**REQUEST FOR PROPOSALS**

**GAVI The Vaccine Alliance**

**(065-2024-GAVI-RFP)**

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| **Request for Proposals for a comprehensive market opportunity analysis** | | |
| **RFP Opening Date: 29 May 2024** |  | **RFP Closing Date: 01 July 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) | | |

ANNEX 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 | 29 May. 24 |
| Intent to Participate due | Bidder | 07 Jun. 24 |
| Final date for submitting Questions | Bidder | 07 Jun. 24 |
| Gavi Response to Questions | Gavi | 14 Jun. 24 |
| Bid submission deadline (CET) | Bidder | 01 Jul. 24 18:00 (CET) |
| Presentation from shortlisted bidders | Gavi/Bidder | 30 Jul. 24 |
| Estimated Contract Award Date | Gavi | 02 Aug. 24 |
| Estimated Contract Start Date | Gavi | 12 Aug. 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

Since 2015, Gavi – the Vaccine Alliance has taken deliberate steps to engage the private sector to contribute toward Gavi’s work by way of leveraging their expertise, cash, and innovations to improve immunisation delivery in Gavi-supported countries. During the pandemic, Gavi was able to attract funding from several corporations, foundations, and high-net-worth individuals raising more than US$300m in support of the COVAX facility and Gavi core programmes.

## Gavi is in the process of preparing its private sector fundraising strategy for the new programme period 2026-2030, with the ambition to significantly increase private sector fundraising. As part of this process, Gavi wishes to engage a service provider to assess the local market potential for fundraising from foundations and high-net-worth individuals in selected geographies.

## Work Context

The tasks shall be performed for the Private Sector Partnerships & Innovation team which is part of the Resource Mobilisation and Growth Department.

## Objectives of the assignment

The overall objective of the assignment is to assess the market potential for fundraising from foundations and high-net-worth individuals in three markets including **United States of America, United Kingdom, and Switzerland**. The successful bidder (s) will be expected to:

* Assess Gavi’s brand awareness and perception.
* Identify the incentives and barriers to charitable giving and donations.
* Benchmark Gavi’s fundraising approaches to peer organisations and recommend new strategies and techniques to build trust, engagement, and donations in each market.
* Determine the overall fundraising market potential.
* Develop a long list of foundations and high-net-worth individuals with the appetite and capacity to give funds to Gavi.
* Recommend a credible shortlist of donors potentially willing and able to support Gavi’s work.
* Identify the expectations that shortlisted donors have of Gavi when they donate.
* Recommend a credible shortlist of business leaders and influencers with capacity and credibility to advocate for Gavi’s work in their markets.
* Recommend country-specific and/or global philanthropic giving vehicles which Gavi can leverage for fundraising.
* Develop standard donor outreach and engagement materials based on key donor profiles (categories) including tailored donor value propositions, concept notes, pitch decks, among others.
* Where possible, support introductions to shortlisted prospective donors.

Specifically, it is envisaged that the results of the market opportunity analysis will assist Gavi; (i) understand private sector awareness and perception of its mission and work and know how best to position Gavi’s brand and work with private sector; (ii) have an actionable list of potential donors with the capacity and appetite to give toward Gavi’s 2026-2030 programme period; and iii) donor outreach and engagement materials.

## Scope of work

Through this RFP, Gavi is looking to engage one or more service provider(s) to conduct a phased market opportunity analysis.

**Phase 1: Mapping and opportunity sizing (in each market - USA, UK, Switzerland)**

* Conduct a high-level macro-economic analysis identifying the political, economic, socio-demographic factors influencing the charitable giving and fundraising landscape.
* Study the overall fundraising landscape in each market identifying the key categories of philanthropists, as well as the motivations, drivers, and incentives for giving by each category of philanthropist.
* Identify advocacy and fundraising strategies and mechanisms used by top recipients of philanthropic funding to social sectors.
* Mapping of the foundations and high-net-worth individuals who give to social sectors identifying the sectors they fund, the size of funding, alignment to Gavi’s work, among others.
* Mapping of key personalities (business leaders/influencers) with networks, respect, and credibility to advocate for Gavi’s work.
* Mapping of relevant business and industry associations, chambers of commerce, civil society organisations, who can support Gavi’s advocacy and fundraising efforts.
* Mapping of business events and networks that can be leveraged to reach and engage Foundations and High-Net-Worth Individuals.
* Mapping of market-specific or global philanthropic giving vehicles (e.g donor advised funds, employee giving programs) which can be leveraged to fundraise from Foundations and High-Net-Worth Individuals.
* Propose a credible longlist and detailed profiles of up to 50 prospective donors for a deep dive analysis.

**Phase 2: Deep dive analysis and engagement with identified prospective donors**

1. **Assess the awareness and perception of Gavi’s brand**

* Familiarity with Gavi’s mission and work.
* Sources of awareness of Gavi’s mission and work.
* Perceptions towards Gavi’s mission and work.

1. **Understand the organisation/individual’s donation history, processes, and areas of interest**

* Attitudes and perceptions towards cash donations.
* How much (in value) has the organisation/individual donated annually over the past 5 years, to whom, and for what cause?
* What is the organisation/individual’s annual funding budget and average funding amounts?
* For what types of causes does the organisation/individual typically donate: e.g health, climate, gender, innovation, others?
* What is the organisation/individual’s funding criteria and eligibility requirements?
* Who, within the organisation, is responsible and accountable for charitable giving and donations?
* Who, within the organisation influences and/or makes decisions regarding cash donations.
* Does the organisation/individual accept unsolicited proposals and requests for cash donations?
* If the organisation/individual does not give cash donations, what other types of support can they provide to Gavi and how else do they prefer to partner with international organisations like Gavi?

1. **Understand the organisation/individual’s preferred terms of donation/collaboration**

* What individual/organisational objectives do they want to reach when they donate?
* How do they expect to collaborate with international organisations like Gavi?
* What do they want the organisations (Gavi) to do for them?
* How much are they are willing and able to donate to Gavi?
* What do they require from Gavi (information or otherwise) to trigger the donation?

***Note:*** *Organisations and individuals directly involved in the following: vaccine manufacturing, tobacco, alcohol, gambling, weaponry armaments, and adult content, or any organisation repeatedly found responsible for child, human and labour rights violations, major environmental abuses, or systematic corruption practices (such as money laundering) are to be excluded from this consultancy, as Gavi will never engage with them in it’s fundraising efforts.*

## Qualifications and experience

The service provider is expected to demonstrate the following experience and expertise:

* Deep knowledge and understanding of the private sector and fundraising landscape in each market.
* Strong and extensive private sector networks and relationships in each market.
* Extensive experience in designing and conducting large-scale market studies and research projects.
* Demonstrable experience in research projects of similar scope, scale, and geographic coverage.
* Relevant experience in fundraising and/or developing fundraising and resource mobilisation strategies for other organisations.
* Strong project management experience with structures, systems, and processes to oversee and manage teams in multiple locations.
* Demonstrable knowledge and familiarity with global health and immunisation.

## Deliverables and key dates

The following deliverables are expected from the service provider.

|  |  |  |
| --- | --- | --- |
| **Ref** | **Milestone/Deliverable** | **Timing** |
|  | Kick-off meeting with Gavi (in-person and virtual) | 12 August 2024 |
|  | Draft inception report detailing the approach and methodology, deliverables, work plan, data collection tools, among others. | 19 August 2024 |
|  | Final inception report incorporating Gavi’s feedback and comments | 30 August 2024 |
|  | A draft mapping and opportunity sizing report | 13 September 2024 |
|  | A draft mapping and opportunity sizing report | 27 September 2024 |
|  | A draft shortlist report of credible prospective donors | 18 October 2024 |
|  | A final shortlist report of credible prospective donors | 1 November 2024 |
|  | Outreach and engagement strategies and materials for each shortlisted donor – including but not limited to outreach materials (email and letter templates), value propositions, pitch decks, among others. | 15 November 2024 |
|  | A contact list for shortlisted donors | 15 November 2024 |
|  | A consolidated final assignment report | 29 November 2024 |
|  | Assignment close-out meeting | 13 December 2024 |

## Duration of the Work

The scope of work is expected to be completed between 12 August and 13 December 2024.

## Location of the Work

The scope of work shall be performed ​in the Countries covered by the RFP.

# 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 ANNEX 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 and sending it to [procurement@gavi.org](mailto:procurement@gavi.org) before the Bid submission deadline:

**Bidders are expected to provide a single Technical Proposal and X Financial Proposals (1 for each Market for which they propose their support) using the template below and labelling them as follows: 065-2024-GAVI-RFP– Technical Proposal - [Bidder Name]” and “065-2024-RFP-Gavi – Financial Proposal - [Bidder Name] – [Market Name].**



## Technical Proposal Evaluation

| No. | Criteria / Sub-Criteria | Sub-Weight (%) |
| --- | --- | --- |
| 1. | ***Section 1. Understanding of the Terms of Reference*** | 5% |
| 2. | ***Section 2. Relevant Experience*** | 30% |
| 3. | ***Section 3. Approach and Methodology*** | 30% |
| 4. | ***Section 4. Workplan and Deliverables*** | 5% |
| 5. | ***Section 5. Team Structure and Composition*** | 25% |
| 6. | ***Section 6. Corporate Social Responsibility*** | 5% |
|  | Total Weight: | 70/100 |

Minimum Technical Score: 60%

# Financial Proposal

**Bidders are expected to provide a single Technical Proposal and X Financial Proposals (1 for each Market for which they propose their support) using the template below and labelling them as follows: 065-2024-GAVI-RFP– Technical Proposal - [Bidder Name]” and “065-2024-RFP-Gavi – Financial Proposal - [Bidder Name] – [Market Name].**



**Please note that your Financial Proposals must be made in USD.**

## Financial Proposal Evaluation

| 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 Proposal to Gavi by email to: [procurement@gavi.org](mailto:procurement@gavi.org)

The subject heading of the email shall be **“065-2024-GAVI-RFP– Technical Proposal - [Bidder Name]” and “065-2024-RFP-Gavi – Financial Proposal - [Bidder Name]-[Market Name]”.** 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“065-2024-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 ANNEX 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 Proposals |
| ☐ | Technical Proposal | ☐ | | Corporate Social Responsibility documents |
| ☐ | Organisation’s client list for each RFP market | ☐ | Financial Stability | |
|  |  | ☐ | Five (5) copies of contracts relevant to the terms of  reference | |
|  |  |  |  | |

| 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 “065-2024-GAVI-RFP– Technical Proposal - [Bidder Name]” and “065-2024-GAVI-RFP– Financial Proposal - [Bidder Name]-[Market Name]”. | | |

# Proposed Contract and Gavi’s Terms and Conditions

The terms and conditions for the proposed Contract under 065-2024-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:



|  |  |
| --- | --- |
|  | ☐ |

ANNEX 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 ANNEX 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 “065-2024-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 ANNEX 2 of this RFP.