

**EQUIPMENT FOR BIOSENSE INSTITUTE IN NOVI SAD, SERBIA  
(PROCUREMENT NO. IOP/22-2018/RD)**

Clarification no. 2

Issued on February 4, 2019

Regarding the list of questions that the Purchaser, Public Investment Management Office Belgrade, No. 11 Nemanjina street, have received from the potential bidders, concerning the procurement procedure: Equipment for Biosense Institute in Novi Sad, Serbia no. IOP/22-2018/RD, we give you the following answers:

**Question 1:**

I would like to request clarification for Lot 2 – Atmospheric Diagnostics. In the Postqualification Requirements (ITB 37.2) it is requested to have a professional certificate ISO 9001:2015 and provide a copy of that. Please could you clarify how to proceed in that case that the tenderer does not have ISO 9001:2015 certificate?

**Answer 1:**

Professional certificate ISO 9001: 2015 for Bidder and for equipment manufacturers, remains a postqualification requirement of the Procurement Documents that will be used in the evaluation of the Bidder's qualifications. According to Procurement Documents, members in a joint venture/consortium can fulfill this postqualification requirement in accumulative manner.

**Question 2:**

In Lot 10, some equipment manufacturers do not have ISO 9001: 2015 or ISO 9001: 2008 certification.

Please consider the possibility of changing the tender documentation in the sense that this certificate is not required for the manufacturer.

**Answer 2:**

Professional certificate ISO 9001: 2015 for Bidder and for equipment manufacturers, remains a postqualification requirement of the Procurement Documents that will be used in the evaluation of the Bidder's qualifications. According to Procurement Documents, members in a joint venture/consortium can fulfill this postqualification requirement in accumulative manner.

**Question 3:**

We see now that on section III, page 40, a copy of certificate ISO 9001:2015 is required.

Our Laser Pattern Generator is installed in more than 50 main universities, research centers and companies around the world, and nobody ever requested this certification. For this reason, we never made it (a recent list of the international relevant sites where our equipment is used is indicated below).

This ISO 9001 certification is related to "how" the manufacture is made. Instead, we are surprised to see that no CE certification is required, which is normally required by all customers we have and that is mandatory in all European tenders, according to European rules.

We think that an amendment to the tender should be urgently published, specifying that the ISO 9001 certificate is not required, while a CE compliance statement is necessary.

Please keep us informed on your decision. An urgent correction of the error in the general instructions for the tender would be appreciated.

**Answer 3:**

Professional certificate ISO 9001: 2015 for Bidder and for equipment manufacturers, remains a postqualification requirement of the Procurement Documents that will be used in the evaluation of the Bidder's qualifications. According to Procurement Documents, members in a joint venture/consortium can fulfill this postqualification requirement in accumulative manner.

**Question 4:**

2.1. Wherever reference is made in the technical specifications to specific standards and codes to be met by the goods and

materials to be furnished or tested, the provisions of the current edition or revision of the relevant shall apply, unless

otherwise expressly stated. Where such standards and codes are national or relate to a particular country or region,

other authoritative standards that ensure substantial equivalence to the standards and codes specified will be acceptable.

2.2. The equipment offered should be manufactured in compliance with Quality Standard ISO 9001:2015 certification for Manufacturer(s).

Is it acceptable to offer another certification in place of ISO 9001: 2015 if the manufacturer does not have it, such as CE ... or please indicate which certificate would be acceptable.

**Answer 4:**

We are waiting for the opinion from the bank. A response will be posted subsequently.

**Question 5:**

Clarification request form on page 29 of procurement documentation leads to clarification form for IOP/11-2017/RD. Would you provide us with a link to correct clarification form for this tender, or it is acceptable to submit request in email?

**Answer 5:**

For Clarification of bid purposes:

To submit clarification requests, use this [Clarification Request Form](#) (click the blue underlined text).

**Question 6:**

In Section II. Bidding Data Sheet (BDS), ITB Clause Reference ITB 22.4 under point 1, page 32, it is requested: „Written confirmation authorizing the signatory of the Bid.”

Which documents represent “Written confirmation authorizing the signatory of the Bid” in case when the director will sign the Bid. Is there a form of a document? Does it have to be original, certified or uncertified copy? In which language it must be provided?

**Answer 6:**

In case the director signs the Bid, it is not necessary to submit a Written confirmation authorizing the signatory of the Bid.

**Question 7:**

In Section II. Bidding Data Sheet (BDS), ITB Clause Reference ITB 22.1, page 32, it is requested:

“In addition to the original of the bid, the number of copies is: 1, plus 1 CD with electronic copy of the bid (all documents in PDF format apart from the Price Schedules which should be in Excel).”

Also in Section I. Instructions to Bidders, under point 23.Submission, Sealing and Marking of Bids, sub-clause 23.1, page 18, it is stated following: “(a) Bidders submitting bids by mail or by hand, shall enclose the original and each copy of the Bid, including alternative bids, if permitted in accordance with ITB Clause 13, in separate sealed envelopes, duly marking the envelopes as “ORIGINAL” and “COPY.” These envelopes containing the original and the

copies shall then be enclosed in one single envelope. The rest of the procedure shall be in accordance with ITB sub-Clauses 23.2 and 23.3.”

Please clarify does the CD, with electronic copy of the bid, must be enclosed in third inner, separate sealed envelope? Or, must it be submitted inside the envelope with Bid original, or inside the envelope with Bid copy?

**Answer 7:**

CD with electronic copy of the bid, must be submitted in the envelope with Bid original.

**Question 8:**

In the announcement of the Public Invitation on page 2 it is defined how to mark the envelope:

“Понуде морају бити достављене у затвореним ковертама са назнаком: „ ИОП/22-2018/РД (IOP/22-2018/RD) – Набавка опреме за BioSense Институт у Новом Саду (Procurement of Equipment for BioSense Institute in Novi Sad, Serbia)”, број и назив лота на адресу: улица Немањина бр.22-26, Београд, писарница Управе за заједничке послове републичких органа.”

In Section II. Bidding Data Sheet (BDS) ITB Clause Reference 23.2, (c), page 33, it is stated:

”The inner and outer envelopes shall bear the following additional identification marks:

IOP/22-2018/RD – Procurement of Equipment for BioSense Institute in Novi Sad, Serbia, Lot name and number, Kancelarija za upravljanje javnim ulaganjima”

Also under point 24.1, page 33 in same section it is stated:

”For bid submission purposes only, the Purchaser’s address is:

Attention: Administration for Joint Services of the Republic Bodies registry

Street Address: no. 22-26, Nemanjina street,

City: Belgrade

ZIP/Postal Code: 11000

Country: The Republic of Serbia

The deadline for bid submission is:

Date: February 20th, 2019

Time: not later than 11 a.m. by local time”



Please clarify in which way the envelopes should be marked. Should it be marked as it is stated in the announcement of the Public Invitation or it should be marked as in procurement documents, section II, points 23.2 and 24.1.

**Answer 8:**

The inner and outer envelopes shall be marked: IOP/22-2018/RD – Procurement of Equipment for BioSense Institute in Novi Sad, Serbia, Lot name and number, Kancelarija za upravljanje javnim ulaganjima.

Bid must be submitted on the Purchaser's address is:

Attention: Administration for Joint Services of the Republic Bodies registry

Street Address: no. 22-26, Nemanjina street,

City: Belgrade

ZIP/Postal Code: 11000

Country: The Republic of Serbia

The deadline for bid submission is:

Date: February 20th, 2019

Time: not later than 11 a.m. by local time

**Question 9:**

In Section II. Bidding Data Sheet (BDS), under point ITB Clause Reference 10.1, page 30, it is stated:

“Language for translation of supporting documents/documentary evidences and printed literature is English or Serbian, except for documents and evidences made in Serbian or issued by the relevant authority in Serbian language.”

Please specify what documents are classified as supporting documents and documentary evidences?

- What is the required language of documents and evidences made in Serbian or issued by the relevant authority in Serbian language?
- What is the required language of List of reference and copy of invoices (or purchaser statements)? (Section III. Evaluation and Qualification Criteria, Point 2. Postqualification Requirements (ITB 37.2), (c) Business Capability, page 39)
- What is the required language of the certificate from the competent institution that the Bidder haven't had any registered blockage of their account?
- Does it have to be original, certified or uncertified copy? (Section III. Evaluation and Qualification Criteria, Point 2. Postqualification Requirements (ITB 37.2), (b) Financial Capability, page 39)

- What is the required language of Bidder ISO certificate? (Section III. Evaluation and Qualification Criteria, Point 2. Postqualification Requirements (ITB 37.2), (f) Certifications, standards and licences, page 40)
- What is the required language Manufacturers ISO certificates? (Section VI. Schedule of Requirements, point 4. Quality Control Standards, page 61)
- What is the required language of the M forms? (Section III. Evaluation and Qualification Criteria, Point 2. Postqualification Requirements (ITB 37.2), (d) Personnel Capability, page 40)
- In which language the Invoice must be issued?

**Answer 9:**

In Section II. Bidding Data Sheet (BDS), under point ITB Clause Reference 10.1, page 30, it is stated:

„The language of the bid is: **English**

All correspondence exchange shall be **in English**

Language for translation of supporting documents/documentary evidences and printed literature is **English or Serbian, except for documents and evidences made in Serbian or issued by the relevant authority in Serbian language.**”

Documentary evidence are the documents through which the bidders prove the fulfillment of the postqualification requirements or any other requirement prescribed by the Procurement Documents. Supporting evidence are the documents such as catalogues, pictures or any other documents related to the equipment offered, its characteristics, features.

Documents and evidences made in Serbian or issued by the relevant authority in Serbian language can be submitted in Serbian language. Bidders can but are not obliged to provide and submit the translation of such documentation in English language.

The required language of the List of reference and the copy of invoices is English or Serbian.

The required language of the certificate from the competent institution that the Bidder haven't had any registered blockage of their account is English or Serbian.

The certificate from the competent institution that the Bidder haven't had any registered blockage of their account can be submitted as the original document or as uncertified/certified copy.

The required language of the Bidder ISO certificate is English or Serbian.

The required language for the Manufacturers ISO certificates is English or Serbian.

The required language of the M forms is English or Serbian.

**Question 10:**

In Section II. Bidding Data Sheet (BDS), ITB Clause Reference 14.6, page 31, it is stated:

“The Purchaser is allowed to accept the offer of goods already imported only in case of having a proof, submitted by the Bidder, of possibility to conduct the revision of the clearance procedure.”

Which document represents a proof of possibility to conduct the revision of the clearance procedure and does it have to be submitted within the Bid documentation, if the goods will be imported only after Bid acceptance? Does it have to be original, certified or uncertified copy? In which language it must be written?

**Answer 10:**

We are waiting for the opinion from the bank. A response will be posted subsequently.

**Question 11:**

In Section III. Evaluation and Qualification Criteria, Point 2. Postqualification Requirements (ITB 37.2), (a) Legal Capability, page 38, it is requested: “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.”

According to Serbian Business Register Agency evidence of registration in Register of bidders is permanent and no reissue is foreseen. Please confirm that this is acceptable evidence if company evidence is issued and dated in 2014.

What is the required language of the evidence of registration in Register of bidders?

**Answer 11:**

The evidence of registration in Register of bidders issued and dated in 2014 is acceptable. However, the Procurement Committee additionally checks whether the bidders are registered in the Register of bidders in the process of the evaluation of the bids.

It is sufficient to submit proof of entry in the Register of bidders with the mentioned link, in the Serbian language.

**Question 12:**

In Section IV. Bidding Forms, document Bidder Information Form, page 42, point 7, requests:

“Articles of Incorporation or Registration of firm named in 1, above, in accordance with ITB Sub-Clauses 4.1 and 4.2.”



Please clarify which document represents Articles of Incorporation or Registration of firm, in accordance with ITB Sub-Clauses 4.1 and 4.2.?

In which language those articles must be written?

Do they have to be attached just after the Bidder Information Form, or at the end within Other documentation, or in both places?

**Answer 12:**

In Section II. Bidding Data Sheet (BDS), under point ITB Clause Reference 10.1, it is stated:

„The language of the bid is: English

All correspondence exchange shall be in English

Language for translation of supporting documents/documentary evidences and printed literature is English or Serbian, except for documents and evidences made in Serbian or issued by the relevant authority in Serbian language.”

Document who represents Articles of Incorporation or Registration of firm is the said document.

In Section II. Bidding Data Sheet (BDS), under point ITB Clause Reference 10.1, it is stated:

„Instructions for packing documents - the bidders shall submit their offers in separate envelopes for each lot.

The bidders shall attach tender documents in order as follows:

1. Written confirmation authorizing the signatory of the Bid
2. Bidder Information Form
3. Bid Security
4. Bid Submission Form
5. The Price Schedule
6. Technical Specifications
7. All other documents defined by tender documents“

**Question 13:**

Do the Joint Venture Partner Information Form has to be signed and submitted, even if our company is not a part of Joint Venture? (page 43)

**Answer 13:**

No.



**Question 14:**

Do blank fields in all required document forms have to be filled with any kind of information or symbols, in case information are not applicable?

**Answer 14:**

No.

**Question 15:**

According to tender documentation, the Bid Price and the Contract Price must be shown excluding VAT and Custom Duties on import. Does it mean that the Price on the Invoice must exclude VAT? Will this transaction be qualified for VAT exemption, according to Serbian VAT law, Article 24? If it means, will you timely deliver the VAT Exemption Certificate and Custom Duty Exemption Certificate to successful Bidder? (page 44)

**Answer 15:**

Pursuant to Article 6, paragraph 6.01 of the Law on the Confirmation of the Financial Agreement (research and development in the public sector) between the Republic of Serbia and the European Investment Bank (RS Official Gazette – International Agreements No 5/2010), the loan funds cannot be used to make payments of value added tax (VAT) chargeable on transactions and imports of goods and services, of customs and other import duties, and of taxes and other charges arising in the performance and implementation of the Project. Consequently, and considering that the procurement in question is funded under the aforementioned Financial Agreement, the Contracting Authority is required to exempt the goods from value added tax (Art. 24(1)(16b) of the Value Added Tax Law). This means that, upon signing the contract for the respective procurement, and fulfilling other obligations envisaged in the tender documents (submitting guarantees, etc.), the bidder shall submit a pro-forma invoice /invoice, invoicing the VAT, so that a tax exemption can be made on the basis thereof. Specifically, in accordance with the provisions of the Rules on the modalities and procedure for seeking VAT exemption with the right to deduct the input tax, the tax exemption shall apply to both **imports** and **internal transactions**. In the case of imports, for goods that have not been previously imported, the supplier shall submit a **foreign invoice** with translation (the end-user must be specified in the foreign invoice), and for VAT exemptions in internal transactions, the supplier shall submit a **pro-forma invoice** (the VAT must be invoiced in the pro-forma invoice). Upon being granted the tax exemption on imports, the supplier may import the goods concerned, and upon being granted the exemption from tax on internal transactions, he may deliver the goods concerned. Upon delivery, the supplier shall issue an invoice/bill of lading without invoicing the VAT, stating the obligatory tax exemption mention with the tax exemption number and date. The supplier shall take care of all customs liabilities, or any exemptions from customs duties.

**Question 16:**

In Section II. Bidding Data Sheet (BDS), ITB Clause Reference 14.6, page 31, it is stated: "Bid Price should be quoted: DAP+unloaded.

Custom duties on import and other related costs are specially declared."

Please clarify what the proposed parity, DAP + unloaded means? Does it include any insurance after goods unpacking and installing, or any additional obligation regarding to INCOTERMS 2010 DAP?

Do the custom duties on import and other related costs must be specially declared on the Bid Submission Form or on the Invoice, or both? Is it required for bidders which Country of Registration is Serbia?

**Answer 16:**

DAP + unloaded (Delivered at place + unloaded) is in accordance with the All Incorporated Edition, the latest edition published by the International Chamber of Commerce, 38 Cours Albert 1er, 75008 Paris, France, the official website at [http://www.iccwbo.org/index\\_incoterms.asp](http://www.iccwbo.org/index_incoterms.asp) – **mislim da ovaj link ne radi**

<https://iccwbo.org/resources-for-business/incoterms-rules/incoterms-rules-2010/> - ovo bi trebalo da je ispravan

The Supplier is required under the Contract to transport the Goods to a specified place of final destination within the Purchaser's country, defined as the Project Site. Transport to such place of destination in the Purchaser's country, including insurance and storage, shall be arranged by the Supplier, and related costs shall be included in the Contract Price.

The Bid Submission Form must be filled in according to the instructions, ie the price must be displayed in the Bid Submission Form as follows:

„(c) The total price of our bid is:

\_\_\_\_\_ EUR / USD / RSD (write number and word)

Total DAP price of our offer (insured and delivered on site, excluding VAT and Custom Duties on import)“

**Question 17:**

In section Section VIII. Special Conditions of Contract point GCC 15.1, page 83, payment is define as:

„(iii) Implementation of Related Services: Ten (10) percent of the Contract Price of the Goods shall be paid upon implementation of all related services stipulated, related to proper functioning of goods, such as but not limited - installation, burn testing, training etc. (per item).”

In which way will be confirmed the completion of implementation of all related services stipulated, related to proper functioning of goods, such as but not limited - installation, burn testing, training etc. (per item)? Is there a document to be signed?

**Answer 17:**

After the installation, commissioning and training of employees, a record of the handover of equipment is made, which is a condition for paying 10% of the agreed price.

**Question 18:**

In Section VI. Schedule of Requirements, point 6. Start-up/ basic training it is stated:

“User-oriented documentation should be in English and/or Serbian.”

Please confirm that it is sufficient to provide User-oriented documentation in English.

**Answer 18:**

Yes.

**Question 19:**

In Technical specification it is defined delivery time. Does delivery time include time for installation and basic training within 60 days delivery time?

**Answer 19:**

Yes.

**Question 20:**

In Technical specification for lot 9, item 9.4 Impedance Analyzer Access under point 3 it is specified to use test leads with cable tip BNC (male). In practice, it is common to keep the same type of connectors on test leads cable tip as it is on impedance analyzer (female). Please confirm that it is acceptable to provide test leads with cable tip BNC female connector with approximate weight 460g. Is it necessary to provide additional error information for this item, since it is not relevant parameter for it?

**Answer 20:**

It is usual to keep the same type of connectors on the test leads as it is on impedance analyzer, therefore we confirm that the cable tip BNC female connector with stated weight is acceptable. It is not necessary to provide additional error information for the item since it is just another type of the cable tip and for that reason this parameter is not relevant.

**Question 21:**

In Postqualification Requirements (ITB 37,2), (2,e) Technical Capability, it is written:

*„Documentary evidence:*

*For each qualified person (1) copy of certificates for offered system model and copy of work booklet (M form) or copy of labour contract or service company statement that a person is employed by him.”*

It is acceptable to submit a contract on supplementary work between the authorized bidder and certificated service technician?

**Answer 21:**

Yes.

**Question 22:**

For the Bid Security (Bank Guarantee), is the Beneficiary [Name and Address of Purchaser] as written below?

Administration for Joint Services of the Republic Bodies registry

no. 22-26, Nemanjina street,

Belgrade

ZIP/Postal Code: 11000

The Republic of Serbia

**Answer 22:**

The Beneficiary is:

Kancelarija za upravljanje javnim ulaganjima (Public Investment Management Office)

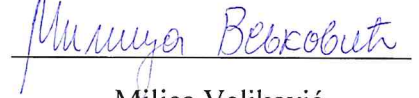
Attention: **no. 11, Nemanjina street**



City: **11000 Belgrade**

Country: **The Republic of Serbia**

Public Procurement Committee



Milica Veljković