**REQUEST FOR PROPOSALS**

**GAVI The Vaccine Alliance**

**(104-2024-GAVI-RFP)**

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| **Request for Proposals for *Technical Assistance Services to support Nigeria Immunisation Programme on Campaign Effectiveness.*** | | |
| **RFP Opening Date: 31 July 2024** |  | **RFP Closing Date: 26 August 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 | 31 Jul. 24 |
| Intent to Participate due | Bidder | 09 Aug. 24 |
| Final date for submitting Questions | Bidder | 09 Aug. 24 |
| Gavi Response to Questions | Gavi | 15 Aug. 24 |
| Bid submission deadline (CET) | Bidder | 26 Aug. 2024. 24:00 (CET) |
| Estimated Contract Award Date | Gavi | 09 Sep. 24 |
| Estimated Contract Start Date | Gavi | 16 Sep. 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

**Background.**

The mission of GAVI Alliance is to save children’s lives and protect people’s health by increasing equitable use of vaccines in lower income countries – with a focus on equity, seeking to fully immunize every child especially in underserved communities and zero-dose children. Gavi alliance’s 2021 – 2025 strategy – also known as ‘Gavi 5.0’ aims to build on successes achieved through efforts of countries and partners to further accelerate progress towards universal immunisation. The Alliance has proposed a common framework for countries to design tailored programmes to reach zero-dose children and missed communities, against which Gavi support can be programmed.

Gavi supports countries through various funding levers including health systems strengthening (HSS), equity accelerator funding (EAF), vaccine support for both vaccines, introduction and switch grants and campaign operations costs, COVID-19 vaccine delivery support (CDS), and targeted country assistance (TCA) among others. TCA is important to augment government and partner support to design, implement, monitor, and measure impact of various investments and approaches funded by Gavi and other sources. The partnership engagement framework (PEF) TCA is an important part of countries’ routine immunisation (RI) support in efforts to reach zero dose children and accelerate recovery of RI and catch up for missed children.

## Work Context

The tasks shall be performed for the Government under the supervision of National Primary Health Care Development Agency (NPHCDA) in close collaboration with the Gavi Nigeria Country Team (CT) working with other teams across the Gavi secretariat.

**Nigeria Context**

Nigeria has had significant improvements in immunisation coverage with Penta 3 WUENIC estimates at 62% for 2022 against 33% in 2016. Still, the country grapples with over 2.3 million zero-dose children - the highest zero-dose burden globally. Major systemic challenges include weak management and coordination especially at sub-national levels, inadequate supervision of implemented activities, poor data management, inadequate funding, insecurity, and an increased burden on the human resource for health. These gaps pose a high risk of further weakening the immunisation programme and exposing more children to life-threatening vaccine-preventable diseases.

Nigeria, through the NPHCDA developed the National Strategy for Immunization and Primary Health Care Systems Strengthening (NSIPSS) that guides efforts to improve immunisation coverage – attain Penta 3 coverage of 90% by 2028 and significantly reduce the number of zero dose children. Campaigns and supplementary immunisation activities (SIAs) are an important component of the immunisation and PHC programme in Nigeria, with many broad and targeted vaccines and services delivered through this approach. The country also has established structures and coordination platforms through which campaigns and SIAs are planned, monitored and evaluated to ensure their effectiveness and efficiency. In recent years, prior to, and following COVID-19 vaccination efforts, the concept of integration and campaign effectiveness has gained wide attention with the aim of ensuring that campaigns deliver the highest level of quality services while leveraging cost optimisation and efficiencies in planning and implementation. Nigeria is also one of the trailblazers for the health campaign effectiveness (HCE) collaborative action strategy (CAS) that aims to improve campaign effectiveness and efficiency through various mechanisms.

The proposed technical assistance (TA) is meant to provide technical support to the Federal Ministry of Health (FMoH) and NPHCDA to improve and strengthen coordination, quality and efficiency of campaigns and SIAs for immunisation and PHC services. The support is expected to cover all areas of campaign coordination, planning, implementation, and monitoring, as well as support to key technical thematic areas including data management, human resources planning, stakeholder engagement at national and subnational level and related components that are critical to effective campaigns.

## Objectives

Gavi seeks to recruit a technical assistance (TA) partner/firm (s) to provide technical support to FMoH and NPHCDA to improve and strengthen the quality and efficiency of campaigns and SIAs for immunisation and PHC services.

This TA aims to achieve the following specific objectives:

1. **Campaign planning.** Support coordination and planning for various immunisation campaigns within and outside NPHCDA to leverage potential efficiencies across the different components of campaigns and SIAs. Develop clear campaign workplans together with the various stakeholders including outside the immunisation programme. This objective includes effective mapping of all related health campaigns to inform strategic as well as annual/routine campaign planning.
2. **Integration.** Support the review of past and planned campaign reports and plans and inform effective integration of PHC and immunisation services where possible as well as opportunities for campaign integration. Support the development of a campaign integration framework for immunisation and PHC services - building upon the ongoing CAS implementation for Nigeria. This objective also aims to ensure that FMoH and NPHCDA is supported to coordinate and convene key stakeholders for strategic campaign planning as well as annual/routine/specific campaign planning.
3. **Implementation.** Provide technical support towards effective and quality implementation of SIAs and campaigns, including integrated campaigns. Support to develop tools and approaches for effective implementation including readiness and reporting dashboards, and other core elements. This support includes measurement of zero-dose children through planned SIAs where feasible.
4. **Learning and Documentation.** Support to develop a robust implementation research plan and documentation of key lessons on campaign effectiveness that can inform improvements at country level and reference for the global community. This objective should be aligned with the HCE/CAS monitoring, evaluation, research, learning and adaptation (MERLA) framework.

## Methodology

The selected TA partner(s) will work closely with FMoH and NPHCDA and respective State and LGA authorities and staff to provide the necessary support. The TA scope and approach will align with country work-plans and strategic documents and targets. Where possible, we encourage the TA partner to embed staff/consultants within the respective departments at national and sub-national levels for skills transfer and capacity development. The TA partner will also work closely and in most cases liaise with other technical agencies and stakeholders including GAVI Alliance partners, Civil Society, non-health Ministries and Departments to deliver on this scope of work.

The TA partner is expected to provide high quality data-driven reports, briefs, and related documentation on work progress. These reports must be validated/endorsed by the respective Government authorities at NPHCDA.

## Deliverables

**Campaign planning. Support coordination and planning for various health campaigns to leverage potential efficiencies across the different components of campaigns and SIAs**.

* Coordinate stakeholder engagements at national and subnational levels including technical working group and sub-group meetings, and intergovernmental coordinating governance committee (IGCG) engagement for the review and adoption of HCE/CAS,
* Support FMoH and NPHCDA to effectively coordinate health campaign plans and convene stakeholders for join health campaign planning and implementation.
* Support the development of harmonized and integrated campaign workplan that includes all major PHC and immunisation activities.
* Support the development of tools for campaign mapping, stakeholder mapping to inform critical engagements at national and subnational levels.

**Integration.** Support the review of past and planned campaign reports and plans and inform effective integration of PHC and immunisation services where possible.

* Develop a campaign integration strategy and/or operational guidelines to inform planning and implementation of integrated campaigns, in alignment with the HCE/CAS plans,
* Support NPHCDA and States to test and operationalize integration guidelines and documentation of lessons learned.

**Implementation.** Provide technical support towards effective and quality implementation of SIAs and campaigns, including integrated campaigns.

* Strengthen use of tools and approaches to ensure effective campaign planning, implementation and monitoring, including integration,
* Support use of campaign quality readiness and monitoring checklists and related digital dashboards.
* Develop quality informative campaign reports for NPHCDA that include equity components including zero dose reach.

**Learning and Documentation.** Support to develop a robust implementation research plan and documentation of key lessons on campaign effectiveness.

* Build upon ongoing HCE/CAS MERLA framework to develop an actionable implementation research plan for health campaign effectiveness,
* Develop high-quality materials including reports and best practices for ongoing engagement with key stakeholders to support campaign integration and effectiveness,
* Convene and facilitate key monitoring, learning and advocacy sessions at national and sub-national levels on health campaign effectiveness topics.
* Build the technical and managerial capacity of the HCE Nigerian secretariat to sustainably manage the HCE program overtime, bringing about institutionalization that aligns with health reform strategy of Nigeria.

## Skills and Competences

The ideal TA partner should be conversant with the Nigeria Immunisation landscape and familiar with health system and primary health care service structure in the country. They should demonstrate presence in Nigeria or ability to effectively support the work at national level and States. Other important attributes sought out for the proposed TA partner include:

* Good understanding of Nigeria PHC, MNCH, NTD and Immunisation landscape including related health system enablers.
* Expertise in health campaign planning, implementation, monitoring, and evaluation, including good understanding of integration principles.
* Ability to coordinate diverse stakeholders to work together towards effectiveness and efficiency for PHC strengthening.
* Demonstrated expertise in organisation and structuring of massive and complex interventions across various partners and geographies to ensure harmonisation, coherence, and flow of results.
* Expertise in development, design and use of digital health services planning and monitoring tools, dashboards, and related approaches to inform key decisions.
* Ability to recruit and deploy the right experts at national and sub-national level in a short period of time.
* For global partners, demonstrate ability to enter partnership with a local partner would provide an added advantage.

## Key Dates

This TA support is expected to last 12 months with an anticipated start date of September 2024.

## Location of the Work

This work is to be performed in Nigeria.

# 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:



## Technical Proposal Evaluation

| No. | Criteria / Sub-Criteria | Sub-Weight (%) |
| --- | --- | --- |
| 1. | ***A. Experience within country’s immunization space*** | **10%** |
| 2. | ***B. Proposed methodology*** | 25% |
|  | **B.1 Campaign Planning** |
| **B.2 Integration** |
| **B.3 Implementation Support** |
| 3. | ***C. Team structure and individual relevant experience*** | 15% |
| 4. | ***D. Work plan and timelines*** | 10% |
| 5. | ***E. Monitoring, Evaluation and Learning Plan (****learning and documentation)* | 5% |
| 6. | ***F.* Corporate Social Responsibility** | 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:



## 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 **“104-2024-GAVI-RFP– Technical Proposal - [Bidder Name]” and “104-2023-RFP-Gavi – Financial Proposal - [Bidder 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 “104-2024-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 Proposal |
|  | Technical Proposal |  | | Corporate Social Responsibility documents |
|  |  |  | Financial Stability | |

| 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 “104-2024-GAVI-RFP– Technical Proposal - [Bidder Name]” and “104-2024-GAVI-RFP– Financial Proposal - [Bidder Name]”. | | |

# Proposed Contract and Gavi’s Terms and Conditions

The terms and conditions for the proposed Contract under 104-2024-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:



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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 “104-2024-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.