



FME
Forum Marketing-
Eventagenturen

Euro 2008 SA
Ceremonies Department
Route St-Cergue 9

1260 Nyon 1
Switzerland

Letters patent to the UEFA

**Invitation to tender (ITT-Process) –
Implementation of UEFA EURO 2008™ Ceremonies**

Dear Sir or Madam,

as the association of specialists in live communication in Germany we are following your "Invitation To Tender" (ITT) for the implementation of UEFA EURO 2008™ ceremonies closely and with interest. Of course, a perfect opening as well as a worthy closing is compulsive for an event of this dimension which generates such an enormous public interest. Thousands of people will be experiencing the matches live and millions will be watching them on television.

It is understood that such an event must be taken care of professionally. It also goes without saying that most of the components should be fix by the time the contract is sealed – that is material, legal and technical components. At the same time a great amount of creative potential is needed in order to organize and implement an event of these dimensions for a client as famous as you. Thus, it is vital to extract the best possible agency. We highly doubt, that you will reach this goal by your ITT.

We appreciate that you apply clear criteria for the evaluation of the proposals of the participating agencies; by doing so you ensure a minimum of objectivity in the selection process.

Unfortunately, your ITT also comprises several paragraphs that we, as the lobby for event planning agencies, cannot approve of and think of it as morally condemnable. In our opinion they will not help you in finding the best partner.

You, the UEFA, as a global player and important client will always deal with smaller partners / service providers. This is alright as long as the cooperation between you and your partner is fair – as it is asked for on the football field. But looking at your ITT, one questions your intention of a fair collaboration.

You ask why? Here are some paragraphs from your ITT:

- **8: COSTS RELATING TO THE ITT PROCESS**

The Applicant is responsible for all costs, expenses and liabilities incurred in the preparation of its Proposal(s) and any subsequent presentation, any responses to requests for further information by Euro 2008 SA and any negotiation with Euro 2008 SA following receipt by Euro 2008 SA of its application (whether or not an Agreement is entered into with such Applicant).

- **11.2 No obligations**

Euro 2008 SA does not undertake to accept any Proposal(s) submitted in response to this ITT and reserves the right to organise the implementation of the UEFA EURO 2008™ ceremonies on its own or without officially appointing any third party.

- **11.3 Sole right of determination**

Euro 2008 SA reserves the right to amend, terminate or withdraw this ITT in whole or in part and conduct a new or revised selection procedure at any time or not at all.

If Euro 2008 SA considers that any Applicant is or is likely to be in breach of any of these terms and conditions, then Euro 2008 SA shall (without prejudice to its rights and/or remedies arising under law) be entitled to withdraw from any co-operation with the Applicant without any requirement to give such Applicant notice and without any further liability to such Applicant.

- **11.8 Waiver of rights**

In submitting its Proposal, the Applicant expressly waives any right of action it may have against Euro 2008 SA and/or UEFA with regards to the tender process.

- **11.9 Intellectual Property and commercial rights**

- All intellectual property rights and all commercial rights in this ITT and any Proposals resulting from this ITT is and shall remain the exclusive property of Euro 2008 SA / UEFA; The Applicant warrants and represents to Euro 2008 SA that:
 - Its Proposal and all related materials are its original work and do not infringe any third party rights;
 - It owns all rights in all materials submitted;
 - It waives any claim it may have against Euro 2008 SA and/or UEFA in respect of any intellectual property rights relating to the ideas, concepts or any other rights contained in its Proposal for all purposes throughout the world;
 - It shall not use any UEFA marks or logos except as permitted by UEFA/Euro 2008 SA;
 - It shall not claim any association with Euro 2008 SA, UEFA or UEFA EURO 2008™ in relation to its expression of interest or otherwise.

Thus, you do not only expect every participant to waive all their intellectual property rights but also you simultaneously “reserve the right to organise the implementation“ of the ceremonies on your own. Is it possible that you are only interested in gathering concepts for free?

At the same time the effort each agency has to make to be allowed to participate in your ITT is extremely high, as it is also for you when you evaluate and review the submitted concepts properly. Since you ask for:

- **5.1.1 Concept**

- A detailed script, presented separately for the stadium spectators and the TV audience
- A detailed storyboard for stadium spectators (from the point of view of the main stand)
- A detailed storyboard for the TV audience

- **5.1.2 Staffing**
A project organization chart identifying the proposed structure for the project management and implementation of the Proposal, together with brief CVs of key personnel who will be dedicated to the project
- **5.1.3 Costs**
A detailed budget. The budget must be all-inclusive, with a detailed breakdown of the following (material costs, production costs, management, on-site staffing): [...]
- **5.1.4 Communication**
Detailed information on the staffing communication and reporting procedures with Euro 2008 SA, related to progress reporting, exchange of information, changes or modifications in planning or problem solving.
- **5.1.5 Implementation plan**
 - List of assumptions made by the Applicant in order to implement the Proposal
 - Timeline, including different phases of the implementation and set-up
 - Allocation of resources during the different phases
 - Operational milestones linked to advance payments or payments during the course of the project, if required.

Every participating agency happily performs those services mentioned above for you. Usually an event-planning agency gets paid for the work it invests in creating concepts and ideas.

Unfortunately you have not limited the amount of agencies able to participate in your ITT. This is logical from your point of view as you are not paying for any expenses incurring by the participants. But by doing so you are causing great economical damage.

Every participant, who thoroughly works on all the modules in order to develop a concept for each of them spends about 150.000 to 200.000 EUR

From our point of view your ITT causes expenses in the tune of a 7-digit amount. There is no concrete use for you or the event industry amounting to that sum in return.

We would also appreciate if you gave the applicants, who have lost, information on why they did not make it. Thus they would at least gain experience which would only be fair given the amount of effort you expect of them.

To put it in a nutshell we have to conclude that your ITT is morally questionable and will cause great economical damage and will not lead to the best solution for you since a lot of very good agencies will stay away from your ITT due to your modalities. That is a pity – for you and the whole industry.

We would like to talk with you about an improvement of your ITT. Workshops with the participants proved to be quite fertile and good for getting to know each other and each other's style of work. Are you interested? Please let us know.

Sincerely yours

FME-Presidency and General secretary