

### Negotiated award "AIDS Action Europe Visual Identity Relaunch"

#### I. Form of the Tender

The tender should be submitted via e-mail to [vergabe@dah.aidshilfe.de](mailto:vergabe@dah.aidshilfe.de), with "*AIDS Action Europe Visual Identity Relaunch*" in the subject line. All tenders will be stored and opened in accordance with §§ 39, 40 of the German Regulation on Sub-Threshold Procurement (UVgO).

Changes of the tender, additions to the tender, or withdrawals of the tender are possible by the submission deadline. The same formal requirements apply.

#### II. Content of the Tender

- The tender must be complete, i. e., it must contain all required information, declarations, and prices.
- The tenderer's changes to their own data entries must be unambiguous.
- Changes of and additions to the procurement documents are not permitted! In case the tenderer deems additional explanations necessary for better understanding the tender, they can be attached to the tender separately.
- Variant tenders are not permitted.
- The tender must be signed with a personal signature.
- The tenders and correspondence with the contracting authority must be drawn up in English.
- The tender will not be divided into lots.

#### III. Required Information, Declarations, and Prices

##### a) Eligibility

- Self-declaration according to §§ 123, 124 of the German Competition Act (GWB) (Annex 4)

##### b) Other requirements

- Price sheet, filled out completely and unambiguously, signed with a personal signature. (Annex 3)
- Short exposé of the idea (may include images and sketches) - max 500 words
- Portfolio

### Negotiated award "AIDS Action Europe Visual Identity Relaunch"

#### c) Bidding consortium

In case the tenderers intend to build a bidding consortium, all members of the consortium shall be listed in the tender, and one of the members shall be named as an authorized representative for the conclusion and implementation of the contract. The authorized representative shall sign the tender personally. A description of individual responsibilities of the members shall be attached to the tender. The members of the bidding consortium shall be jointly responsible for all liabilities in connection with the contract.

All member are required to sign the self-declaration according to §§ 123, 124 of the German Competition Act (GWB).

Subsequent building of a bidding consortium or the changes of its structure are not permitted.

#### d) Subcontracts

In case services are passed on to subcontractors, these subcontractors shall be named in the tender. The nature and extent of the award of subcontracts shall be described.

A declaration of commitment of subcontractors, stating that a cooperation will take place in case the tenderer is awarded the contract, shall be attached to the tender.

#### e) Samples

Samples shall be clearly marked as parts of the tender.

Drafts and samples shall be transferred to the property of the procurement authority without any right to remuneration, unless the procurement documents specify the contrary, or unless their return is demanded in the tender or within a 24-day period after the binding deadline.

The procurement authority is not liable for potential reductions in value or loss of the samples that may result from the reviewing procedure. The procurement authority is liable in case of gross negligence or intent.

The tenderer bears the costs and risks of the return.

#### f) Miscellaneous

In case the contract value exceeds 30.000,- €, the procurement authority will officially request an excerpt from the Central Business Register from the Federal Office of Justice (in accordance with § 150a Section 1.4 of the German Trade Regulation – GewO) and evaluate it as part of the eligibility assessment. This applies only if the tenderer is not ruled out after a preliminary evaluation.

## IV. Costs

No remuneration will be paid for the preparation of the tender.

### Negotiated award "AIDS Action Europe Visual Identity Relaunch"

#### V. Deadlines

a) **Submission deadline: April 10<sup>th</sup> 2024 23:59 CET**

b) **Binding deadline: May 1<sup>st</sup> 2024**

The binding period begins after the submission deadline. Until the end of the binding period, the tenderer is bound by their tender, unless a contract comes into effect with the acceptance of the tender before that deadline.

A tender is considered excluded, if no contract is awarded to it by the binding deadline.

#### VI. Questions and Enquiries

Any questions should be addressed in writing to the following contact person:

Shabnam Abdullayeva ([shabnam.abdullayeva@aidSACTIONeurope.org](mailto:shabnam.abdullayeva@aidSACTIONeurope.org) )

FAX: +49 30 69 00 87 42

Questions and answers will be shared with all potential tenderers in order to ensure their equal treatment.

#### VII. Contract Award

##### a) Negotiations

In principle, it is possible to negotiate on the services and prices in the course of the procurement procedure.

If a tender is evaluated as eligible for award without negotiations, the procurement authority may award the contract directly.

The payments will be made after each individual task as noted in the price sheet (Annex 3)

##### b) Award criteria

The contract shall be awarded to the most economically advantageous tender. The most economically advantageous tender shall be determined based on the following criteria:

- *60% Price*
- *40% Quality and compatibility with AAE requirements (Based on "Portfolio" and "Short expose of idea")*

### Negotiated award "AIDS Action Europe Visual Identity Relaunch"

#### c) Information about the contract award:

##### Informing candidates and tenderers in accordance with § 46 UVgO

The contracting authority shall promptly inform each candidate and tenderer about the award of the contract. The same shall apply to the cancellation or re-initiating of a procurement procedure, including the reasons for this decision.

The contracting authority shall inform, on request by the candidate or tenderer, without undue delay and in any event within 15 days after receipt of the request, the unsuccessful tenderers of the main reasons for the rejecting of their tenders, the characteristics and advantages of the successful tender and the name of the successful tenderer, and the candidates not selected about the main reasons for the non-selection.

#### VIII. Use of Procurement Documents / Confidentiality

The procurement documents shall be used exclusively for the preparation of the tender, as well as for the service provision if a contract was awarded. The documents may not be used for any other purposes or passed on to third parties.

The tenderers shall maintain confidentiality about any internal affairs of the procurement authority, which became known to them during the procurement procedure as well as after the tendering phase. The same applies for any involved employees of the tenderer.

#### IX. Relevant Legislation

The following legislation applies to the procurement procedure in their respective current versions:

- Rules of Procedure for the award of public supply and service contracts below the EU thresholds (Regulation on sub-threshold procurement - UVgO). This regulation will not be a component of the contract and does not give rise to any enforceable rights,
- The German Regulation PR No. 30/53 on Pricing in Public Contracts.