) conducted
* Ongong on-the-job support provided to NIP to scale and transition pertinent activities prior to end of 2025 – transfer of skills and capacities to NIP initiated from January 2025
* National level and selected provinces have costed, integrated operational plans aligned with other health sector or partner initiatives and leveraging all available data sources and dashboards and that identify high-risk groups in each HC’s catchment area; required vaccine stock and budget (QCM, supportive supervision, communication); timeline of implementation; and communication strategies to reach and vaccinate those high-risk groups.
* Resource-mapping analysis for 2024 and 2025 is developed including domestic resources at national and sub-national levels to facilitate resource allocation decisions to reach underimmunized communities; transfer of capacity/training/capacity-building activities to strengthen immunisation costing/planning/budgeting conducted
* Plan developed for piloting integrated distribution of vaccines in select provinces; assistance provided for decision-making related to potential scaling to national level
* All provinces and districts trained on stock dashboard and demonstrating regular data review using stock dashboard and action to address stock outs in preceding 6 months
* Support plan developed to support implementation of any outcomes of ongoing Immunization Supply Chain Managaement (iSCM) diagnostic activity

**Component 2:**

* Development through human-centered design of tailored plan to improve routine immunisation coverage in the second year of life, including detailed communication, community engagement, and demand generation interventions to link service delivery with demand and address persisting challenges at accessing populations (including urban poor, ethnic minorities, and rural/remote communities, etc.) in the second year of life (proposals should identify to the extent possible how activities will leverage existing strategies/initiatives e.g. CONNECT, PHC Law, etc.)
* Fixed sites strategy reviewed and revised; Strategies to reach urban populations and ethnic minorities developed to include tailored interventions to address specific needs and barriers for each population segment

## Key Dates

The following key dates apply:

All activities providing embedded support should be completed on an ongoing manner with tasks and skills fully transferred to the Lao Ministry of Health by end of 2025.

All activities related to strategy development should have strategies developed, reviewed, and validated by the Lao Ministry of Health by the end of 2025.

**Component 1:**

* All activities providing embedded support should be completed on an ongoing manner with tasks and skills fully transferred to the Lao Ministry of Health by end of 2025.
* All support provided should be reported on regularly (incl. quartlerly updates) to the Ministry of Health, starting from September 2024

**Component 2:**

* Detailed budget and workplan to address challenges related to service provision at second year of life and drop-out to be submitted and validated by Gavi and MoH by September 2024
* All activities providing embedded support should be completed on an ongoing manner with tasks and skills fully transferred to the Lao Ministry of Health by end of 2025.
* All support provided should be reported on regularly (incl. quartlerly updates) to the Ministry of Health, starting from September 2024
* All activities related to strategy development should have strategies developed, reviewed, and validated by the Lao Ministry of Health by the end of 2025.

## Duration of the Work

The scope of work is expected to be finalised over the period 01/06/2024 to 31/12/2025.

## Location of the Work

The scope of shall be performed in Lao PDR. Various activities will require engagement at different (operational, district, provincial, and national) levels.

# Bid Submission

## Preliminary Information

This section sets out the necessary preliminary information for Bidders to submit in consideration for delivering the Requirement against any resultant Contract.

## Intent to Participate, Acceptance of Confidentiality requirements and Conflict of Interest Declaration

Bidders’ are required to acknowledge their acceptance of the instructions and rules pertaining to this tender. Bidders are also required to provide the contract information for a representative who will be the point of contact for all matters relating to the RFP, no later than the Due Date for submission of Preliminary Information set out at Part 1 – RFP Timeline and Key Dates. Bidders are required to maintain confidentiality in all matters relating to this RFP and shall not disclose confidential information in connection with the RFP to any third party without prior written consent of Gavi.

Each Bidder must complete the Conflict of Interest online declaration and must immediately inform Gavi should a Conflict of Interest arise during the RFP process. A Conflict of Interest may result in the Bidder being disqualified from participating further in the RFP. This declaration must be provided to Gavi no later than the Due Date for Preliminary Information set out at Section 1 – RFP Timeline and Key Dates.

The Intent to Participate and Conflict of Interest Declaration form can be accessed via the following link: [Gavi Supplier Declaration Form](https://na.eventscloud.com/ereg/index.php?eventid=600006&)

# Technical Proposal

## Technical Proposal Format

Bidders must submit their Technical proposals filling the below document(s) and sending it to [procurement@gavi.org](mailto:procurement@gavi.org) before the Bid submission deadline.

**Bidders are expected to provide separated Technical proposals for component 1 and for component 2 using the templates below:**

* **Component 1:**

****

* **Component 2:**



## Technical Proposal Evaluation

* **Component 1:**

| No. | Criteria / Sub-Criteria | Sub-Weight (%) |
| --- | --- | --- |
| 1. | ***Section 1. Country Presence*** | 10% |
| 2. | ***Section 2. (2.1, 2.2 and 2.3) Overview,Context & Methodology*** | 5% |
| 3. | ***Section 3. Team Structure*** | 10% |
| 4. | ***Section 4. Workplan, Deliverables & Timelines*** | 20% |
| 5. | ***Section 5. Learning from the past*** | 5% |
| 6. | ***Section 6. Existing relationships with Lao MoH*** | 5% |
| 7. | ***Section 7. Coordination*** | 10% |
| 8. | ***Section 8. Capacity Building and Sustainability*** | 20% |
| 9. | ***Section 9. Partnerships*** | 5% |
| 10. | **Section 10. (*10.1 and 10.2) Gender &* Corporate Social Responsibility** | 5% |
| 11. | **Section 11. Monitoring & Learning** | 5% |
|  | Total Weight: | 70/100 |

Minimum Technical Score: **60%**

* **Component 2:**

| No. | Criteria / Sub-Criteria | Sub-Weight (%) |
| --- | --- | --- |
| 1. | ***Section 1. Country Presence*** | 10% |
| 2. | ***Section 2. (2.1, 2.2 and 2.3) Overview,Context & Methodology*** | 10% |
| 3. | ***Section 3. Team Structure*** | 7% |
| 4. | ***Section 4. Workplan, Deliverables & Timelines*** | 20% |
| 5. | ***Section 5. Learning from the past*** | 7% |
| 6. | ***Section 6. Existing relationships with regional MoH*** | 8% |
| 7. | ***Section 7. Coordination*** | 5% |
| 8. | ***Section 8. Capacity Building and Sustainability*** | 10% |
| 9. | ***Section 9. Partnerships*** | 5% |
| 10. | ***Section 10. Experience linking service delivery with demand at the community level*** | 8% |
| 11. | **Section 11. (*11.1 and 11.2) Gender &* Corporate Social Responsibility** | 5% |
| 12. | **Section 12. Monitoring & Learning** | 5% |
|  | **Total Weight:** | **70/100** |

Minimum Technical Score: **60%**

# Financial Proposal

Bidders must submit their Financial proposals filling the below document and sending it to [procurement@gavi.org](mailto:procurement@gavi.org) before the Bid submission deadline.

**Bidders are expected to provide separated Financial proposals for component 1 and for component 2 using the templates below:**

* **Component 1:**

****

* **Component 2:**



## Financial Proposal Evaluation

**Component 1:**

| No. | Criteria / Sub-Criteria | Sub-Weight (%) |
| --- | --- | --- |
| 1. | **Financial evaluation points** | 30% |
| a) | Points for the Financial Proposal being evaluated = [Maximum number of points for the Financial Proposal] x [Lowest price] / [Price of proposal being evaluated] |

**Component 2:**

| No. | Criteria / Sub-Criteria | Sub-Weight (%) |
| --- | --- | --- |
| 1. | **Financial evaluation points** | 30% |
| a) | Points for the Financial Proposal being evaluated = [Maximum number of points for the Financial Proposal] x [Lowest price] / [Price of proposal being evaluated] |

**Total Weight 30/100**

Bidders must submit a copy of their Proposals to Gavi by email to: [procurement@gavi.org](mailto:procurement@gavi.org)

The subject heading of the email shall be **“045-2024-GAVI-RFP– Technical Proposal - [Bidder Name]-[Component 1]” and 045-2024-GAVI-RFP– Technical Proposal - [Bidder Name]-[Component 2]” and “045-2024-RFP-Gavi – Financial Proposal - [Bidder Name]-[Component 1]” and “045-2024-RFP-Gavi – Financial Proposal - [Bidder Name]-[Component 2]” .** Bidders may submit multiple emails (suitably annotated – e.g. Email 1 of 3) if the attached files are too large to suit a single email transmission.

Please ensure that the different Proposal elements are returned in either MS Office Format or PDF.

# Requests for Clarification

Bidders may submit requests for clarification of the solicitation documents and direct any questions regarding the RFP content or process to [procurement@gavi.org](mailto:procurement@gavi.org) using the subject line“045-2024-GAVI-RFP– Clarification - [Bidder Name]” using the below Q&A template



All questions and requests for clarification must be submitted in writing to [procurement@gavi.org](mailto:procurement@gavi.org). Direct communications with Gavi personnel are not permitted and Gavi reserves the right to disqualify Proposals that do not comply with this requirement. Questions should be submitted by the deadline set out in Section 1 – RFP Timeline and Key Dates. Gavi will respond to submitted questions and share responses (anonymously) with all Bidders who have submitted their Intent to Participate , to ensure transparency and fairness. Gavi retains the right to answer questions received after the deadline, when deemed necessary and beneficial for the outcome of the RFP.

# Submission Checklist

| Document Checklist | | | | |
| --- | --- | --- | --- | --- |
|  | Cover Letter which includes:   * Name and address of the Service Provider * Name, title, telephone number, and e-mail address of the person authorized to commit the Service Provider to a contract * Name, title, telephone number, and e-mail address of the person to be contacted regarding the content of the proposal, if different from above * A signature of this letter done by a duly authorized representative of your company | | | |
|  | [Gavi Declaration Form](https://na.eventscloud.com/ereg/index.php?eventid=600006&) |  | | Financial Proposal  **“045-2024-RFP-Gavi – Financial Proposal - [Bidder Name]-[Component 1]” and “045-2024-RFP-Gavi – Financial Proposal - [Bidder Name]-[Component 2]”** |
|  | Technical Proposal  **045-2024-GAVI-RFP– Technical Proposal - [Bidder Name]-[Component 1]” and 045-2024-GAVI-RFP– Technical Proposal - [Bidder Name]-[Component 2]”** |  | | Corporate Social Responsibility documents |
|  |  |  | Financial Stability kindly submit to us the past 3 years’ financial statements documentation, including:  a. Auditor’s page,  b. Income/P&L,  c. Balance sheet and cash flow  d. Additionally, please name the top 3 officials of your company | |

| Format Checklist | | | |
| --- | --- | --- | --- |
|  | Technical proposal separates from commercial proposal (Two-Envelope System). |  | All files are of the accepted type (PDF or MS Office applications). |
|  | Separate emails prepared with subject names “045-2024-GAVI-RFP– Technical Proposal - [Bidder Name]” and “045-2024-GAVI-RFP– Financial Proposal - [Bidder Name]”. | | |

# Proposed Contract and Gavi’s Terms and Conditions

The terms and conditions for the proposed Contract under 045-2024-GAVI-RFP can be found here: [Gavi Alliance General Terms and Conditions for Services Agreements.](https://www.gavi.org/sites/default/files/rfp/gavi-terms-and-conditions-for-goods-and-services-agreements.pdf)

Gavi Services Agreement can be found below:



|  |  |
| --- | --- |
|  |  |

Section 2: Rules of RFP

# Rules of Gavi RFP

## Scoring Approach

Gavi will base its initial evaluation on the Proposals submitted in response to the RFP.

In deciding which Bidders/s to shortlist Gavi will consider the results of the evaluation of each Proposal and the following additional information:

1. Each Bidder’s understanding of the Requirements, capability to fully deliver the Requirements and willingness to meet the terms and conditions of the Proposed Contract; and
2. The best value-for-money over the whole-of-life of the goods or services.

In deciding which Bidder/s, to shortlist Gavi may consider any of the following additional information:

1. The results from past performance reference checks, site visits, product testing and any other due diligence;
2. The ease of negotiations with a Bidder based on that Bidder’s feedback on the Proposed Contract (where these do not form part of the weighted criteria);
3. Any matter that materially impacts on Gavi’s trust and confidence in the Bidder; and
4. Any other relevant information that Gavi may have in its possession;

Gavi will advise Bidders if they have been shortlisted. Being shortlisted does not constitute acceptance by Gavi of the Bidder’s Proposal, or imply or create any obligation on to Gavi to enter into negotiations with, or award a Contract for delivery of the Requirements to any shortlisted Bidder/s.

## Evaluation Committee

Gavi will convene an evaluation committee comprising members chosen for their relevant expertise and experience. In addition, Gavi may invite independent advisors to evaluate any Proposal, or any aspect of any Proposal.

## Evaluation Model

The evaluation model is based on the weighting under sections 3.2 and 4.1 (Evaluation Criteria).

1. Bidders will be evaluated against the Technical Evaluation criteria in section 3.2. Proposals must meet the minimum threshold defined in Section 3.2
2. Bidders passing the minimum Technical score will then be evaluated against the Financial Evaluation criteria in Section 4.1 The maximum number of financial evaluation points will be allocated to the lowest priced financial proposal. Financial Proposals from other bidders will receive points in reverse proportion according to the following formula: [Maximum number of points for the Financial Proposal] x [Lowest price] / [Price of proposal being evaluated]

## Two-Envelope System

Members of the technical evaluation committee will score each Proposal based on the weighted Technical Criteria listed in Section 3.2 Proposals will then be ranked according to their technical scores. Proposals that meet the required technical minimum shall then be progressed to the financial evaluation stage whereby different members of the tender evaluation committee shall conduct an assessment based on the weighted Financial Criteria shown below. Collectively the tender evaluation committee will then determine which Proposals to shortlist/select based on best value-for-money over the whole-of-life of the Contract.

|  |  |
| --- | --- |
|  |  |

## Gavi Clarifications

Gavi may, at any time, request any Bidder to clarify their Proposal or provide additional information about any aspect of their Proposal. Gavi is not required to request the same clarification or information from each Bidder.

Bidders must provide the clarification or additional information in the format requested. Bidders will endeavour to respond to requests in a timely manner. Gavi may take such clarification or additional information into account in evaluating the Proposal.

Where a Bidder fails to respond adequately or within a reasonable time to a request for clarification or additional information, Gavi may cease evaluating the Bidders ’s Proposal and may exclude the Proposal from the RFP process.

## Acceptance of Proposals

Proposals may be for all or part of the Requirement and may be accepted by Gavi either wholly or in part.

Gavi is under no obligation to accept the lowest priced Proposal or any Proposal and reserves the right to reject any Proposal including incomplete, conditional or proposals which do not comply with the RFP.

### Late Proposals

Bidders are responsible for submitting their Proposals on or before the RFP closing date and time in accordance with Section 1 – RFP Timeline and Key Dates. Any Proposal received by Gavi later than the stipulated RFP closing date and time will not be evaluated by Gavi.

### Withdrawal

Proposals may be withdrawn at any time prior to the RFP closing date and time by written notice to the Gavi.

### Alternative Proposals

Bidders may submit alternative Proposals it they feel it may offer Gavi additional benefits whilst still complying with the RFP requirements. Gavi reserves the right to accept or reject any proposed alternative either wholly or in part.

### Validity of Proposals

Proposals submitted in response to this RFP are to remain valid for a period of no less than ninety (90) days from the RFP closing date.

## No representation or Warrantee

Gavi shall take all reasonable care to ensure that the RFP is accurate, however the Gavi gives no representation or warranty as to the accuracy or sufficiency of the contained information and that all Bidders will receive the same information. Bidders are required to read and fully understand all conditions, risks and other circumstances relating to the proposed contract prior to submitting a Proposal.

## Costs of Preparing Proposals

The issuance of this RFP in no way commits Gavi to make an award nor commits Gavi to pay any costs or expenses incurred in the preparation or submission of Proposals or quotations. Bidders are solely responsible for their own expenses, if any, in preparing and submitting a Proposal to this tender

## Confidentiality

Bidders must not, without Gavi prior written consent, disclose to any third party any of the contents of the RFP documents. Bidders must ensure that their employees, consultants and agents also are bound and comply with this condition of confidentiality.

This entire RFP and all related discussions, meetings, exchanges of information, and subsequent negotiations that may occur are confidential and are subject to the confidentiality terms and conditions of the Intent to Participate.

Gavi and Bidder will each take reasonable steps to protect Confidential Information and without limiting any confidentiality undertaking agreed between them, will not disclose Confidential Information to a third party without the other’s prior written consent. Gavi and Bidder may each disclose Confidential Information to any person who is directly involved in the RFP process on its behalf, such as officers, employees, consultants, contractors, professional advisors, evaluation panel members, partners, principals or directors, but only for the purpose of participating in the RFP.

## Ownership of documents

Ownership of contents within the successful Proposal remain the property of Gavi or its licensors. However, the selected bidder grants to Gavi a non-exclusive, non-transferable, perpetual licence to retain, use, copy and disclose information contained in the Proposal for any purpose related to the RFP process.

## Third party information

Each Bidder authorises Gavi to collect additional information, except commercially sensitive pricing information, from any relevant third party (such as a referee or a previous or existing client) and to use that information as part of its evaluation of the Bidder’s Proposal. Each Bidder is to ensure that all referees listed in support of its Proposal agree to provide a reference. To facilitate discussions between Gavi and third parties each Bidder waives any confidentiality obligations that would otherwise apply to information held by a third party, with the exception of commercially sensitive pricing information.

## Ethics

Bidders must not attempt to influence or provide any form of personal inducement, reward or benefit to any representative of Gavi in relation to the RFP. Gavi reserves the right to require additional declarations, or other evidence from a Bidder, or any other person, throughout the RFP process to ensure probity of the RFP process.

## Anti-collusion and bid rigging

Bidders must not engage in collusive, deceptive or improper conduct in the preparation of their Proposals or other submissions or in any discussions or negotiations with Gavi. Such behaviour will result in the Bidder being disqualified from participating further in the RFP process. In submitting a Proposal, the Bidder warrants that its Proposal has not been prepared in collusion with a competitor. Gavi reserves the right, at its discretion, to report suspected collusive or anticompetitive conduct by Bidders to the appropriate authority and to give that authority all relevant information including a Bidders Proposal.

## No binding legal relations

Neither the RFP, nor the RFP process, creates a process contract or any legal relationship between Gavi and any Bidder, except in respect of:

1. The Bidder’s declaration in its Proposal
2. The Proposal Validity Period
3. The Bidder’s statements, representations and/or warranties in its Proposal and in its correspondence and negotiations with Gavi

No legal relationship is formed between Gavi and any Bidder unless and until a Contract is entered into between those parties.

## Exclusion

Gavi may exclude a Bidder from participating in the RFP if Gavi has evidence of any of the following, and is considered by Gavi to be material to the RFP:

1. The Bidder has failed to provide all information requested, or in the correct format, or materially breached a term or condition of the RFP.
2. The Proposal contains a material error, omission or inaccuracy.
3. The Bidder is in bankruptcy, receivership or liquidation.
4. The Bidder has made a false declaration.
5. There is a serious performance issue in a historic or current contract delivered by the Bidder.
6. The Bidder has been convicted of a serious crime or offence.
7. There is professional misconduct or an act or omission on the part of the Respondent which adversely reflects on the integrity of the Bidder.
8. The Bidder has failed to pay taxes, duties or other levies.
9. The Bidder represents a threat to national security or the confidentiality of sensitive government information; and/or
10. The Bidder is a person or organisation designated as a terrorist by any authority.

## Gavi’s additional rights

Despite any other provision in the RFP Gavi may, on giving due notice to Bidders:

1. Amend, suspend, change the closing date or time, cancel or re-issue the RFP, or any part of the RFP without prior notice, explanation or reasoning.
2. Make any material change to the RFP (including any change to the RFP dates, Gavi’s Requirements or Evaluation and Scoring Approach). Bidders shall be given a reasonable time within which to respond to the change.
3. Award a contract on the basis of initial offers received, without discussions or requests for best and final offers.
4. In exceptional circumstances, accept a late Proposal where it considers that it will not affect the fairness of the RFP process to other Bidders.
5. Accept or reject any non-compliant, non-conforming or alternative Proposal.
6. At its discretion does not provide a response to any question arising submitted by a bidder.
7. Waive irregularities or requirements in or during the RFP process where it considers it appropriate and reasonable to do so.
8. Select any individual element/s of the requirements that is offered in a Proposal and capable of being delivered separately.
9. Selecting two or more Bidders to deliver the requirements in the RFP.

## Governing Law

The terms of this RFP shall be interpreted and applied in accordance with their true meaning and intended effect independently of any system of national law, whether federal or state law. If a dispute or complaint is submitted to any mode of resolution and there is a need to refer to any law, the relevant Swiss law shall apply. No legal relationship is formed between Gavi and any Bidder unless a contract is entered into with a successful bidder.

## Settlement of Disputes

## Any Disputes arising out of this RFP shall be settled through a neutral mediator/conciliator in accordance with the conciliation rules adopted by the United Nations Commission of International Trade Law (UNCITRAL Conciliation Rules) presently in force, unless agreed otherwise determined by Gavi. The finding of the mediator/conciliator shall be final.

## Protests and complaints

A Bidder may, in good faith, raise with Gavi any complaint about the RFP, or the RFP process at any time by email to [procurement@gavi.org](mailto:procurement@gavi.org) using the subject line “045-2024-GAVI-RFP – Complaint – [Bidder Name]”.

Gavi will consider and respond promptly to the complaint. Both the Bidder and Gavi shall agree to act in good faith and use their best endeavours to resolve any complaint that may arise in relation to the RFP. The fact that a Bidder has raised an issue or complaint shall not to be used by Gavi to unfairly prejudice the Bidder’s ongoing participation in the RFP process or future contract opportunities.

For complaints of serious nature, please refer to the [Gavi Alliance Whistle-blower Policy](https://www.gavi.org/sites/default/files/document/gavi-alliance-whistleblower-policypdf.pdf)

## Acceptance

By submitting a Proposal, the Bidder accepts that it is bound by the Instructions and rules set out in Section 2 of this RFP.

1. This list should set boundaries for the assignment i.e. what is in scope and what is not. [↑](#footnote-ref-2)
2. What tangible things need be provided to complete the tasks documents, equipment, tools etc. [↑](#footnote-ref-3)