



Paris, 30 June 2022

## DECISION 2022-9

### Relating to the implementation of negotiated procedure and competitive dialogue

The Director General,

Having regard to Chapter 8 of the General Rules of the OIE,  
Having regard to the Financial Regulations,  
Having regard to the Decision of 15/12/2011 - Procedures for protecting the confidentiality of information and for declaring potential conflicts of interest,  
Having regard to the Decision 2022-8 of 29/04/2022 - Relating to the exclusion from access to funding when awarding procurement contracts/grants/sub-grants,  
Having regard to the Procedure of 01/11/2014 - Conflicts of interest for OIE staff,  
Having regard to Memorandum NS/2014/9 of 22/10/2014 - Procurement Procedures,  
Having regard to Memorandum NS/2014/9 of 26/11/2014 - *Instructions pour l'Application du Règlement Financier de l'OIE* (Instructions for the Application of the OIE Financial Regulations),  
Having regard to Memorandum /2021/3 of 25/11/2021 - Ex-post publication of information on recipients of grants/sub-grants/procurement contracts and other information,

#### CONSIDERING

That the general purchasing principles of the World Organisation for Animal Health (WOAH), whose statutory name is "Office International des Epizooties", are as follows:

- i. WOAH's needs are met while taking into account efficient and economic use of resources,
- ii. The procurement procedures ensure transparency of the purchasing operations conducted by WOAH and a competitive bidding process conducive to reducing costs,
- iii. Economic operators that can potentially meet the needs of WOAH receive equal and non-discriminatory treatment. They receive the same information when they compete for contracts for services, goods or works put out to tender by WOAH,
- iv. WOAH staff members and non-WOAH personnel involved in procurement procedures provide every guarantee of independence, impartiality and integrity. WOAH pays particular attention to avoiding conflicts of interest, including through the establishment of contractual documents,
- v. WOAH is keen to promote sustainable development. It takes steps to ensure that its suppliers and service providers comply with social and environmental standards recognised under French law, where applicable.



AND CONSIDERING

That the use of negotiation and dialogue between the economic operators and WOAH allows to better respond to the needs.

DECIDES:

**Article 1:**

To finalise Memorandum No. NS/2014/9 dated 22/10/2014 on Procurement procedures by adding, when the total envisaged contract sum is equal to or more than EUR 100 000, the two following types of procedures (described in Appendix 1):

- Negotiated procedure,
- Competitive dialogue.

**Article 2:**

To guarantee a balance between using negotiations and preserving the principle of equality of treatment for all tenderers, in compliance with the procedures referred to in Appendix 1 of this Decision.

**Article 3:**

This Decision takes effect as of today.

Monique Eloit



## APPENDIX 1: Negotiated procedure and Competitive dialogue

### 4.3. Negotiated procedure

The purpose of the negotiated procedure is to discuss the initial and intermediate tenders of tenderers in response to the expression of needs and minimum requirements, the subject of the consultation.

The negotiated procedure applies to procurement contracts for goods, services or works totalling EUR 100,000 or more, with the exception of contracts covered by the exemptions listed in Section 1.2. of Memorandum n 2014/9. It may also be applied to procurement contracts totalling less than EUR 100,000, in view of the complexity or the sensitive nature of the proposed purchase.

#### 4.3.1. Conditions for using the negotiated procedure

- i. When WOA's need cannot be met without adjusting available solutions,
- ii. When WOA's need entails the provision of an innovative solution,
- iii. When the contract includes design services,
- iv. When the contract cannot be awarded without prior negotiation because of the particular circumstances deriving from its nature, complexity or legal and financial arrangements or because of associated risks,
- v. When WOA is unable to define the technical specifications with sufficient precision with reference to a standard, a joint evaluation or technical specification or a technical baseline,
- vi. When a tender has been closed as void because irregular or unacceptable bids have been received, provided the initial contract conditions are not substantially modified.

#### 4.3.2. Publication of the consultation notice

WOAH publishes on its website a consultation notice giving potential tenderers the information they need to determine their capacity to fulfil the proposed contract. Where the WOAH deems it appropriate, it may, in view of the sensitive nature or the value of the procurement contract envisaged, have recourse to other means of publicity, including the publication of consultation in the specialised press.

The consultation dossier will include the following:

- I. Publication notice:
  - i. Name, address, telephone and e-mail address of the competent WOA department (contact point to be used for the negotiated procedure in question), to which requests can be sent for any further information,
  - ii. Place of execution or performance of the works, delivery of products or provision of services,
  - iii. Nature and extent of the expected works,
  - iv. Where appropriate, the possibility of tendering for one, several or all of the lots,
  - v. Date of commencement or completion of the work,
  - vi. Final date for to receive applications and initial tenders, address to which they must be sent, language or languages in which they must be drafted, form in which they are to be presented,
  - vii. The information relating to the professional, technical and financial capacities of the applicants,
  - viii. The minimum requirements that the tenders must meet,
  - ix. The period during which the tenderer is bound to keep his tender open,





- x. The possibility that WOAHA may award the contract on the basis of the initial tenders without negotiation,
- xi. The criteria for awarding the contract,
- xii. The name and address of the competent body for appeal procedures.

The consultation notice may also be sent to a group of potential suppliers or service providers previously selected by WOAHA.

II. Consultation rules.

III. Specifications or detailed functional programme (on the basis of the criterion justifying the recourse to the negotiated procedure).

4.3.3. Selection of applicants eligible to participate in the procedure  
*4.3.3.1. Candidate integrity*

WOAH requires applicants to provide declarations of integrity certifying that they are not in one or more situations of exclusions referred to by Decision 2022-8 of 29 April 2022 relating to the exclusion from access to funding when awarding procurement contracts/grants/sub-grants.

*4.3.3.2. Technical and professional capacity*

WOAH requires tenderers to provide guarantees on which to evaluate their financial, economic, technical or professional (experience) capacity. The purpose is to verify that the tenderers have proven know-how and professional competence to carry out the contract services through the required references.

*4.3.3.3. Arrangements for the presentation of applications and initial tenders*

The arrangements for the presentation of applications and initial tenders are detailed in the consultation notice published on the WOAHA website or in the additional documentation sent to tenderers.

Applications and initial tenders can be drafted in one of WOAHA's three official languages (French, English or Spanish), unless WOAHA demands that the applications and tenders are specifically written in one of its three official languages.

Applications and initial tenders are sent in a sealed envelope to the address indicated in the consultation notice.

*4.3.3.4. Receipt of applications and initial tenders*

The deadline fixed by WOAHA to receive applications and initial tenders must take into account the complexity of the proposed purchasing and the time required for drawing up tenders. The minimum deadline for receiving tenders is 30 days after publication of the consultation notice. In the event of a duly substantiated emergency, this minimum deadline may be reduced, but cannot be less than 15 days from the consultation notice publication date.

Applications and initial tenders received after the deadline are disqualified.

*4.3.3.5. Selection of tenderers eligible to negotiate*

WOAH can limit the number of tenderers invited to negotiate, provided that this number is sufficient to ensure effective competition. If so, WOAHA will indicate the objective and non-discriminatory criteria that it plans to apply for selecting tenderers in the negotiated procedure notice. The minimum number of tenderers invited to the negotiation cannot be less than three and shall not exceed their maximum number.





If the number of tenderers complying with the announced criteria does not meet the required minimum number, WOAH may continue the procedure with the suitably capable applicant(s).

#### *4.3.3.6. Report presenting the applicants and the initial tenders*

A report presenting the applicants and the initial tenders is drawn up after examining and analysing the applicants and the initial tenders.

This report primarily contains the:

- Subject of the consultation,
- General contract details (contract period, price form, awarding method),
- Choice of procedure,
- Implementation of the procedure (publicity, deadlines, number of applicants admitted),
- Admission and analysis of applicants and initial tenders (number of bids received, minimum level of capacities required, application and initial tender selection criteria, tenderers not admitted and admitted to the negotiations),
- Addition details on the implementation of the procedure (if required).

The report presenting the applicants and the initial tenders is submitted to the tender acceptance committee, composed of at least five persons designated by the Director General or by the person to whom she has given the authority to do so. For decisions of the tender acceptance committee to be valid, at least three members of the committee must be present.

The tender acceptance committee may admit to the negotiations tenderers whose application and initial tender largely comply with the requirements, criteria and conditions stated in the tendering documentation.

The tender acceptance committee may reject all the tenders received and declare the negotiated procedure unsuccessful in the following cases:

- i. The number of tenders is deemed insufficient to ensure effective competition,
- ii. The applications and initial tenders received do not substantially comply with the specifications stated in the tendering documentation.

The minutes of the session of the committee are drafted and forwarded to the Directorate General.

#### *4.3.3.7. Notification of unsuccessful applications*

WOAH informs each unsuccessful tenderer in writing that their tender has been rejected. Unsuccessful applicants have 15 days from the date of notification of rejection to request information relating to the rejection of their applications or to contest this decision. WOAH sends any tenderer having submitted an eligible tender, within ten days of receiving the request, all information relating to the rejection of their tender.

If WOAH fails to address a request or dispute, the unsuccessful applicant may request arbitration by the Permanent Court of Arbitration (PCA) at The Hague, governed by the PCA Optional Rules for Arbitration between International Organisations and Private Parties.

#### *4.3.4. Selection of the contractor*

##### *4.3.4.1. Invitation to tenderers admitted to negotiate*

WOAH conveys to the tenderers admitted to negotiate the:

- i. Date and venue where the negotiations will take place,



- ii. Language used for the negotiations (which must be one of the three official WOAH languages),
- iii. Deadline for requesting additional information,
- iv. List of documents to be delivered by way of intermediate (if required) and final tenders

#### *4.3.4.2. Conduct of the negotiations*

WOAH negotiates the contents of tenders with the tenderers. The initial and intermediate tenders, barring the final tenders, may also be subject to negotiation.

The negotiation procedure may take place in several successive phases to reduce the number of tenders that are negotiated by applying the award criteria.

The negotiation must be conducted so as to uphold the principle of equality of treatment between all tenderers. WOAH refrains from disclosing any information that is likely to be of advantage to certain tenderers rather than others. Adherence to this principle also implies that WOAH writes to all those tenderers whose tenders have not yet been rejected informing them of all changes made to the technical specifications or any other consultation document.

When WOAH intends to conclude the negotiations, it informs the tenderers whose tenders have not yet been rejected of this and sets a common deadline for presenting any new or modified tenders.

#### *4.3.4.3. Negotiation contents*

The negotiations can apply to the entire contents of the tenders and consultation documents barring the minimum requirements and award criteria defined in the consultation documents.

The negotiations can apply to all the characteristics of the purchased works, supplies and services, including, primarily the:

- Quality,
- Quantities,
- Trade clauses,
- Deadline,
- Contract performance guarantees,
- Additionally, the social, environmental and innovation aspects, provided they are not the minimum requirements.

#### *4.3.4.4. Arrangements for the presentation of the final tenders*

The arrangements for the presentation of intermediate and final tenders are detailed in the invitation to negotiate sent to the tenderers.

Tenders can be drafted in one of the WOAH's three official languages, unless WOAH demands that the tenders are specifically written in one of its three official languages.

Final tenders are sent in a sealed envelope to the address indicated in the consultation notice.

#### *4.3.4.5. Deadline for the receipt of final tenders*

The deadline fixed by WOAH to receive tenders must take into account the complexity of the proposed purchasing and the time required for drafting the final tenders. The minimum deadline to receive tenders is 10 days after the date of invitation to submit a final tender. In the event of a duly substantiated emergency, this minimum deadline may be reduced but cannot be less than 5 days from the invitation date to submit a final tender.

Final tenders received after the deadline are disqualified.





#### *4.3.4.6. Report presenting the final tenders*

At the end of the procedure, a report presenting the final tenders is drafted.

This report primarily contains the following:

- Subject of the consultation,
- General contract details (contract period, price form, awarding method),
- Choice of procedure,
- Implementation of the procedure (publicity, deadlines, number of applicants admitted to negotiate, invitation to tender sending date),
- Admission of applicants (number of bids received, date of the decision to admit applicants, minimum level of capacities required, application selection criteria),
- Analysis of the initial, intermediate and final tenders (number of additional tenders received, tender selection criteria, unsuccessful tenders),
- Additional details on the implementation of the procedure (if required),
- Successful tender (identity of the preferred contractor, tender amount, score awarded),
- Contract outsourcing (if applicable).

The presentation report is submitted to the contract award committee composed of at least five persons designated by the Director General or by the person to whom she has given the authority to do so. For the decisions of the contract award committee to be valid, at least three members of the committee must be present.

The contract award committee can award the contract, within the period of validity of the tenders, to the tenderer:

- i. whose tender largely complies with the requirements, criteria and conditions stated in the tendering documentation,
- ii. whose tender is seen to be the most economically advantageous in light of the evaluation criteria stated in the tendering documentation.

The contract award committee may reject all the tenders received and declare the negotiated procedure unsuccessful in the following cases:

- i. The number of tenders is deemed insufficient to ensure effective competition,
- ii. The tenders received are largely not compliant with the specifications stated in the tendering documentation,
- iii. The financial offers are significantly higher than the planned budget.

The minutes of the session of the committee are drafted and forwarded to the Directorate General.

#### *4.3.4.7. Procedure when negotiations fail*

Following a procedure whose negotiations fail, WOAHA can:

- i. Launch a new negotiated procedure, on the basis of revised specifications or expanded publicity arrangements,
- ii. Launch a negotiated procedure, on the basis of the same consultation documents that produced the declared unsuccessful procedure, using the supplier consultation procedure.





#### *4.3.4.8. Notification of tenderers*

WOAH informs the successful contractor of the contract of the selection of his tender and also informs the unsuccessful tenderers in writing of the rejection of their tenders.

Unsuccessful applicants have 15 days from the date of notification of rejection to request information relating to the rejection of their applications or to contest this decision. WOAH sends any tenderer having submitted an eligible tender, within ten days of receiving the request, all information relating to the rejection of his tender.

If WOAH fails to address a request or dispute, the unsuccessful tenderer may request arbitration by the Permanent Court of Arbitration (PCA) at The Hague, governed by the PCA Optional Rules for Arbitration between International Organisations and Private Parties.

#### *4.3.4.9. Ex-ante publication*

A contract shall not be concluded before expiration of a period of at least thirty days after publication of the contract award decision.

### **4.4. Competitive dialogue**

The purpose of competitive dialogue is to make it easier to define or develop suitable solutions to meet the needs and requirements of the purchaser with the pre-selected candidates.

The competitive dialogue applies to procurement contracts for goods, services or works totalling EUR 100,000 or more, with the exception of contracts covered by the exemptions listed in Section 1.2. of Memorandum n° 2014/9. It may also be applied to procurement contracts totalling less than EUR 100,000, in view of the complexity or the sensitive nature of the proposed purchase.

#### **4.4.1. Conditions for using the competitive dialogue**

- i. When WOAH's need cannot be met without adjusting available solutions,
- ii. When WOAH's need involves the provision of an innovative solution,
- iii. When the contract includes design services,
- iv. When the contract cannot be awarded without prior negotiation because of the particular circumstances deriving from its nature, complexity or legal and financial arrangements or because of associated risks,
- v. When WOAH is unable to define the technical specifications with sufficient precision with reference to a standard, a joint evaluation or technical specification or a technical baseline,
- vi. When a tender has been closed as void because irregular or unacceptable tenders have been received, provided the initial contract conditions are not substantially modified.

#### **4.4.2. Publication of the consultation notice**

WOAH publishes on its website a consultation notice giving potential tenderers the information they need to determine their capacity to fulfil the proposed contract. Where WOAH deems it appropriate, it may, in view of the sensitive nature or the value of the procurement contract envisaged, have recourse to other means of publicity, including the publication of the notice in the specialised press.

The consultation dossier will include the following:

##### **I. Publication notice:**

- i. Name, address, telephone and e-mail address of the competent WOAH department (contact point to be used for the competitive dialogue in question), to which requests can be sent for



any further information,

- ii. Place of execution or performance of the works, delivery of products or the provision of services,
- iii. Nature and extent of the expected works,
- iv. Where appropriate, the possibility of tendering for one, several or all of the lots,
- v. Date of commencement or completion of the work,
- vi. Final date to receive applications, address to which they must be sent, language or languages in which they must be drafted, form in which they are to be presented,
- vii. Final date for receipt of tenders, address to which they must be sent, language or languages in which they must be drafted, form in which they are to be presented,
- viii. Information relating to the professional, technical and financial capacities of the applicants,
- ix. Minimum requirements that the tenders must meet,
- x. Period during which the tenderer is bound to keep open his tender,
- xi. Criteria for awarding the contract,
- xii. Name and address of the competent body for appeal procedures.

The consultation notice may also be sent to a group of potential suppliers or service providers previously selected by WOAHA.

## II. Procedure rules

III.A functional programme: The document that describes in practical terms the expectations and results that WOAHA hopes to achieve; it specifies the intangible elements that may not be modified in any way and the tangible elements that will evolve stemming from the dialogue between WOAHA and the candidates invited to participate in the competitive dialogue.

### 4.4.3. Selection of candidates eligible to participate in the procedure

#### *4.4.3.1. Candidate integrity*

WOAH requires applicants to produce declarations of integrity attesting that they are not in one or more situations of exclusions referred to by Decision 2022-8 of 29 April 2022 relating to the exclusion from access to funding when awarding procurement contracts/grants/sub-grants.

#### *4.4.3.2. Technical and professional capacity*

WOAH requires tenderers to provide guarantees on which to evaluate their financial, economic, technical or professional (experience) capacity. The purpose is to verify that the tenderers have proven know-how and professional competence to carry out the contract services through the required references.

#### *4.4.3.3. Arrangements for the presentation of applications*

The arrangements for the presentation of applications are detailed in the consultation notice published on WOAHA's website or in the additional documentation sent to candidates.

Applications can be drafted in one of the WOAHA's three official languages (French, English or Spanish), unless WOAHA demands that the applications are specifically written in one of its three official languages.

Applications are sent in a sealed envelope to the address indicated in the consultation notice.





#### *4.4.3.4. Receipt of applications*

The deadline fixed by WOAH to receive applications must take into account the complexity of the proposed purchasing and the time required for drawing up the applications. The minimum deadline to receive applications is 30 days after publication of the consultation notice. In the event of a duly substantiated emergency, this minimum deadline may be reduced, but cannot be less than 15 days from the publication date of the consultation notice.

Applications received after the deadline are disqualified.

#### *4.4.3.5. Candidate selection*

WOAH can limit the number of applicants invited to participate in the competitive dialogue, provided that this number is sufficient to ensure effective competition. If so, WOAH will indicate the objective and non-discriminatory criteria that it plans to apply for selecting applicants in the consultation notice. The minimum number of applicants invited to participate in the competitive dialogue cannot be less than three and may not exceed their maximum number.

If the number of applicants meeting the announced criteria does not meet the required minimum, WOAH may pursue the competitive dialogue with the suitably capable applicant(s).

#### *4.4.3.6. Report presenting the applications*

A report presenting the applicants is drafted after examining and analysing the applicants.

This report primarily contains the following:

- Subject of the consultation,
- General contract details (contract period, price form, awarding method),
- Choice of procedure,
- Implementation of the procedure (publicity, deadlines, number of applicants eligible to submit a tender, invitation to tender sending date),
- Analysis of the application (number of bids received, minimum level of capacities required, application selection criteria, application selection criteria, unsuccessful candidates, successful candidates),
- Addition details on the implementation of the procedure (if required).

The report presenting the applications is submitted to the application acceptance committee composed of at least five persons designated by the Director General or by the person to whom she has given the authority to do so. The committee proceeds to award the contract. For the decisions of the application acceptance committee to be valid, at least three members of the committee must be present.

The application acceptance committee may admit to the dialogue tenderers whose application largely comply with the requirements, criteria and conditions stated in the tendering documentation.

The application acceptance committee may reject all the applications received and declare the competitive dialogue unsuccessful in the following cases:

- i. The number of applications is deemed insufficient to ensure effective competition,
- ii. The applications received are largely not compliant with the specifications stated in the tendering documentation.

The minutes of the session of the committee are drafted and forwarded to the Directorate General.

#### *4.4.3.7. Notification of unsuccessful applications*

WOAH informs each unsuccessful candidate in writing that their application has been rejected. Unsuccessful applicants have 15 days from the date of notification of rejection to request information





relating to the rejection of their applications or to contest this decision. WOAHA sends any tenderer having submitted an eligible tender, within ten days of receiving the request, all information relating to the rejection of their tender.

If WOAHA fails to address a request or dispute, the unsuccessful candidate may request arbitration by the Permanent Court of Arbitration (PCA) at The Hague, governed by the PCA Optional Rules for Arbitration between International Organisations and Private Parties.

#### 4.4.4. Selection of the contractor

##### *4.4.4.1. Invitation of candidates eligible to participate in the competitive dialogue*

WOAH sends the following to the candidates eligible to participate in the competitive dialogue:

- i. Consultation documents (specifications, detailed functional programme, the WOAHA may issue a premium to the applicants who have participated in the dialogue),
- ii. Date and venue where the dialogues will take place,
- iii. Language used for the negotiations (which must be one of the three official WOAHA languages),
- iv. Deadline for requesting additional information,
- v. List of documents to be delivered in the tender.

##### *4.4.4.2. Dialogue phase*

WOAH launches a dialogue with the selected applicants in order to identify and define the means to best meet its needs. All contract aspects may be discussed with the selected applicants except for the intangible elements.

The discussions are held in conditions of strict equality between the applicants eligible to participate in the dialogue. WOAHA refrains from disclosing any information that might give some participants an advantage over others.

The dialogue may take place in several successive phases to reduce the number of solutions discussed, by applying the award criteria.

WOAH continues the dialogue until it is in a position to identify the solution(s) likely to meet its needs. WOAHA may ask applicants to conduct demonstrations or supply samples, mock-ups, etc.

When WOAHA considers that the dialogue has been concluded, it informs the remaining applicants and invites them to submit their final tender on the basis of the solution(s) they have presented and detailed during the dialogue.

Once the final tenders have been submitted, WOAHA may request further details (clarification of aspects of the tender or confirmation of commitments contained therein). However, such requests shall not lead to any modifications to the key elements of the tender or essential features of the contract.

##### *4.4.4.3. Arrangements for the submission of tenders*

Arrangements for the presentation of tenders are detailed in the consultation notice published on WOAHA's website or in the additional documentation sent to tenderers.

Tenders can be drafted in one of the WOAHA's three official languages, unless WOAHA demands that the tenders are specifically written in one of its three official languages.

Tenders are sent in a sealed envelope to the address indicated in the consultation notice.



#### *4.4.4.4. Deadline for the receipt of tenders*

The deadline fixed by WOAH to receive tenders must take into account the complexity of the proposed purchasing and the time required for drawing up the applications. The minimum deadline to receive tenders is 7 days after the date of invitation to submit a tender. In the event of a duly substantiated emergency, this minimum deadline may be reduced, but cannot be less than 4 days from the invitation date to submit a tender.

#### *4.4.4.5. Presentation report*

At the end of the competitive dialogue, a report presenting the tenders is drafted.

This report primarily contains the following:

- Subject of the consultation,
- General contract details (contract period, price form, awarding method),
- Choice of procedure,
- Implementation of the procedure (publicity, deadlines, number of applicants admitted to submit a tender, invitation to tender sending date)
- Admission of applicants (number of bids received, date of the decision to admit applicants, minimum level of capacities required, application selection criteria),
- Analysis of the tenders (number of tenders received, tender selection criteria, unsuccessful tenders),
- Addition details on the implementation of the procedure (if required),
- Successful tender (identity of the preferred contractor, tender amount, score awarded),
- Contract outsourcing (if applicable).

The presentation report is submitted to the contract award committee composed of at least five persons designated by the Director General or by the person to whom she has given the authority to do so. For the decisions of the contract award committee to be valid, at least three members of the committee must be present.

The contract award committee can award the contract, within the period of validity of the tenders, to the tenderer:

- i. Whose tender substantially complies with the requirements, criteria and conditions stated in the tendering documentation,
- ii. Whose tender is seen to be the most economically advantageous in light of the evaluation criteria stated in the tendering documentation.

The contract award committee may reject all the tenders received and declare the competitive dialogue unsuccessful in the following cases:

- i. The number of tenders is deemed insufficient to ensure effective competition,
- ii. The tenders received do not substantially comply with the specifications stated in the tendering documentation,
- iii. The financial offers are significantly higher than the planned budget.

The minutes of the session of the committee are drawn up and forwarded to the Directorate General.

#### *4.4.4.6. Unsuccessful competitive dialogue*

Following an unsuccessful competitive dialogue, WOAH can:

- i. Launch a new competitive dialogue, on the basis of revised specifications or expanded publicity arrangements,
- ii. Launch a supplier consultation process, on the basis of the same consultation documents that the competitive dialogue declared unsuccessful,



- iii. Proceed with a negotiated procedure,
- iv. Proceed with a call for tender.

#### *4.4.4.7. Notification of tenderers*

WOAH informs the successful contractor of the contract of the selection of their tender and also informs the unsuccessful tenderers in writing of the rejection of their tenders.

Unsuccessful tenderers have 15 days from the date of notification of rejection to request information relating to the rejection of their tenders or to contest this decision. WOAH sends any tenderer having submitted an eligible tender, within ten days of receiving the request, all information relating to the rejection of his tender.

If WOAH fails to address a request or dispute, the unsuccessful tenderer may request arbitration by the Permanent Court of Arbitration (PCA) at The Hague, governed by the PCA Optional Rules for Arbitration between International Organisations and Private Parties.

#### *4.4.4.8. Ex-ante publication*

A contract shall not be concluded before the expiry of a period of at least thirty days after publication of the contract award decision.