Procurement of Medical Devices for University Children Hospital "Tiršova"

IOP/11-2017/RD

Clarification no. 4

Issued on December 1, 2017

1.Under Financial capability requirements (page 35/89), the Purchaser requests a certificate that the Bidder did not have any registered blockage of their account from the beginning of previous year (2016). Since these data are publicly available, is it acceptable for the Purchaser that the bidders with Serbia as place of registration submit an excerpt from the official webpage of National Bank of Serbia where the data on account blockage is publicly available for the period of past three years?

Answer 1: Yes, It is acceptable for the Purchaser to submit an excerpt from the official webpage of National Bank of Serbia. Also, the entities with establishment date after January the 1st 2016 will submit document with the date of establishment or account establishment.

2. On page 32 in a situation where there are two or more equal lowest evaluated bids, Purchaser shall make selection based on following criteria: The greater business revenue in the past three accounting years (2014, 2015. and 2016). Evidence: Report on solvency for public procurement (BON JN).

Please confirm that in case of newly founded bidders who are founded by carving out from another legal entity, and when it is impossible to submit such evidence, because the bidder did not exist in this period – that the Purchaser accepts the BON JN of the legal entity which the bidder carved out from. This BON JN would cover years 2014, 2015 and 2016. Additionally the bidder shall submit the statement on inactivity issued by APR for the part of 2015 since its founding, and its balance sheets and balance statement for 2016.

Answer 2: Yes, it is acceptable for the bidder.

3. Regarding technical capability and service capacity on page 35, please confirm that Manufacturer Authorisations (for sales and aftersales) can be issued by the EU-Representative of the manufacturer- for manufacturers whose place of residence is outside of Europe?

Answer 3: Manufacturer Authorisations (for sales and aftersales) issued by the European Representative would be accepted, also.

4. In Bidding Documents in Price Schedule templates it is envisaged that the bidder gives the price on parity DAP + unloaded, according to the actual Incoterms. Also, in Bid Submission Form (page 42 of 88), the Total price of Bid should be given on parity DAP (insured and delivered on site,

excluding VAT and Customs Duties on import). In Section II. Bidding data Sheet, ITB 14.6 , it is stated that customs duties on import and other related costs are specially declared.

We kindly ask you to confirm if this project is exempted from customs and VAT and in accordance to that provide instructions how local bidders can be exempted from customs and VAT for turnover within Republic of Serbia.

Answer 4: The Purchaser's evaluation of a bid will exclude and not take into account: in the case of Goods manufactured outside the Purchaser's Country, already imported or to be imported, customs duties and other import taxes levied on the imported Good, sales and other similar taxes, which will be payable on the Goods if the contract is awarded to the Bidder.

After signing of the contract, the purchaser will provide the supplier with documents on the basis of which the supplier can be examped from income customs and VAT in the purchaser country.

If the Purchaser fails to submit these documents, the Purchaser will be obliged to pay these taxes.

5.In Section VIII - Special Conditions of Contract, on page 83 of Tender documents, condition of payment are given as follows:

-Advance Payment: 50 (fifty) percent of the Contract Price shall be paid upon submission of invoice and a bank guarantees: (1) for performance security of the contract and (2) for advance payment in equivalent amount in the form provided in the bidding documents or another form acceptable to the Purchaser.

-On receiving: 40 (forty) percent of the Contract Price shall be paid upon on receipt of the Goods.

-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).

We would like to emphasize that according to the VAT Law of Republic of Serbia, all equipment which is subject to installation and putting into operation/start up is meant “delivered” only when all related services (installation and training) is finished, because the equipment can not be used unless it is installed and training is performed for users. In other words, delivery date and issuing of the invoice is possible yet after all mentioned is finished an therefore payment conditions defined by this Procurement for some Lots and items are not applicable. We kindly ask for change of payment conditions like following:

-Advance Payment: 50 (fifty) percent of the Contract Price shall be paid upon submission of invoice and a bank guarantees: (1) for performance security of the contract and (2) for advance payment in equivalent amount in the form provided in the bidding documents or another form acceptable to the Purchaser.

-Payment upon delivery, installation and training: 50 (fifty) percent of the Contract Price of the Goods shall be paid upon delivery of goods and related services stipulated, related to proper functioning of goods, such as but not limited - installation, burn testing, training etc. (per item).

Answer 5: This suggestion is not acceptable. If supplier issue invoice after implementation all related services, the payment would be made in amount of 50% of the Contract price. In some cases the moment od delivery and implementation are not the same, so the payment would be made as follows: 40% of the Contract price after delivery and receipt of the invoice and 10 % of the Contract price after implementation of all related services and receipt the relevant documentation. We want to emphasize that payment in amount of 40% of the Contract price is option in that cases.

6. Having in mind that the project is to be realized on turnkey basis, and if the bidder is solely responsible for the project completion, please confirm the following – sub-suppliers from whom the bidder acquires the items listed under accessories and Additional requirements in LOT 2 Cardiology – Item 2.8. Digital angiography (please bear in mind that the manufacturer of the main equipment – subject of this procurement does not manufacture these items), do not need to be reported as subcontractors? Please confirm that therefore the documentary evidence proving legal, financial, business, technical and personnel capacity – requirements listed on pages 33, 34, 35, 36 - are to be submitted just for the bidder and the manufacturer of main equipment that is the subject of the procurement - digital angiography system?

Answer 6: Documentary evidence proving legal, financial, business, technical and personnel capacity has to be submitted just for the bidder and the manufacturer of main equipment.

Also, The supplier should notify the Purchaser in writing of all subcontracts awarded under the Project after signing of the Contracts.

7. We kindly ask you to confirm whether: Manufacturer`s Authorization, Manufacturer`s After Sales Authorization, certificates for qualified service personnel, work booklet or copy of labour contract, certificate ISO 9001 for service company, ISO 9001 for Manufacturers, are to be submitted only for main equipment which is subject of procurement (not for accessories) for LOT 2 Cardiology – for Item 2.8. Digital angiography?

Answer 7: Yes, we confirm that Manufacturer`s Authorization, Manufacturer`s After Sales Authorization, certificates for qualified service personnel, work booklet or copy of labour contract, certificate ISO 9001 for service company, ISO 9001 for Manufacturers has to be submitted for subjects of procurement (main equipment).

8. In the technical specifications, the bidders are required to mark and fill in the table for LOT 2 Cardiology – Item 2.8. Digital angiography for Additional requirements (lines 107-112 of technical specifications) by marking the location in technical specification or original producer statement. Please bear in mind that not the producers/manufacturers, but the Bidders warrant for these requirements, and please confirm if these requirements can be covered by the statement of Bidder, under full material and criminal responsibility, and referring to this statement when fulfilling technical specification?

Answer 8: Yes, the statement of Bidder is sufficient for these items in technical specification.

9.On page 57, under section 3. General Technical Requirements, the Purchaser requests related to the Technical Specification:,, Suppliers shall be required to demonstrate that the offered specifications are responsive to the requirements given in the Technical Specification identifying

model, manufacturer and country of origin of each individual item in their specification offered. In the specification offered, the supplier must clearly state the manufacturers name and the Country of origin for each item tendered.Please confirm that for „each item tendered“, model, manufacturer and country of origin must be submitted only for main equipment which is subject of procurement (not for accessories and additional equipment) for LOT 2 Cardiology – for Item 2.8. Digital angiography?

Answer 9: The supplier must clearly state the manufacturers name and the Country of origin for each item tendered. It means that bidder should state it for all additional equipment.

10.Under section 4. Quality Control Standards, on page 61, the Purchaser requests: „Certificates – ISO 9001 certification (QMS) – it refers to all manufacturers. Please submit copies of certificates“. We kindly ask you to clarify if this understanding is right: ISO certificates 9001 are to be submitted for the bidder, and for the manufacturer of main equipment that is the subject of the procurement (not for accessories) for LOT 2 Cardiology – Item 2.8. Digital angiography?

Answer 10: ISO 9001 has to be submitted for bidder, service company and for manufacturer of main equipment that is the subject of the procurement

11.Having in mind that the project LOT 2 Cardiology – Item 2.8. Digital angiography is on turn-key basis, please confirm if the company performing the civil works has to be reported as subcontractor. If this is the case, please indicate if this notification can occur in accordance with Article 20 on page 72 of the GCC „in the original bid or later“ –later meaning after the Purchaser awards the Contract to the Bidder?

Answer 11: The supplier should notify the Purchaser in writing of all subcontracts awarded under the Project after signing of the Contracts. Such notification, in the original bid or later shall not relieve the Supplier from any of its obligations, duties, responsibilities, or liability under the Contract.

12. LOT 2 – Cardiology – Technical specification:

For item 2.8. Digital angiography system in line 71 purchaser has requested Digital cardio-stimulator with minimum 2 channels under EP system. Please clarify if this request refers to EP system interface for Digital cardio-stimulator with minimum 2 channels from various manufacturers?

Answer 12: Yes, line 71 refers to EP system interface for Digital cardio-stimulator with minimum 2 channels.

13. LOT 2 – Cardiology – Technical specification:

For item 2.8. main subject of procurement is Digital angiography system. From lines 63-90 purchaser has requested hemodynamics and EP system and from 91-101 purchaser has requested automated angio injector, which both belongs to additional accessories (equipment) and usually it is even made by different manufacturer than manufacturer of main subject. In order to differentiate main subject digital angiography system from additional accessories (equipment) please rearrange table for Item 2.8. so line 102 Accessories should be moved bellow line 59, so complete required

Hemodynamic and EP system and angio injector can be treated like additional equipment (accessories).

Answer 13: Required Hemodynamic and EP system lines 63-90 and angio injector lines 91-101 will be treated like additional equipment (accessories), not as a main system.

14.Having in mind that the project is to be realized on turnkey basis, and if the bidder is solely responsible for the project completion, please confirm the following – sub-suppliers from whom the bidder acquires the items listed under accessories and Additional requirements under lines 52-54 in LOT 4 Radiology –Item 4.4. High end Digital Remote-controlled Radiography/Fluoroscopy system with dynamic Flat Panel Detector (please bear in mind that the manufacturer of the main equipment – subject of this procurement does not manufacture these items), do not need to be reported as subcontractors? Please confirm that therefore the documentary evidence proving legal, financial, business, technical and personnel capacity – requirements listed on pages 33, 34, 35, 36 - are to be submitted just for the bidder and the manufacturer of main equipment -digital R/F system that is the subject of the procurement?

Answer 14: The supplier must clearly state the manufacturers name and the Country of origin for each item tendered. It means that bidder has state it for all additional equipment. Documentary evidence proving legal, financial, business, technical and personnel capacity has to be submitted just for the bidder and the manufacturer of main equipment.

Also, The supplier should notify the Purchaser in writing of all subcontracts awarded under the Project after signing of the Contracts.

15. We kindly ask you to confirm whether: Manufacturer`s Authorization, Manufacturer`s After Sales Authorization, certificates for qualified service personnel, work booklet or copy of labour contract, certificate ISO 9001 for service company, ISO 9001 for Manufacturers, are to be submitted only for main equipment which is subject of procurement (not for accessories) for LOT 4 Radiology – Item 4.1 Ultrasound and Item 4.4. High end Digital Remote-controlled Radiography/Fluoroscopy system with dynamic Flat Panel Detector?

Answer 15: Yes, we confirm that Manufacturer`s Authorization, Manufacturer`s After Sales Authorization, certificates for qualified service personnel, work booklet or copy of labour contract, certificate ISO 9001 for service company, ISO 9001 for Manufacturers has to be submitted for subjects of procurement (main equipment).

16.In the technical specifications, the bidders are required to mark and fill in the table for LOT 4 Radiology – Item 4.4. High end Digital Remote-controlled Radiography/Fluoroscopy system with dynamic Flat Panel Detector (lines 52-58 of technical specifications), and item 4.1 (lines 151-159) by marking the location in technical specification or original producer statement. Please bear in mind that not the producers/manufacturers, but the Bidders should warrant for these requirements, and please confirm if these requirements can be covered by the statement of Bidder, under full material and criminal responsibility, and referring to this statement when fulfilling technical specification?

Answer 16: Yes, the statement is sufficient for these items in technical specification.

17.On page 57, under section 3. General Technical Requirements, the Purchaser requests related to the Technical Specification:„ Suppliers shall be required to demonstrate that the offered specifications are responsive to the requirements given in the Technical Specification identifying model, manufacturer and country of origin of each individual item in their specification offered. In the specification offered, the supplier must clearly state the manufacturers name and the Country of origin for each item tendered.

Please confirm that for „each item tendered“, model, manufacturer and country of origin must be submitted only for main equipment which is subject of procurement - item 4.1 ultrasound system and item 4.4 High end Digital Remote-controlled R/F system with dynamic Flat Panel Detector?

Answer 17: The supplier must clearly state the manufacturers name and the Country of origin for each item tendered. It means that bidder has state it for all additional equipment.

Procurement Committee