CLARIFICATION NO. 8

Published 29.01.2016.

ICB No. IOP/09-2015/NCE/2

Project: Public sector research and development
Subproject: New capital equipment
Procurement: Procurement of capital equipment

No.	Reference to PN/ Bidding documents	Question	Answer
		Questions date 11/01/2016	
1.	Annex I, Technical Specification	**LOT 13** Item "one ionization source for all techniques -ESI, APCI" 1. Is it acceptable to offer „one ionization source for all techniques - ESI, APCI or separate ionization sources for ESI and APCI"? The users did not have good experience with one ionization source for all techniques -ESI, APCI, because the performances of both methods are compromised. Much better results and robustness are achieved with separate ionization sources for ESI and APCI, and this does not increase the expenses of the overall system.	Please refer to Corrigendum no. 5 of the Bidding document.
		Questions dated 13/01/2016	
1.	Annex I, Technical Specification	**LOT 44:** 1. What is the necessary compressor capacity? 2. What is the power of the generator? 3. What is implied under "tool kit of aliminum"? 4. What is implied under "pipe angle"? Is it some kind of tool for bending the pipes? 5. What should an electric watch contain? 6. What should the additional lighting be? 7. For which fluid the manual pump is needed? Air, water, oil?	1. Compressor: capacity – 50l, power 1,8-2,2 kW 2. Power of generator for the compressor must be greater than the power of the compressor, 3 kW 3. Tool kit of aluminium is actually aluminium case for easier and more affordable storage and preservation tools. 4. Pliers plumbing pipes. 5. Stopwatch. 6. Optional lighting used for night work

			in van, for example. LED lamp. 7. Virtually all three possible fluid, but we want the air as the fluid for manual testing of a certified gauge.
		Questions dated 15/01/2016	
1	Annex I, Technical Specification	Lot 23 Catheters for Coronary Department Item 1: 1. Technical specification defines that the catheter for ultrasound coronary recording, 40 MHz of the older generation, which is no longer being produced. Current models of catheters 40 MHz for the ultrasound diagnostics of blood vessels, which satisfy the requested characteristics, have improved performances which enable better, easier, safer and more efficient work with the patients. Considering that, is it acceptable to offer the current model of catheter 40 MHz, along with the manufacturer's declaration that the offered model is the successor of the model described in the technical specifications? 2. In case when all technical specifications are not defined in the catalogue, is it acceptable, along with the technical specification and the catalogue, as evidence of the characteristics, to submit the copy of the original of the manufacturer's manual for operating or other manufacturing documentation?	1. The offered characteristics must fulfil the requests from the technical specifications. Bidders can offer devices which are equal or better from the requested. 2. It is acceptable, together with the technical specification and catalogue as evidence of the characteristics, submit the copy of the original of the manufacturer's manual for operating or other manufacturing documentation, which is compliant with the characteristics of the requests, but with clearly marked object which is being offered.
		Questions dated 18/01/2016	
1	Annex I, Technical Specification	Request is related to LOT No.16 X-Ray Powder Diffractometer 1. Request for additional explanations: Requests is related to LOT No. 16 X-Ray Powder Diffractometer **1.** In the specification 1. "Basic Platform…" it is requested to supply the scintillation detector	1. a) Yes, it is acceptable. b) Yes, θ/θ means that the sample is stationary where source and detector are moving and $\theta/2\theta$ means that the source is stationary but the sample and detector are moving. The first, θ/θ geometry should fulfil horizontal position of

		Question a) *Is it acceptable to quote other type of detector which has equal or better analytical performance for requested CuKα radiation?* In the specification 1. "Basic Platform…" the requirement *:* "**Must** be possible to use it as θ/θ or θ/2θ, or any other combination, without mechanical intervention for changing geometries" is up to the best of our knowledge not possible to fulfil on the way it is written by any supplier, or the requirement is related to one particular system of one particular manufacturer. **Question b)** *Is the meaning of " θ/θ " and "θ/2θ" general meaning of XRD goniometer geometries (where θ/θ means that the sample is stationary with source and detector are moving and θ/2θ means that the source is stationary but the sample and detector are moving)?* **Question c)** *If the answer to the Question b) above is yes, does that mean that the offers that do not fulfil the above requirement will be rejected?* *If the answer on Question b) is no, please elaborate the meaning of terms "θ/θ " and "θ/2θ"* **2.** In the specification 1. "Basic Platform…" it is requested to supply "θ-θ vertical goniometer, with minimal diffraction radius of 285 mm" **Question:** As *this specification is written very specific, would it be acceptable to offer the system with smaller minimal radius?* **3.** In the specification 5. "Micro-Area Diffraction" it is requested to supply X-Y-Z- φ stage **Question a)** *Should all 4 axis be motorized and programmable via XRD experiment preparation*	the sample. c) Offers that include only possibility for *θ/θ* geometries with horizontal position of the sample will be acceptable. 2. Yes, it would be acceptable to offer smaller (but not significantly) minimal radius. 3. a) No, it is not mandatory to have all 4 axis motorized as long as it does not significantly prolong experimental time. b) The meaning is the ability to change geometries and conduct experiments in different geometries in short period of time (at most an hour or similar), without significant intervention of the users. 4. Detector of such characteristics would be acceptable. 1,000,000 cps/pxl means that counting linearity is 10^6 cps per detector strip. 5. Yes, different rotation speed ranges are acceptable.

		software package or it can be delivered as a combination of manual and programmable axis or even all manual? **Question b)** *Please elaborate what exactly is meant by requirement:* "No mechanical intervention by the user during geometry changing from BB - to - PB - to - Micro-area diffraction modes. " **4.** In the specification 7. "PSD-1D Detector" the requested specifications are written very specific. **Question:** *Would it be acceptable to offer 1D detector with different specifications, in particularly different dimensions of lines/strips, but the same or larger number of strips/lines as requested?* *Please explain/elaborate the requested specification* " Linear count: 1,000,000 cps/pxl or more" *especially the meaning of* "…/**pxl**" *in the specification* ***5.*** In the requirements 8. Sample Changer and 9. Diffraction Modes there are requirements "Sample spinner has also to be included with spinning regulation from 1 to 120 rpm" and "Capillary rotation mode with capillary rotation regulation from 1 to 120 rpm." Question: *Are different than* "1-120 rpm" *rotation speed ranges acceptable?*	
		Questions dated 19/01/2016	
1	Annex I, Technical Specification	Technical specification for LOT 13. Liquid chromatography requests mass range: 20-2000Da Is the single quadrupole mass detector with the range from 30-1250Da acceptable?	The offered range is not within the requested limits.
		Questions dated 20/01/2016	
1	Annex I, Technical Specification	Please send us as soon as possible clarification on following questions regarding technical specification for LOT 15:	Offered specification is not acceptable. The offered characteristics must fulfil the

		Is it acceptable to offer chamber where Site-VSWR is acc. to CISPR 16-1-4: <8dB at 90% of all measuring points? Is it acceptable that the NSA deviation between 30MHz and 200MHz can be ±8dB in that frequency range? Is it acceptable to offer chamber with following dimensions: 7.91×3.34×3.15m (internal shield to shield)?	minimum requests of the technical specification.
2	Bidding document	Reference is made to the above mentioned Tender, Section I, clause C. Preparation of Bids and Section II, Bid Data Sheet ITB 14.6, on page 32, wherein the following is specified: ''Bidders shall submit separate bids for each lot taking into consideration that documents related to the Qualification of the Bidder shall be submitted once for all lots.'' Is it acceptable to submit one bid for all the lots or at least to distribute them for example in 3 packages?	Bidder is obliged to submit the separate (individual) bids for every lot, and all documents regarding the Qualifications he can submit only once for all lots, i.e. as an addendum of one of the submitted bids.
3	Bidding document	Is there a tax exemption, respectively release of custom duties given for this project?	Please refer to Clarification no. 7 of the Bidding document.
4	Bidding document	Reference is made to the above mentioned Tender, Section I, clause C. Preparation of Bids and Section II, Bid Data Sheet ITB 19.1, on page 34, wherein the following is specified:'' Instrument of financial security for Bid Security shall be in the form of an unconditional, irrevocable and on first call payable guarantee issued by the Bank....The amount and currency of the Instrument of financial security for bid security shall be 2.5% of bid value per Lot (EUR).'' Is it acceptable to submit a bank guarantee (Bid Security) for a lump sum price/a maximum bid value (that would be higher than the final bid value) or it need to be exactly 2,5% of the final bid value per LOT (EUR)? Is it acceptable to submit only one bank guarantee (Bid Security) for all Lots offered?	In case when one bidder submits the bids for multiple lots, he is obliged to submit, together with every bid Bank guarantee in the amount of minimum value 2.5% of submitted bid value, in accordance with the conditions on deadlines from the bidding document. Pursuant to this, it is not possible to submit one Bid Security for all lots.
5	Bidding document	Reference is made to the above mentioned Tender, Section VIII. General Condition of the Contact, Clause 16.3 Terms of Payment, on page 85, wherein the following is specified: ''Payments shall be made by the Purchaser, but later than sixty forty five (45) days after submission of an	Yes.

		invoice or request for payment by the Supplier, and after the Purchaser has accepted it'' It is assumed that ''not later than forty five (45) days'' after submission of an invoice or request for payment by the Supplier, and after the Purchaser has accepted it?	
6	Bidding document	Reference is made to the above mentioned Tender, Section VIII. General Condition of the Contact, Clause 18.1, Performance Security, on page 86, wherein the following is specified: „The Performance Security shall be discharged by the Purchaser and returned to the Supplier no later than twenty-eight (28) days following the date of Completion of the Supplier's performance obligations under the Contact, unless specified otherwise in the SCC''. It is assumed that the definition ''completion of the Supplier's performance obligations under the Contact'' does refer to PAC (Provisional Acceptance Certificate and start of warranty period)?	Instrument of financial security for Performance security has to be valid at least 28 days from the day of completion of supplier's obligations. The supplier's obligations are considered to be completed when all contract obligations are completed, i.e. when a Certificate or Minutes of Acceptance is submitted (in accordance with the GCC, clause 16.1, iii).
7	Bidding document	Reference is made to the above mentioned Tender, Section IX. Special Conditions of Contact, Clause GCC 16.1, on page 98, wherein the following is specified: „ Implementation of Related Services: Ten (10) percent of the Contract Price shall be paid within forty five (45) days up-on submission of Certificate or Minutes of acceptance confirming implementation of all related services stipulated for each item in Technical specifications and Technical requirements, related to proper functioning of goods, such as but not limited to- installation, burn testing, training etc.'' It is assumed, that 10% of the Contract Price shall be paid upon Provisional Acceptance, i.e. start of the warranty period.	Yes, 10% of the Contracted price shall be paid within forty-five (45) days from the day of Certificate or Minutes of Acceptance submission.
8	Bidding document	Reference is made to the above mentioned Tender, Section IX. Special Conditions of Contact, Clause GCC 16.5, on page 99, wherein the following is specified: „The payment-delay period after which the Purchaser shall pay interest to the supplier shall be forty five (45) days upon receipt of invoice and other relevant documents.'' It is assumed that this does mean that the payment-delay period after which the Purchaser shall pay interest begins after 45 days upon receipt of invoice and other relevant documents.	Yes.

9	Bidding document	Reference is made to the above mentioned Tender, Section IX. Special Conditions of Contact, Clause GCC 28.3, on page 100, wherein the following is specified: The period of validity of the Warranty shall be: in accordance with,, List of Related Services and Delivery Schedules''- Section VII of a Tender Documents and with stipulated period for each item in Technical Specifications Warranty is valid for each delivered item, regardless of original packaging and original bill (receipt).'' It is assumed that the warranty period starts after signature of PAC (Provisional Acceptance). What is the maximum period of warranty (e.g. latest…months after delivery)?	Warrantee period begins to be valid after signing the Certificate or Minutes of Acceptance. Validity period of the warrantee is defined for every item individually (in accordance with the Bidding document in part relating to the Technical Specification, Annex 1)
10	Bidding document	Reference is made to the above mentioned Tender, Annex I. LOT 5 (Item Number 5,8), 16 (Item Number 16,1), 47 (Item Number 47,1) and 48 (Item Number 48,1), wherein the warranty phase is not specified. It is assumed that where the warranty phase is not clearly specified, then automatically the warranty phase is 1 year (12 months).	Bidding document in part relating to the Technical Specification, Annex 1, warrantee period is defined for every item individually.
11	Annex I, Technical Specification	The newest EU regulative Br.589/2014 allows the usage of Atmospheric Pressure GC-MS/MS (APGC MS/MS) tandem quadrupole and HROGCMS magnetic sector instruments for analysis of dioxins, PCB and POP compounds. In respect of selectiveness of the regulation of the request that the resolution of every quadrupole should be equal to one mass unit or better APGC MS/MS system is completely in accordance with the paragraph 5.2 and 6.5 in Annex III EU 589/2014 regulation. Also, regulations demand that the limit of the quantification (LOQ) be close to 1/5 MDL for all PCDD and PCDF analytes which should be detected at the level of femtograms. In HRGCMS methods 100fg 2,3,7,8- TCDD is followed and the relation s/n has to be greater than 100:1. APGC MS/MS has a significantly better sensitivity and is fully compliant with this request. QUESTION: Can we, instead of HRGCMS instruments with the magnetic sector, and in accordance with the EU regulation no. 589/2014, offer APGC MS/MS system which has the same or better sensitivity and comparable resolution i.e. Selectivity?	Please refer to Corrigendum no. 5 of the Bidding document.
12	Bidding document	If the bid is signed by the legal representative – owner, is it enough to submit the list of authorized signatories and the certificate from the BRA instead the power of attorney?	Yes.
13	Bidding document	Considering that in the bidding document section II BDS, ITB 15.1	No.

		states:" Residents of the Republic of Serbia shall be paid in RSD according to the middle exchange rate of the National Bank of Serbia on the day of the bids opening" Is it acceptable to, in case of the exchange rate change by more than +/- 3% from the day of bid opening to the moment of payment, correct the payment according to the difference. In order to protect the interest of the PIU and the bidder, in case of great exchange rate differences.	
14	Bidding document	Considering that according to the Law on public procurements of the Republic of Serbia, the budget is publically available information, and in this way you shall realize a successful realization of the tender (because there will be no bids over the budget, resulting in no additional negotiated procedures and the unnecessary waste of time) we kindly ask you to submit the information on planned budget per lot individually.	Data on total planned budget as well as the budget allocated to individual lots are not to be published.
		Questions dated 21/01/2016	
1	Bidding document	Regarding the Professional capacity of the bidders – is it acceptable to submit three contracts whose collective value is equal or exceeds the value of the offered lot, considering that the bids for some lots will be over 200.000,00 EUR?	Please refer to Corrigendum no. 3 of the Bidding document.
2	Bidding document	If the answer is negative, we kindly ask you to consider the option of collective value of two submitted contracts to be lower than the offered value by maximum of 10%.	Supplier is obliged to during providing evidence of fulfilment of his professional capacity, act according to the conditions foreseen in the bidding document and Corrigendum no.3 of the bidding document.
3	Annex I, Technical Specification	Lot 16- Technical specifications requires delivery period of 90 days, since the equipment is very specific and demanding, the manufacturer is not able to produce the requested device in the stated period, so the delivery of this equipment is not possible within this deadline. We kindly ask you for the change of the delivery deadline, for the equipment from the Lot 16 to 6 months (this is a real timeframe necessary for the production and delivery of the requested device).	Delivery period for LOT 16 is 90 days.
4	Annex I, Technical Specification	In technical documentation for Lot 5, Item 5,1 Percival Low Temperature Plant Growth Chamber, the following is requested: 2.Delivery time: 90 days We kindly ask you to change this condition to: 2.Delivery time 6 months	Please refer to Corrigendum no. 5 of the Bidding document.

		This is a specific and complex equipment, which is produced according to the request of every buyer individually. The manufacturer is unable to produce such equipment within the period of 90 days.	
5	Annex I, Technical Specification	**LOT 20** In technical specification for Isolated Organ Bath, fully automated, 4-place the following characteristics are requested:20.bath vessels with volumina of 2,0ml, 2,5ml, 5,0ml, 10,0ml, 20,0ml,25,0ml, 50,0ml, 100,0ml Question: is the following specification acceptable: Bath vessels with volumina of 5,0ml, 10,0ml, 25,0ml, 50,0ml?	No, it is necessary to offer the specification defined in the Bidding document.
6	Bidding document	Considering that the lot 12. Microscope for cytogenetic analyses, requests a microscope for cytogenetic analyses on materials which are of human origin, is it implied that the offered microscope should be registered in the Medicines and Medical Devices Agency, as well as that the potential bidder should submit the copy of registration and the authorization by the holder of the registration for participation in the Public procurement? NOTE: Based on the governing Law on Medicines and Medical Devices, article 173.- In vitro diagnostic medical devices, clearly defines the following: "In-vitro diagnostic medical devices shall include any reagents, reagent products, control and calibration materials, reagent kits, instruments, apparatuses, equipment or systems used independently or in combination intended **to be used in-vitro for the examination of samples derived from the human body including human blood and tissues, in order to obtain the information**." Law also clearly defines it in the article 197.- item 2, that Medical device can be placed on the market if the following conditions are met, - **medical device is registered in the Register of Medical Devices kept by the Agency and in accordance with this Law and regulations passed in for the implementation of this Law**. Based on everything abovementioned in accordance with the Law on Medicines and Medical Devices, and considering that the Microscope in lot 12 is for cytogenetic analyses, we consider that it is necessary to demand in the bidding document, for this lot, the submission of copy of	Since the mentioned medical device is used in scientific and research purposes, it is not necessary for it to be registered in the Register of medical devices ALIMS. There is a special procedure for giving consent for the import of medical devices which are used in scientific and research purposes, and which relates to medical devices which are not in the Register of medical devices ALIMS.

		the decision of the Medicines and Medical Devices Agency, as well as the authorization by the holder of the registration for participation in the Public procurement (if the potential bidder is not the holder of the registration), considering that in the other case, there would be a direct violation of the Law on Medicines and Medical Devices.	
7.	Bidding document	Regarding the professional capacity of the bidder – we kindly ask you to accept the contracts signed and started in 2016?	Please refer to Corrigendum no.3 of the Bidding document.
		Questions dated 22/01/2016	
1	Bidding document	Reviewing the Bidding Document, PROCUREMENT OF CAPITAL EQUIPMENT ICB No: IOP/09-2015/NCE/2 we have found that under General Technical Requirements, 2. Equivalency of Standards and Codes you have requested that: " 2.2The equipment offered should be manufactured in compliance with Quality Standard ISO 9001:2008 certification for Manufacturer(s), ISO 13485 and ISO 14001 in order to achieve the international accreditation according to EN ISO/IEC 17025:2005, EN 45003." Considering that: ISO13485:2003 specifies requirements for a quality management system where an organization needs to demonstrate its ability to provide medical devices and related services that consistently meet customer requirements and regulatory requirements applicable to medical devices and related services and the ISO14000 family of standards provides practical tools for companies and organizations of all kinds looking to manage their environmental responsibilities. Is it necessary to submit manufacturer's ISO13485 and ISO14001 in our bid? If it is, could you please clarify if that requirement applies to all lots? Or ISO13485 is required only if the offered equipment are medical devices?	It is not necessary to submit the evidence on possessing the mentioned ISO standards. Bidding document requests that the offered equipment has to be manufactured in accordance with the mentioned ISO standards.