Republic of Serbia

MINISTRY OF FINANCE

Department for Contracting and Financing of EU Funded Programmes (CFCU)

Belgrade, April 2023

CONTRACTING AUTHORITY'S CLARIFICATIONS no.2

Supply of equipment for communicable disease surveillance and for emergency situations

Publication ref: NEAR/BEG/2022/EA-OP/0219

No.	Question	Answer
1	Dear Sirs/Madams, Regarding Procurement NEAR/BEG/2022/EA-OP/0219, please give us answer to the following question: Please consider the possibility for the positions from 1.25-1.30 (different types of microscopes), to remove the mandatory requirement for Country of origin (''all goods purchased under the contract must originate in a Member State of the European Union''), as it is defined for : Lot 1 : In accordance with the approved derogation from the general PRAG rule, items 1.1, 1.2, 1.16, 1.19, 1.20 and Lot 2: In accordance with the approved derogation from the general PRAG rule, Items 2.2 and 2.3. In this case, the possibility of increasing the competitiveness of bidders would be enabled. Thank you in advance.	*In line with the provisions stipulated in Article 4 Origin of Instructions to Tenderers, please note that the derogation from the general PRAG rule (rule of origin) is granted only for the following items:* - *Lot 1 - Items 1.1, 1.2, 1.16, 1.19 and 1.20* - *Lot 2 – Items 2.2 and 2.3.* *All other supplies under this contract must originate in a Member State of the European Union or in a country or territory of the regions covered and/or authorised by the specific instruments applicable to the programme specified in the Additional information about the contract notice (Annex A5f) or, if applicable, in the Contract Notice (C2).* *Therefore, please note that no additional derogation to the rule of origin will be granted.*
2	Dear, where I can find a more detailed specification of equipment for the tender: Supply of equipment for communicable disease surveillance and for emergency situations, lot 1 ? Thank you,	*Please note that the Contract Notice and Additional information about the Contract Notice, as well as the complete tender dossier for the abovementioned supply tender can be found at the TED eTendering and on the website of the Ministry of Finance, Department for Contracting and Financing of EU Funded Programmes (http://www.cfcu.gov.rs/tender.php?id=718)*

No.	Question	Answer
3	**Subject:** Question No. 3, Lot 3 **Description** Lot No. 3, Annex II+III, Items 3.1 and 3.2: The requested specification for both items is not clear enough. Item 3.1 - Integrated IT Software Package for Communicable Diseases Surveillance Only one technical requirement has been specified for such a complex product/solution: IT Software Package for data generation, information exchange or/and integration of the existing data. In order to provide competitive offer, we need more information: clear specification and quantity of data that should be generated, specification of data that should be exchanged or integrated, what is the structure and quantity of the existing data, etc. 3.2 - Integrated IT platform for microbiology diagnostics (component of the IHIS in the Republic of Serbia) Only one technical requirement has been specified for such a complex product/solution: Integrated IT Platform is to ensure the integrated information management and data exchange on identified microbiology test results. In order to provide competitive offer, we need clear and detailed specification of information management and data exchange that should be offered. Published request for LOT 3 is in collision with one of the rules of the Practical Guide which states that "The purpose of the Technical Specifications is to define the required supplies precisely.", so we kindly ask you to revise Annex II+III for this Lot and to provide an extension for the tender submission.	*LOT 3 (IPHS)* *3.1 Specification and quantity of data that should be generated:* *1. INFORMATION ABOUT THE INSTITUTION (Registration number of the health institution; Organizational unit; Municipality of organizational unit; Employee registration number; Date of filling out the application; Number under which the application was filed)* *2. PERSONAL INFORMATION (Name; Name of parent/guardian; Surname; JMBG; Date of birth; Place of birth – country; Place of birth – municipality; Gender; Phone; E-mail; Citizenship; Address of residence – municipality, street and number; The person resides at the residence address; Occupation; Place where he works or studies)* *3. DATA ON DIAGNOSIS, CAUSE AND DISEASE (Diagnosis; Cause; Clinical signs/symptoms; Date of onset of illness; Date of diagnosis; Date of start of treatment; Type of sample for laboratory testing; Type of sample for laboratory testing – other; Date of sampling material for laboratory testing; Laboratory method; Laboratory method – second; Date of performance of the laboratory test; The result of the laboratory test; Radiological finding; Date of radiological examination; Vaccination status; Date of last vaccination/revaccination; Date of last vaccination/revaccination; Case classification* *4. OTHER DATA (Pregnancy; Number of weeks of pregnancy; Hospitalization; Hospitalization of institutions – name; Hospitalization of institutions – municipality; Date of hospitalization; Fatality; Date of death.* *IS which is in use in health institution has to be improved for structured generation and automatically exchange of this data set.* *3.2 - 1 Specification and quantity of data that should be generated (Integrated IT platform for microbiology diagnostics):*

No.	Question	Answer
		1. INFORMATION ABOUT THE INSTITUTION (Registration number of the health institution; Organizational unit; Municipality of organizational unit; Employee registration number; Date of filling out the application; Number under which the application was filed) *2. PERSONAL INFORMATION (Name; Name of parent/guardian; Surname; JMBG; Date of birth; Place of birth – country; Place of birth – municipality; Gender; Phone; E-mail; Citizenship; Residential address-municipality, settlement, street and number; Pregnancy 1; Number of weeks of pregnancy 1)* *3. CLINICAL AND LABORATORY DATA (The reason for taking and sending the material – diagnosis; Reason for taking and sending material – symptoms; Who sends the material; Other – title; Municipality; Sampling date; Institution where the sampling took place; Municipality; Type of sample for laboratory testing; Date of receiving the material in the laboratory; Laboratory method; Date of laboratory test; Causative agent – species; Test result)* *IS which is in use in health institution (microbiology laboratory) has to be improved for structured generation and automatically exchange of this data set.*
4	**Subject:** Question No. 1, Lot No. 1 **Description:** Lot No. 1, Annex II+III – Requested Technical specification for the most of items in this lot is very restrictive and therefore can be fulfilled by only one manufacturer. It is obvious that the market research for this Lot was not adequately preformed during the preparation of the Tender Dossier. Items in this lot were specified with too much details, including the definition of the specific dimensions and weight of the device which are not relevant for the functionality of the equipment.	*Please note that the technical specifications are based on extensive market analysis, conducted in both local and EU marketplaces. Market analysis conducted prior to tender launch confirmed that market for requested goods is indeed open and competitive. Furthermore, technical specifications are drafted in line with end user needs, with respecting the provisions of Article 2.5.1 of PRAG - General principles applying to procurements. Namely, technical specifications for certain items include specific volume and dimensions, which are considered relevant regarding specific needs of reference laboratories and available laboratory space.*

No.	Question	Answer
	Therefore, the following rules of the „Practical Guide, Article 4.3.2. Drafting and content of the tender dossier" were violated: - Technical specifications must afford equal access for candidates and tenderers and not have the effect of creating unjustified obstacles to competitive tendering. - Unless warranted by the nature of the contract, technical specifications referring to or describing products of a given brand or origin and thereby favoring or excluding certain products are prohibited. We believe that there was no specific intention of the Contracting Authority to limit the competition, but rather that some serious mistakes in the tender preparation and following of the procedures were made. Therefore, we would kindly ask you to revise the technical specification for LOT 1 in order to promote the wider competition and give a chance to more candidates to bid for this LOT.	*Equipment has to be placed in already equipped lab utilities with lack of space and in certain cases, lack of infrastructure pre-conditions for all types of items, combination of new items with existing ones, etc. Therefore, that is the main reason for defining the dimensions and volumes in technical descriptions.*
5	**Subject:** Question No. 2, Lot 2 **Description:** Lot No 2, Annex II+III, Items 2.1 and 2.2: The requested Technical specification for Sub-Item „Remote support software" can be fulfilled by only one vendor. Moreover, only for this sub-item, it is requested that „Remote control software must have a certificate of the manufacturer or the official distributor in the territory of the Republic of Serbia proving that the bidder is an eligible and qualified partner for the remote control software (application) in the territory of the Republic of Serbia". This kind of certificate is not so commonly requested in EU funded projects since it limits the number of potential candidates. This requirement is even more problematic in this case because the requested specification for that sub-item can be fulfilled by only one vendor. In this way, vendor or the official distributor can choose the company that will win this Lot by limiting certificate to one company only.	*Please note that the market analysis conducted prior to tender launch confirmed that market for requested goods is indeed open and competitive.* *When requesting software for remote management and assistance, the real needs were taken into consideration arising from the fact that there is a great shortage of IT support staff, as well as from the fact that the hardware will be used by users of different ages and levels of knowledge in the field of using information technology as well as skills in using computer equipment. The existence of this kind of software leads to the possibility of providing support to users of computer equipment in the fastest way in using it, that certain instructions can be provided remotely, indicate the correct way of using the software components of the computer and solve a certain problem.*

No.	Question	Answer
	Therefore, we would kindly ask you to revise the technical specification for Sub-Item „Remote support software" in order to promote the wider competition and give a chance to more candidates to bid for this LOT.	