PROCUREMENT OF RADIOTHERAPY AND DIAGNOSTIC EQUIPMENT, BELGRADE
(PROCUREMENT NO. IOP/36-2019/RD)

CLARIFICATION NO. 9

Issued on July 29th, 2020

Question 1.

After the site visit inspection from Friday, July 24th, we would like to kindly request you an extension of the tender submission deadline in order to have sufficient time to complete the building Adaptation Project.

Furthermore at the light of the clarification published today Monday July 27th an extension would allow us to offer a competitive package for such a big, important and complex submission solution.

Answer 1:

The Building Adaptation Design (documents stated in Terms of reference, as The Executive Design (PZI), Design/drawings of as built facilities (PIO) etc), should be completed in the period of realization of the contract. Accordingly, it is not necessary to complete the Building Adaptation Project at this phase of the procurement procedure, i.e. it is not necessary to submit it within the bid.

Also, having in mind the length of the deadline for submission of bids and the circumstances of the procurement procedure in question in which the Contracting Authority has already extended the deadline for submission of bids when it resumed the procurement procedure after the decision on the filed complaint was reached, the Commission considers that it is not necessary to extend the deadline for submission of bids, as well as, that the total deadline for submission of bids is sufficient for bidders to prepare their bids.
Please note that the last clarifications that you mentioned, were not published on July 27, 2020, but on July 24, 2020.

Question 2.

We have analyzed the answer to Clarification 8 and have the following issues that we would like to bring to your attention:

Although you encouraged and suggested that Aria & Heliant manufacturers offer components to the other participants to the above-mentioned tender, this can't be done since the representative of Aria manufacturer will most likely act as the main bidder. Clause 4.1 from Section I. Instruction to Bidders from the bidding documents clearly indicates that "Bidders may be considered to have a conflict of interest with one or more parties in this bidding process, if they: submit more that one

bid..However, this does not limit the participation of subcontractors in more than one bid." Since the representative of Varian will act as the main bidder, he will not be able to act as sub-contractor in the offer that we intend to submit. Please also have in mind that obtaining a quotation from Varian is not enough since the medical devices offered should be installed by Varian authorized representative that has the proper authorizations issued by the Serbian authorities.

Said that, we consider that the answer to Clarification no. 8 is blocking our access to the above-mentioned tender. In accordance with the Procurement notice IOP36-2019, the current tender was set up as an open international procedure. The spirit of the open procedure was clearly set up in para 3.7.1. from the Guidelines for Procurement of Supplies, Works and Services, which "Allow all interested parties (contractors or suppliers as the case may be) to submit tenders. They involve strict requirements for international notification (including publication in the OJEU); clear and comprehensive tender documents; and fair and transparent tendering, evaluation and award procedures. No pre-qualification of candidates or negotiations with tenderers are allowed."

In other words, the answer to clarification no. 8 is really transforming the tender in a negotiated procedure, rather than an open international tender.

Therefore, we kindly ask you to revert to the answer provided through Clarification 5, when you allowed All existing Linear Accelerators are integrated into the ARIA R&V system including 3 Elekta Synergy accelerators, of course this condition should not be eliminatory for other bidders. It is desirable for the end-user that the radiotherapy department use one Record&Verify system but will also accept the functional solution of the other manufacturer including their R&V system. Each provider should offer a functional solution for the implementation of VMAT therapy. Bidder is obliged to provide connectivity for its equipment (Accelerator, R&V system, TPS), Import / Export data in ECLIPSE including DICOM data conversion if needed.

Such an approach will allow a reputable manufacturer as Elekta to submit a technically compliant offer, bringing also the advantage of you taking advantage of the lowest price as evaluating factor. Having at least 2 technically compliant bids will create the pre-requisite of having economies by applying the above-mentioned evaluating factor.

Nevertheless, we would like to stress out that Elekta really values the benefit of operating with only one Oncology Information System and therefore intends to offer a solution that will replace all the existing ARIA working stations and the additional 5 ones required through the technical specifications, in order to provide the connectivity for our offered equipment (Accelerator, R&V system, TPS), Import / Export data in ECLIPSE including DICOM data conversion if needed.

Therefore, in case you are not in favour of reverting to the answer from Clarification no. 5, we kindly ask you to accept an offer that will include Mosaiq as the single Oncology Information System, meeting in this way the intention of the medical staff to work under one single system.

Such a solution is allowing an open and and transparent competition, which is prevented by Clarification 8."

To that extent, please share with us the details of the ARIA configuration installed in the site, so that to be able to offer at least an equivalent solution.

Hoping that you will accept our proposal, we are looking forward for submitting an offer under the above-mentioned procurement procedure, allowing you to select the best solution for hospital, but also for the Serbian patients.

Best Regards

Answer2 : Without modification, it is not accepted in the manner proposed by prospective bidder

Explanation: End user has many years of positive experience with the information system of the prospective bidder (Mosaiq R&V system). As for MOSAIQ, we have no dilemma that it is a top product.

At the moment at hospital, 8 linear accelerators are in operation. The Institute intends to replace two of the four old accelerators within the deadline set in the tender specification. Regardless of the time required for the adaptation of the bunker and equipment installation, we want to disrupt the functioning of radiotherapy as little as possible.

Current technical environment and other details

When all the accelerators are working, we treat 400-450 patients a day (sometimes more). We understand that prospective bidder position is more complicated for objective reasons. The reason is the installed equipment in the previous period (primarily the ARIA information system and integration with the Heliant Hospital information system).

Most existing accelerators are Varian accelerators. All accelerators work in the Varian-ARIA Record & Verify system. Nearly 80% of radiotherapy planning resources are Varian products. All QA (RapidARC therapy) systems are compatible with Varian accelerators and configured in an ARIA-ECLIPSE environment.

Currently, the hospital has 70 ARIA workstations installed, 31 ARIA/ECLIPSE workstations installed. For more information, see the specification for section "RECORD & VERIFY SYSTEM" in this procurement. There are 13 licenses available for RapidARC therapy planning, 13 licenses for SRS/SBRT planning, 13 licenses for the Gated therapy planning, 13 IMRT licenses, 13 licenses for CT Brachy planning, the Conformal therapy planning ... 18 licenses for Plan Review/Contouring /.../ (Licence structure is identical to the technical specification for this procurement , see item “CONTOURING & PLAN REVIEW”).

The installed ARIA licence packages are structured similarly to this procurement (10 licence packages per machine are installed, 5 license packages per machine are required in this tender). More two hundred users (administrative workers, nurses, technicians, technologist, radiologists, oncologists, engineers, physicists, system administrators ...) use R&V system, all got offsite training or onsite training.

For the needs of radiotherapy, a High-end server architecture has been installed in terms of performance, memory resources (primarily for IGRT with CBCT), the work of all clients is provided in real time, ... backup and archiving of data ..

It is certainly simpler to manage patients with one information system. It is understandable that the end user prefers a single database, however we have left the possibility to integrate two R&V systems, to ensure the participation of other biders.

In the previous clarification 5 , 17 April 2020 is explicitly stated: The end user prefers the radiotherapy department to use one Record & Verify system, but will also accept a functional solution from another manufacturer, including their R&V system.

We did not further explain how a radiotherapy hospital would function with an additional 10 MOSAIQ workstations (5 workstations per machine with appropriate licenses). In the previous clarification of July 24, 2020 (in response to the request of another bidder) we did not reject the clarification of April 17. We further clarified a functional environment with two R&V systems i.e. installation of Citrix client / server software as a solution that used by both vendors,

The legal objections you have made are understandable but some of them are not easy to overcome.

For the mentioned reasons, we tried to satisfy all bidders. The only condition is that it is not to the detriment of the end user in terms of price and functionality.

For example,

1.) How to deploy 10 MOSAIQ workstations to 50 work places (and have a functional solution) without integration into the Citrix environment? That's probably impossible?

2.) How to replace ARIA & ARIA / ECLIPSE workstations by MOSAIQ workstations without a new complete server infrastructure for MOSAIQ. That's probably impossible? Your letter mentions replacing MOSAIQ workstations without replacing 4D consoles and VTx workstations. Do they stay? Existing Varian servers due to the ECLIPSE TPS client / server architecture must remain ... or does Electa plan to replace the ECLIPSE TPS , it is not mentioned?

The solution is incomplete!

3.) Functionality also implies integration with the hospital information system as mentioned in clarification 8, dated 24 July.

4.) The end user has free maintenance for another two years for ARIA information system, ECLIPSE TPS system and Varian accelerators based on the procurement contract that signed in August 2017. The end user has free maintenance for an additional two years for ARIA & ECLIPSE TPS under an upgrade contract last year when Elekta accelerators were connected to the R&V system.

Finally, the Public procurement Commission can make the final decision on your proposal to replace the existing ARIA system by the MOSAIQ system solely on the basis of the complete specification of the offer you will submit.

Public Procurement Commission