## Acquisition of a CT scanner

Ref. 2017/S 249-526225

Date: 03/04/2018

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| Question: | Answer: |
| Payment shall be made in euro for the companies registered outside Serbia and RSD for companies registered in Serbia.”  Is it possible, for the tenderer registered in Serbia to provide offer in EUR, due to Contracting Authority will anyhow covert offers in national currency (RSD) to EUR according to applicable exchange rate from February 2018 as per infoeuro (page 8, Article 20.6, Section A – Instruction to tenderers) | Yes, you may indicate your offer in EUR. |
| Please be kind to confirm that the legal entities registered in the Republic of Serbia are eligible to participate in this procurement. | Yes, legal entities registered in the Republic of Serbia are eligible to participate in this procurement. |
| On page 5/11 of the Invitation to tenderers, the Purchaser requests duly auhtorised signature – an official document. Please confirm if this document can be submitted as simple copy of the original document (and not notary verified copy). | As stated on the same page of the ITT, a free-text format is adequate – whichever document confirms that a person is authorized to sign on behalf of the company, joint venture or consortium. In Serbia, an „Authorized signature specimen“ is used, or in original: „OP obrazac“ and acceptable. Not Notary verified copies are also acceptable. |
| On page 4/11 the Contracting Authority defines the packing of the bid. Please confirm if Part 3-Documentation has to be packed in a single envelope, and then placed besides the envelope containing technical and financial offer in one final envelope, containing the entire tender documents. | The documents listed on pages 4 and 5 of the ITT, in Part 3: Documentation do not need to be packed in a separate envelope. Only „Annex II + III Technical specifications + technical offer“ and „Annex IV Budget breakdown“ need to be packed into a separate envelope together. |
| On page 8/11, under point 21 – 21.1 and 21.2 the Contracting Authority requests the documentary proof to be submitted by the successful tenderer. Please confirm that these evidence can be submitted as simple copy of the original documents. | Yes, copies of original documents are acceptable. |
| On page 2/9 of the Tender Form for a Supply Contract, under Point 3 the Contracting Authority requests financial data for the past three years. Also, on page 3/5 of the Contract Notice and Selection and Award Criteria the economic and finanical capcity of the tenderer are evaluated for the past three years for which accounts have been closed – average turnover of the tenderer for 2015, 2016 and 2017 must exceed financial offer made by the tenderer.  The potential tenderer was founded in December 2015, and became active since 15.4.2016. The tenderer was founded by carve out of another legal entity (status change in which all assets, rights and obligations, professional, technical, financial and other resources were transferred to the new company, which related to the medical devices wholesale and supporting services). Please confirm whether in this case the tenderer may use the economic and financial capacity of the previous company (and supporting documents of this previous company as documentary proof – contract on status change as proof company founding, balance sheets, etc).  Alternatively, the Contracting Authority could accept the official Business registry statement on inactivity in 2015, and financial and economic capacity documentary evidence for the period in which the tenderer was active (2016, 2017), and thus alter the requested period for economic and financial capacity.  Please be kind to clarify and accept one of these solutions. | You may use the economic and financial capacity of the previous company with mandatory evidence of status change, as proof of company founding, balance sheets and such. |
| On page 3/5 of the Contract Notice the professional capacity of tenderer is based on a reference period for the last three years from submission deadline (i.e starting from 17.4.2015). The entity founded in December 2015, as described in the previous question would have to refer to the company from which it carved out. Please state if this data and documentary proof is also acceptable, or alter/accept the reference period to the last two years. | Yes, in case of status change, the offerer needs to provide all follow-up evidence of status change. |
| In document Special conditions, in the Article 16: Tax and customs arrangements it is stated as follows: “For supplies to be imported into the country of the Contracting Authority, all duties and taxes applicable to their importation, including VAT shall be excluded.”  Please confirm our understanding that we, as potential Contractor from Republic of Serbia, will be exempt from VAT and customs duties for the import of the equipment supplied under this procurement / Contract. Also, please confirm that we will be exempt from VAT in domestic transactions, when invoicing the goods and services to the Contracting Authority.  Please advise will the Contracting Authority provide the Contractor with the Certificate of the Tax Authority, which will enable exemption of VAT on import of equipment and of invoicing of goods by the Contractor. Also, on the basis of which documents will the Contraction Authority enable exemption from customs duties for import of equipment by the Contractor? | No customs exemption is possible for companies registered in Serbia. Foreign companies are exempt from customs duties before import of goods and based on contract and invoice.  Contractors may only be exempt from VAT for transactions from the CA – when invoicing the subject of the Contract, the Contractor needs to apply VAT calculation and rates in order to be exempt from them - the procedure is as follows:   1. Contractor finishes his Contract by delivering and installing the supplies in question and provides all of the offered services; 2. In case everything went good, a Provisional acceptancy document is signed, 3. Contractor issues a receipt regarding the mentioned Contract, 4. CA issues tax exemption documents and applies for exemption to the Tax Administration office and the Ministry of Finance of the Republic of Serbia, 5. The Tax administration office verifies the tax exemption forms and sends two originals to the CA, 6. The CA delivers one original to the Contractor, which issues a new receipt without VAT, on account of the exemption. |
| In document Special conditions, in the Article 26: General principles for payments, paragraph 26.3 it is stated that there will be no pre-financing.  Please confirm our understanding that the payment conditions will not include advance payment and that they are: within 90 days from the receipt by Contracting Authority of the invoice and of the application for the certificate of Provisional Acceptance. | Yes, payment will be made within 90 days following the receipt of the invoice (post – tax exemption) and after signing of the provisional acceptance.  Also, as stated art. 26 in the Special conditions, there are no advance payment options available (par. 5). |