

CLARIFICATION NO. 3

Published 11.09.2015.

ICB No. IOP/04-2015/C/7

Project: Public Sector Research and Development

Subproject: Centralized system for stock and purchasing consumables for scientific and research organizations

Procurement: Procurement of laboratory supplies for scientific and research organizations

| No. | Reference to PN/ Bidding documents | Question | Answer |
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| | | Questions dated: 04/09/2015 | |
| 1 | | <p>Page 41. Of Bidding Documents, as evidence for fulfilling the Financial Capability – Liquidity, states that a certificate from the competent institution issued after the announcement of the Procurement Invitation Notice, is necessary.</p> <p>Can the Bidder, as evidence for the mentioned condition, submit statement where he provides a web site of the National Bank of Serbia with the list of debtors in forced debt collection? The search is done according to the identification number of the bidder, and there are data on the number of days and time interval of insolvency for every economic entity, in the last three years from the day of the search</p> | <p>Bidder can provide a statement in which he provides the website where the data on the requested condition are publically available.</p> |
| 2 | | <p>Page 51 of Bidding Documents states that the Bidder should submit as evidence, List of references and Confirmation Letter from Client.</p> | <p>List of references and Confirmation Letter from Client are submitted in free form.</p> <p>Confirmation Letter is submitted in free form, however, it has</p> |

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| | | Can these documents be composed in a free form, on the memorandum, by the bidder? | to contain subject of the contract, value of the contract, date of contract execution, and it has to be signed and sealed by the Client. |
| 3 | | We kindly ask you to confirm that, if the bidder is at the same time the manufacturer of the goods in question, he is not obliged to fulfil and submit the form on page 55 of the Bidding Documents – Manufacturer's Authorization. | It is not necessary to submit the Manufacturer's Authorization in case where the bidder is the manufacturer. |
| 4 | | If the documents which represent the bid are signed by the authorized person, is it enough to submit the Manufacturer's Authorization form as evidence on Power of Attorney (page 56)? | If the bid is signed by the person who is the legal representative of the Bidder, it is enough to submit the Manufacturer's Authorization form and statement from the Business Registers Agency. |
| 5 | | Does the amount of Performance Security (defined on page 89 of the bidding documents) refer to 10% of the Contract price, VAT excluded? | It is necessary for the amount of the Performance Security to be 10% of the Contract Price VAT excluded. |
| | | Questions dated: 08/09/2015 | |
| 6 | | <p>In the Bidding Documents you state that the Bidders are obliged to bid for all items in a Lot, in order for the Bid to be valid.</p> <p>In the Lot 218 – Cardiography, for every item you clearly defined the type of the equipment you wish to procure. Based on the insight in officially available information on the website of the Agency for Medicines and Medical Devices of the Republic of Serbia, one can</p> | Medical devices which are the subject of the public procurement, and which are used in purposes of science and research do not have to be registered in the Register of |

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| | | <p>undoubtedly determine that certain devices from the mentioned lot are not registered as medical devices in the Republic of Serbia and based on that they cannot be the subject of the bid. So the Bidder, who possesses registered devices according to certain items for participation in Lot 218 of this procurement, cannot offer his equipment since he is unable to fulfil the mentioned request and bid for all items from the mentioned Lot.</p> <p>Based on the abovementioned, in accordance with the laws of the Republic of Serbia, if you decide not to change this rule, the mentioned Lot will not be realized. We kindly ask you, with the goal of successful realization of the registered equipment from the Lot 218, of this procurement, to make a change in the Bidding Documents and allow the submission of Bids for every item individually.</p> | <p>medical devices.</p> <p>Agency for Medicines and Medical Devices, based on the request of the Bidder issues documents, based on which it is possible to conduct the import of the mentioned product medical devices.</p> <p>Bidder can offer the medical devices which are not in the Registry of Agency for Medicines and Medical Devices.</p> <p>We advise the bidders to inform themselves on the accurate procedure in such cases in the Agency for Medicines and Medical Devices.</p> |
| 7 | | <p>In the Technical documentation for the Lot 218 of this procurement, for the item 6 you state that it is necessary to offer the consumables for ECG diagnostics.</p> <p>We kindly ask you to define precisely what exactly is wanted and in what amount?</p> | <p>A precise description of this procurement, based on the information obtained from the end user will be defined by the changes in technical specification and published on the website of the tender at the same time with publishing of this Clarification.</p> |
| 8 | Page 33, Bidding Documents, ITB 15.1 | <p>You stated that the Bid currency is the currency of the European Union (EUR).</p> <p>Should the Bidders, form the Purchaser's country (Serbia), compose their Bids in the currency of the European Union (EUR)?</p> | <p>All Bids, regardless of the Bidder's country of origin, are to be submitted in the currency of the European Union (EUR).</p> |
| 9 | Section II, BDS | <p>States the following: ITB 1.1 ICB number : IOP /04-2015/C/7 ITB 1.1 The name of the ICB is: PROCUREMENT OF</p> | <p>ICB number (International Competitive Bidding) and the Invitation for Bid number are in this case the same: IOP /04-2015/C/7.</p> |

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| | | <p>LABORATORY SUPPLIES</p> <p>FOR SCIENTIFIC AND RESEARCH ORGANIZATIONS</p> <p>The identification number of the ICB is: IOP/4-2015/C/7</p> <p>Number and identification of Lots (contracts) which contain this ICB are: Presented in the Appendix as a separate document - Schedule of Lots.</p> <p>We kindly ask you to tell us what should be inserted in the Letter of Bid as the ICB number, and what as Invitation for Bid number?</p> <p>ICB No.: [insert number of bidding process]</p> <p>Invitation for Bid No.: [insert identification]</p> | |
| | | Questions dated: 09/09/2015 | |
| 10 | Page 65, Bidding Documents | <p>In the requests regarding the technical specification (p. 65) the Purchaser defined the following term: “In case of products, to which an expiry date is assigned by the manufacturer, the supplier is required to deliver to the end user products with the expiry date which must be no less than 70% of the total time that elapses between moment when the product is made and the expiration date assigned by the manufacturer.”</p> <p>Regarding the stated requests, as the exclusive distributor of the goods from the stated lot for the territory of the Republic of Serbia, we inform you that there are objective circumstances which make the fulfillment of this request regarding the expiration date impossible, because certain goods – reagents have a total manufacturer’s expiry date around 3 to 6 months, they have to be imported, which means that they have to go through the following stages: controls in the country of manufacture, packaging, export, transport to the country where they are being sold, warehousing and finally the distribution to end users. Therefore this process can, objectively, last a number of months.</p> | <p>Upon the signing of the contract together with consent and statement of the end user, with justified objective reasons, it is possible to change the percentage of the total time of the expiration date.</p> |

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| | | Having this in mind, it is almost certain that the reagents will, at the moment of delivery have an expiration date which is shorter than the demanded, but not shorter than 40% of total time which past from the moment of production until the expiration date given by the manufacturer. In relation to all this we kindly ask you to change the stated condition so that it is in logical connection with the subject of the procurement and so that it enables the bidders to create an acceptable bid. | |
| 11 | | What is the percentage amount of the Bid Security in relation to the Bid? | Bidders are obliged to submit, together with the Bid, Bid Security in the amount of 2.5% of value of the offered price for the Lot. |
| 12 | | How long should the validity period of Bid Security be? | Bid Security is valid for twenty-eight (28) days longer than the original Bid validity period, or than the period of extension, if it is required, in accordance with ITB 18.2 of Bidding documents. |
| 13 | | If the guarantee for our product is 12 months, does that mean that the Performance Security should be valid for 13 months? | Performance Security should be valid for 28 days longer than the commitments of the Supplier according to the Contract, including all commitments connected to the guarantee period. |
| 14 | | <p>Is it acceptable to submit the certificate from the Business Registers Agency for 2012, 2013 which contains the same data like form the Balance Sheet and Profit and Loss Account for these years?</p> <p>Should these certificates (if they can be submitted) contain the signature of the authorized accountant?</p> | <p>As evidence of the financial condition for 2014, one can submit Balance Sheet and Profit and Loss Account for the mentioned year.</p> <p>For the economic entities that have the obligation of conducting the audit, it is necessary to submit the mentioned Balance sheets together with the opinion of the authorized Auditor.</p> |

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| 15 | | <p>Bidding documents state that the Bidders who are in the Register of the Bidders are not obliged to submit the evidence from the article 75, clause 1-4. It is also stated that the evidence do not have to be issued by the competent institution more than 60 days before the Public Procurement Notice. Rescript obtained when registering in the Register of the Bidders has the date of registering, which can be the date from when the register started working (1. September 2013). We kindly ask you for the information that it is acceptable to submit the Rescript of registration in the Register of Bidders issued for example 11.10.2013.</p> <p>As the business revenue one should submit Registered Financial Statement for the past three accounting years (2012, 2013 and 2014) prepared by the Bidder. We kindly ask you for the information if it is enough to submit the Balance sheet and Profit and Loss Account issued by the Business Registers Agency for 2012 and 2013, and for 2014 one should submit Balance sheet and Profit and Loss Account which we filled electronically for the Business Registers Agency, since we did not receive certified copy?</p> <p>Can the Founding Act and the Certificate from the Business Registers Agency wanted in the Bidder Information Sheet be submitted in the form of a copy?</p> | <p>It is enough to submit the Rescript of registration in the Register of Bidders as evidence of the obligatory conditions from the article 75. Law on Public Procurements, instead of the requested evidence.</p> |
| 16 | | <p>As the business revenue one should submit Registered Financial Statement for the past three accounting years (2012, 2013 and 2014) prepared by the Bidder.</p> <p>We kindly ask you for the information if it is enough to submit the Balance sheet and Profit and Loss Account issued by the Business Registers Agency for 2012 and 2013, and for 2014 one should submit Balance sheet and Profit and Loss Account which we filled electronically for the Business Registers Agency, since we did not receive certified copy?</p> | <p>As evidence for business revenue for 2014 you can submit Balance Sheet and Profit and Loss Account for the stated year.</p> <p>For the economic entities that have the obligation of conducting the audit, it is necessary to submit the mentioned Balance sheets together with the opinion of the authorized Auditor.</p> |

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| 17 | | Can the Founding Act and the Certificate from the Business Registers Agency wanted in the Bidder Information Sheet be submitted in the form of a copy? | Yes, it is enough to submit the copies of the mentioned documents. |
| | | Questions dated: 10/09/2015 | |
| 18 | | If one submits the contract with JUP istraživanje i razvoj d.o.o. Beograd, is it necessary to submit the Confirmation Letter from the Client (in this case JUP)? | In the mentioned case it is not necessary to submit the Confirmation Letter from the Client. |
| 19 | | Is it necessary to submit the Manufacturer's Authorization for lots which are not defined as the standard? | For lots which are not defined as the standard it is not necessary to submit the Manufacturer's Authorization. |
| 20 | | Can we submit Bid security in amount of 2,5%, and not submit letter of intent for issuing the bid security, because of the small amount of our lot, and bid security with letter of intent will cost us a lot? | <p>Bidders are obliged to submit, together with the Bid, Bid Security in the amount of 2.5% of value of the offered price for the Lot.</p> <p>Besides this, one should also submit the Letter of Intent for issuing the Performance Security in the amount of 10% of value of the offered price for that Lot.</p> <p>Therefore it is not necessary to submit the Letter of Intent from the bank for the Bid Security.</p> |
| | | Questions dated: 11/09/2015 | |
| 21 | | We kindly ask you to clarify whether the Bidders, who are residents, can submit the bid for the procurements IOP/04-2015/C/7 in dinars | All Bids, regardless of the Bidder's country, are to be submitted in the currency of the European Union (EUR). |

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| | | (RSD), currency in which the unit prices will be expressed, total value of the bid, contracted value, as well as the amount of the Bid Security. | |
| 22 | | <p>In the forms:</p> <p>Eligibility, Form ELI 1.1, Bidder Information Sheet (p. 48) and Form FIN - Average Annual Business revenue (p. 50)</p> <p>Form EXP – Experience (p. 52)</p> <p>Part:</p> <p>Page _____ of _____ pages</p> <p>Does the Bidder fill for every form individually e.g. for Eligibility 1 of 1; Form FIN 1 of 2 etc.?</p> | It is necessary for the Bidder to fill in every form individually. |
| 23 | | In case that a Bidder as evidence with Form EXP Experience (pg. 52), submits more than one copy of contracts, is it needed to fill out the form for every submitted contract? | The Bidder is required to fill out the Form EXP Experience for every submitted contract. |
| 24 | | Can the Bidder state other deadline of delivery in Contract Agreement (pg. 93) in column period of delivery, besides the required deadline of delivery of 40 days? | The Bidder can state alternative delivery deadline as long as it's shorter than 40 days. |
| 25 | | Please confirm that Form Letter of Acceptance (pg. 92) Bidder doesn't fill in and deliver within the Bid. | The Bidder doesn't fill in and deliver Form Letter of Acceptance within the Bid |
| 26 | | <p>According to Corrigendum of tender documentation from 28.08.2015., on pg. 94, in point 2 Bidder enters and adds text:</p> <p>i) Bidding documentation</p> | Yes, it's necessary for Bidder to insert in the Contract Form the given corrigendum, and to sign and certify, and deliver it as a part of a bid. |

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| 27 | | <p>Page 51 of Bidding Documents, there is the field for signing of the Contract of procurement goods:</p> <p>in the presence of [enter the identification of the official witnesses]</p> <p>Given that the Director of Institute, as authorized person for signing of tender documentation, we consider that provided column isn't applicable for Institute as Bidder, so we kindly ask you to be excused from filling in the required column.</p> | <p>We affirm that in the given case, it's not required to fill in the field for stating the official witnesses.</p> |
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