

**REPUBLIC OF TURKEY**  
**MINISTRY OF CULTURE AND TOURISM**  
**ADMINISTRATIVE SPECIFICATIONS REGARDING THE**  
**PROMOTIONAL FİLM**

**I- SUBJECT OF THE TENDER AND LEGAL FOUNDATION**

**Article 1 – Information Regarding the Administration**

**1.1. The Administration:**

- a) **Name:** Republic of Turkey Ministry of Culture and Tourism
- b) **Address:** General Directorate of Promotion  
İsmet İnönü Bulvarı No:5 8th Floor Emek/ANKARA
- c) **Phone Number:** 00 90312 2138300
- d) **Fax Number:** 00 90312 2127512
- e) **E-mail Address:** [aysun.arslan@kulturturizm.gov.tr](mailto:aysun.arslan@kulturturizm.gov.tr); pinarimga@gmail.com
- f) **Contact Person:** Aysun ARSLAN, Pınar İMGA

**1.2.** The interested parties may obtain the tender file, both in Turkish and English, free of charge through [www.kulturturizm.gov.tr](http://www.kulturturizm.gov.tr) web site, by contacting the personnel in charge through the Directorate General for Promotion and the representatives in foreign countries of the Ministry.

**Article 2 – Information Regarding the Work Subject to Tender**

**2.1.** The service subject to the tender:

- a) **Name:** The Tender Regarding the Promotional Film of the Republic of Turkey Ministry of Culture and Tourism
- b) **Definition:** Shooting of a promotional film compatible with Turkey’s promotional strategy and objectives with a original script.
- c) **Number:** 1 promotional film of 40 seconds, and 4 short films to be edited from the long version that would be 10, 15, 20 and 30 seconds, a total of 5 films.

**Article 3 –Information Regarding the Tender**

**3.1. Legal Foundation and Procedure of the Work:** The Tender hereby will be conducted with negotiation procedures according to the Article 8 Section (b) of the “Principles Regarding the Purchase of Goods and Services and Productions of the Administrations’

Establishments in Foreign Countries” that came into force through Official Gazette number 256334 published on 4<sup>th</sup> of November 2004.

**3.2 Date of the Tender:** 13<sup>th</sup> –18<sup>th</sup> of August, 2012

#### **Article 4 – Definitions and Abbreviations**

**4.1.** In this document of specification:

- a) **Ministry:** Republic of Turkey Ministry of Culture and Tourism
- b) **Turkish Culture Office:** Turkish Culture Office in Frankfurt
- c) **Tender File:** The file consisting of the Administrative Specifications, Technical Specifications, Form of Identity Information and Information Report
- d) **Applicant:** Natural or legal persons or their business partnership who give a proper proposal to this tender file.
- e) **Package of project proposals:** The file including an external envelope and 2 other envelopes inside to be sent by the Applicant participating in the tender to the place of the tender that is stated in the specifications
- f) **Negotiation Procedures:** This refers to the negotiating procedures stated in the Article 8 Section (b) of the “Principles Regarding the Purchase of Goods and Services and Productions of the Administrations’ Establishments in Foreign Countries” that came into force through Official Gazette number 256334 published on 4<sup>th</sup> of November 2004.

## **II- DEFINITION, SCOPE OF THE WORK SUBJECT TO TENDER, MATTERS REGARDING THE TENDER**

#### **Article 5 – Definition of the Work**

Shooting of a 40-second promotional film compatible with Turkey’s promotional strategies and objectives and 4 short films of 10, 15, 20 and 30 seconds that will be edited from the long version, shooting and producing 5 films in total.

#### **Article 6 – Scope of the Work**

It is expected that the promotional film will have a main theme, an original script, creative and outstanding approaches, and will be a promotional film of Turkey.

The proposals prepared by the Applicants should provide detailed information to the Ministry about the issues like the “storyboard” and the script of the film, the director, the locations and the budget etc.

## **Article 7- Submitting Proposals**

**7.1.** The address to send the proposals, the due date and time:

The place to send the proposals:

Turkish Culture Office in Frankfurt  
Kulturattache baseler Str. 35-37/1 60329  
Frankfurt/GERMANY  
Telephone number: +49 302 14 37 52  
Fax number : + 49 30 214 39 52  
e-mail: [frankfurt@goturkey.com](mailto:frankfurt@goturkey.com)

**Due Date and time:** 10<sup>th</sup> of August 2012, 17:00 (Germany time)

**7.2. Package of project proposals** will be submitted before the due date and time to Turkish Culture Office in Frankfurt by hand or by special delivery, along with confirmation of delivery. The proposals submitted to Turkish Culture Office in Frankfurt after the working hours on the 10<sup>th</sup> of August 2012 won't be evaluated.

**7.3.** By participating to the tender, the Applicant will be automatically accepting the terms and conditions stated in the documents of the tender with the title of Applicant, unless there is a contrary statement in this document. The submitted applications cannot be withdrawn for any reason.

## **Article 8- Parties Not Being Able to Apply the Tender**

**8.1.** The below mentioned parties can neither directly nor indirectly or as a subcontractor, can participate to the tenders neither for themselves nor in the name of others:

- a) The employee of the administration who is authorized for the tender, and the ones who are in charge of preparing all kinds of documents and running operations regarding the tender, of finalizing and approving them.
- b) The ones who are temporarily or permanently banned from participating to public tenders according to the Public Tender Act No. 4734 and to the provisions of the other acts and the ones who are sentenced because of organized crimes or crimes under the Anti Terror Law No.3713.
- c) The ones whose fraudulent bankruptcy has been declared by the authorities.

**8.2.** The Applicants who participate to the tender regardless of the above mentioned limitations will be left out of the tender.

## **Article 9- Scope of the Tender File**

**9.1.** The tender file consists of:

- a) Administrative Specifications

- b) Technical Specifications
- c) Identity Information Form
- d) Information Report

**9.2.** The Applicant should carefully examine the scope of the tender file. The Applicant is responsible for the consequences resulting from failure to comply with the terms and conditions regarding the submittal of the proposal. The proposals that do not comply with the measures and format conditions stated in the tender file will not be evaluated.

### **III- ISSUES REGARDING THE PARTICIPATION TO THE TENDER AND PREPARATION OF THE PACKAGE OF PROJECT PROPOSALS**

**Article 10-** Applicants must submit the below mentioned documents in **Envelope No.1** that is explained in **Article 11**:

#### **10.1.** Issues regarding the Company Information:

- a) Official document showing the partnership structure, trade center, trade registry and taxpayer identification numbers of the Applicant by the time of application to the tender, and the list of authorized signatures by the time of the tender (Along with the translation, if in a foreign language).
- b) By forming a partnership, more than one natural or legal person can apply for eligibility. In case the proposal is submitted by a consortium, in addition to the above mentioned required documents, for each member of the partnership there should be the partnership contract and signature authority of the person or persons who are authorized to represent the partnership (Along with the translation, if in a foreign language).

#### **10.2.** Proficiency Criteria:

- a) Applicants who are settled at home on condition that they form business partnership or consortiums or Applicants who are settled abroad can apply. In case of a business partnership or consortium, it is possible to form a new legal entity where the Applicants can partake.
- b) In case of individual or consortium application, each and every applicant has to have advertising operations for minimum 3 years.
- c) The individual Applicants' average annual returns for the last three years (2009, 2010 and 2011) should be at least \$4 million USD. The Applicants who will apply as a consortium must have a minimum of \$12 million USD in total for their annual returns for the last three years.
- d) Applicants who cannot document the annual return for year 2011 will explain their reasons in a written document, on condition that the commission members accept

these reasons, the years 2008, 2009 and 2010 will be considered for the calculation of the last three years' average annual returns.

## **Article 11- Preparation of the Package of Project Proposals**

**11.1.** Proposals will be prepared taking into consideration the tender file.

**11.2.** Proposals will be signed stating that the tender file has been read and the terms and conditions have been accepted.

**11.3.** Package of Project Proposals:

- a) It should consist of one external envelope/package that will be sent by the Applicant participating to the tender before due date and time to the address stated in the specifications document and 2 other two envelopes (1<sup>st</sup> and 2<sup>nd</sup> envelopes) placed in the external envelope. All envelopes must be perfectly closed.
- b) On the external envelope/package, "Package of Project Proposals for Promotional Film Tender by the Ministry of Culture and Tourism of the Republic of Turkey" and the name of the Applicant agency and its address should be written.
- c) In the Package of Project Proposals, 2 different and closed envelopes should be placed with the following content:
  - i. **First Envelope: Work File and Information regarding the Applicant**
  - ii. **Second Envelope: Financial Offer**

## **Article 12- Detailed Explanations Regarding the Package of Project Proposal**

### **12.1. First Envelope: Work File and Information Regarding the Applicant**

- a) In the first envelope there will be the "Identity Information" form that is in the tender file and including information about the Applicant agency and the portfolio of the agency and contact information of 2 contact people.
- b) In the work file there will be the script of the film prepared by the Applicant agency, the "storyboard", the director/directors, and the information about the production company.
- c) In the package, there will also be information about the technique to be used for shooting the script (16 mm, 35 mm analogue or high definition digital-HD etc.) and the reasons why the specific technique will be used.
- d) All content and material should be of good quality and easily watched by the Commission, in PDF or PPT format, recorded on a CD or DVD and on all the CDs or DVDs information about the Applicant must be written.

- e) In case celebrity or celebrities is/are involved in the film, in the work file there must be information regarding the celebrity/celebrities.
- f) The submitted package of project proposals must be in English or in Turkish.

## **12.2. Second Envelope: Financial Offer**

- a) The submitted financial offer must include all the costs like the costs of the script and shooting etc.
- b) In case celebrity or celebrities is/are involved in the film, their budget must be presented separately.

## **IV – TENDER COMMISSION AND EVALUATION METHOD**

### **Article 13- Formation of the Tender Commission**

**13.1.** The members of the Commission will be assigned by the approval of the Minister. The Tender Commission will consist of 3 members who are selected among the Ministry's Culture and Promotion Consultants/Attachés.

**13.2.** Additionally, in the first and second phases of the tender, people from the below mentioned institutions will be employed as supervisors.

These institutions are as follows:

- a) Director General or Deputy Director General of Directorate General for Cinema
- b) 1 academic representative in the field of communication selected from one of Turkey's universities.
- c) Turkish Association of Advertising Agencies (1 person delegated by the President or by the Board of Directors)
- d) Film Producers' Professional Association (1 person delegated by the President or by the Board of Directors)
- e) Association of Turkish Travel Agencies (TÜRSAB) (the President or 1 person delegated by the President)
- f) Turkish Hotels Federation (TÜROFED) (the President or 1 person delegated by the President)
- g) Turkish Hotels and Investors Association (TUROB) (the President or 1 person delegated by the President)
- h) Federation of Turkish Tourist Guide Association (TUREB) (the President or 1 person delegated by the President)

**13.3.** The tender commission and the supervisors will be in Frankfurt between 13th –18th of August, 2012 in order to choose among the advertising agencies and to run the tender.

#### **Article 14- Evaluation Method**

Tender Commission will have two phases of operations. In the first phase of the evaluation the above mentioned supervisors, along with the Commission members, will also take part.

##### **14.1. First Phase**

- a) The tender will be started by the tender commission on the date specified in this specifications document (August 13<sup>th</sup> 2012) and the number of submitted proposals will be recorded in a report and this number will be announced in presence of the supervisors.
- b) Envelopes will be opened according to the chronological order of their submittals.
- c) Any lack of documents belonging to the Applicants and the compliance of the proposals with the terms and conditions of this tender will be checked. The Applicants with lacking documents and whose proposals are not found to be compatible with the terms and conditions of this tender will be left out of the evaluation.
- d) All other proposals will be evaluated in the first phase of the tender.
- e) Applicants whose proposals are found to be eligible and who are evaluated in the first phase of the tender will be present in Turkish Culture Office in Frankfurt between 14<sup>th</sup>-16<sup>th</sup> of August 2012 to make a presentation of their works. The Applicants' presentations will be evaluated according to the criteria mentioned below:
  - i. Creativity and originality of the script (25)
  - ii. Ability to put emphasis on Turkey's brand value (15)
  - iii. Ability to show Turkey's tourism products' differentiation from its competitors, to create competitive advantage (15)
  - iv. Ability to encourage the audience to visit Turkey (15)
  - v. Ability to address to Turkey's target markets and target audience (15)
  - vi. Visual appeal and richness (15)

As a result of the evaluation, the Applicants who could acquire the minimum score of 80 out of a total of 100 will be recorded in a report by the tender commission and the representatives of the Applicants will be in Frankfurt on the 16-17th of August 2012 for the second presentation and to submit their financial offers.

- f) The duration of the presentations is limited to 45 minutes.
- g) Representatives of the Applicants must complete their Visa procedures in advance.

## **14.2. Second Phase**

Second phase will be run and finalized by the Tender Commission.

- a) In the second phase that will take place on the 17-18<sup>th</sup> of August 2012, the Applicants who had a score above the minimum of 80 points in the first phase will be invited by the tender commission and the commission will open the 2<sup>nd</sup> envelopes of the Applicants where they placed their financial offers. Applicants will be asked whether they would like to give a second offer or not. The ones who wish to give a second offer will submit their final financial offers in a sealed envelope to the commission.
- b) If the applicants have submitted more than one script and more than one shooting technique, they must present Financial Offers separately for each different script and technique.
- c) In case celebrity or celebrities is/are involved in the film, related detailed information and budget should be presented as well.
- d) Commission will be interviewing the agencies that give the economically most advantageous offers and the ones with the most compatible offers with Turkey's promotional strategy and objectives to evaluate them and negotiate with them and make the final decision that will be recorded in an official report.

## **V – OTHER ISSUES**

### **Article 15- Signing of the Contracts**

**15.1.** Following the final decision, the Commission will present the selections to the Minister for the approval. For the execution of the decision that will be finalized by the Minister's approval there will be a contract signed between the Turkish Culture Office in Frankfurt and the selected agency.

**15.2.** In case there is a business partnership or consortium of the contractor, the prepared contract document will be signed by all the related parties and a copy of the contract that is approved by the Administration will be given to each partner.

**15.3.** The contract should be signed within maximum 15 days after the date when the tender final decision is approved by the Ministry and issued to the agency who won the tender. In force majeure, with a written permission by the Ministry, this duration can be extended 15 more days maximum.

**15.4.** In case the agency avoids signing the contract within the given period of time, and in case the contract is not signed at the end of the extension, the tender will be canceled and according to the Article 8 Section (b) of the "Principles Regarding the Purchase of Goods and Services and Productions of the Administrations' Establishments in Foreign Countries" that came into force through Official Gazette number 256334 published on 4<sup>th</sup> of November 2004, a new purchase of service will take place. As a result, the agency that causes the tender to be canceled will not be able to claim any rights or ask for compensation in case of a new tender.



## **Article 16- Invoicing and Payments**

**16.1.** Invoices for the works stated in the “Scope of the Work” section will be drawn up in the name of the employer and with the following address of “T.C. Kùltür ve Turizm Bakanlıđı İsmet İnönü Bulvarı No:5 Emek/ANKARA”, however it will be sent to the address of the Turkish Tourism Office in Frankfurt.

**16.2.** According to the Turkish Fiscal Legislation, all payments will be made following the completion of the work, and after the service is run, and after all the necessary documents are submitted to the Turkish Culture Office in Frankfurt by the agency.

**16.3.** All the costs related to the signed contract, all the charges, duties and taxes, along with other contracting costs will be paid by the agency.

**16.4.** Once the contract is signed, the agency will take the burden of all the price changes that may occur after the contract.

**Article 17-** All the real and financial rights of the films will be reserved to the Ministry. It is the Applicant’s responsibility to provide the legal transfer of the rights to the Ministry with no limitations or duration, for the delivered films and the copyrights related to the films’ music, wording, visual elements, models, actors and actresses, all the rights related to the production of the films.

## **Article 18- Settlement of Disputes**

For the resolution of all legal disputes, the related articles of the Turkish Law will be executed; Ankara Courts and Bailiff Offices will be authorized to settle the legal disputes.

**Article 19-** This specification hereby consists of 19 articles including this one.