

**AMENDMENT No. 1 of the TENDER DOCUMENTS for Procurement of Medical Devices
for University Children Hospital “Tiršova”**

IOP/11-2017/RD

Issued on November 17, 2017

Public Investment Management Office as the Purchaser hereby notifies all persons concerned for the public procurement: Procurement of Medical Devices for University Children Hospital “Tiršova”, no. IOP/11-2017/RD, that there has been an amendment made in the Tender Documents, that reads as follows:

- 1. Section III - Evaluation and Qualification criteria, Point 2. Postqualification Requirements (ITB 37.2), page 35 and 36 of the Tender Documents, is amended and now reads as follows:**

”After determining the lowest evaluated bid in accordance with ITB Sub-Clause 36.1, the Purchaser shall carry out the postqualification of the Bidder in accordance with ITB Clause 37, using only the requirements specified. Requirements not included in the text below shall not be used in the evaluation of the Bidder’s qualifications.

(a) Legal Capability

Bidders will be excluded from participation in the procurement procedure:

Candidates, bidders or applicants will be excluded from participation in procurement procedures if:

- The bidder is not registered with the competent body, or it is not entered in the appropriate register;
- The bidder or its legal representative has been convicted for any criminal act as members of an organized criminal group; that it has been convicted for commercial criminal offence, criminal offence against environment, criminal offence of receiving or offering bribe, criminal offence of fraud;
- The bidder has not paid due taxes and other public charges in accordance with laws of the Republic of Serbia or a foreign country if its registered address is in its territory;
- The bidder did not fulfil obligations under applicable legislation concerning safety at work, employment and working conditions, protection of environment, and that it **at the time of the submission of bid has a ban/bans in force on performing economic activities** and that it does not guarantee that it holds the rights to intellectual property.
- It has been shown that, concerning some other tender procedure or donation awarded procedure under EU general budget, there has been a serious breach of contract due not fulfilling its contract obligations from the Bidder’s side;

Documentary evidence:

Bidder must provide evidence, by common law countries in which they are established, not to fall into the above categories. Date of evidence submitted papers must not be older than **60 days** before the date of the announcement of the Public Invitation. If there is any doubt about those facts, the Bidder is obliged to submit documentary evidence to demonstrate the abovementioned.

For **the Bidders from the Purchaser's Country** the evidences are documents as specified below:

- 1) Excerpt from register of the relevant authority, which proofs that Bidder is registered with the competent body, or entered in the appropriate register;
- 2) Certificate of the competent court that Bidder or its legal representative have not been convicted for any criminal act as members of an organized criminal group; that it has not been convicted for commercial criminal offence, criminal offence against environment, criminal offence of receiving or offering bribe, criminal offence of fraud.
- 3) Certificate of the Tax Administration of the Ministry of Finance of the Republic of Serbia and a Certificate of the Local Self-Government Unit – Public Revenue Office about taxes and contributions paid.
- 4) **Statement under penalty and material responsibility that the tenderer states that he respected the rules under applicable legislation concerning safety at work, employment and working conditions, protection of environment, and that the tenderer at the time of the submission of bid has no ban in force on performing economic activities, and that it guarantees that it holds the rights to intellectual property.**

Bidders registered in Register of bidders, whose functioning is entrusted to Serbian Business Register Agency, according to Public Procurement Law of Serbia, shall be considered fulfilling abovementioned requirements, and no related documentary evidences should be submitted. This does not apply to the requirements concerning the fulfilment of the obligations under applicable legislation concerning safety at work, employment and working conditions, protection of environment, and that the bidder at the time of the submission of bid has no ban in force on performing economic activities and that it guarantees that it holds the rights to intellectual property, so the bidders are obliged to submit the abovementioned statement in order to prove this.

All abovementioned evidences may be submitted as uncertified copies. Purchaser keeps right to ask for original evidences if deemed necessary.

This provision applies to all lots and all members in a joint venture/consortium.”

This amendment is a result of the Clarifications of the Tender Documents in order to harmonize the provisions of the Tender Documents with the legal provisions in force.

In all other aspects, the Tender Documents remains unchanged. Bidders are expected to prepare their bids in accordance with this amendment.

Public Procurement Committee

