

Topic 1. Qualification Criteria for parties entering in a joint venture

- In case of a Joint Venture, each of the companies must meet the required criteria, or it is enough that one of the parties meets them? We are aware that WB allows it but we want to be sure.

Answer 1: Pursuing to Bidding Document, Section III. Evaluation and Qualification Criteria, Paragraph 3.1 Post qualification Requirements (ITB 36.1), second note at the end of page 46:

"**Note:** If the bidder is a Joint Venture, all partners combined should meet the qualifications requirement (i), (ii) and (iii), and all partners of the Joint Venture shall be liable jointly and severally for the execution of the Contract. This requirement should be reflected in the Joint Venture Agreement submitted by the bidder, as part of the bidding document"

Topic 2. Joint venture agreement

- Is there any draft JV agreement between parties, we must refer to? If not, how shall we proceed with setting up a joint-venture agreement to be compliant with this tender?

Answer 2:

No specific template is provided for such agreement. However, sufficient information regarding main provision of JV Agreement and its submission, are provided in Bidding Document, and such statement should be included in the JV Agreement prepared and submitted from Bidder. Since this Agreement contains legal, financial and technical issues agreed between parties who are joining as a single entity, you are advised to prepare it before an attorney, using the appropriate recommended format by him/her.

Topic 3. Annual turnover calculation in joint venture cases

- Referring to ITB 11.1 we would like to clarify as per following: Let's assume a company has the year 2014 as its highest annual turn-over for the last 3 years and the other party in the joint venture has the year 2015 as its highest annual turn-over for the last three years. How shall be the calculation performed? By adding the highest annual turn-over of each of the parties in different years? Or by adding turn-over of each of the parties in the joint-venture for the same year? Please kindly advise.

Answer 3:

Pursuing to Section II. Bid Data Sheet (BDS), Clause ITB 11.1 (j), paragraph (d) and Section III. Evaluation and Qualification Criteria/3.1 Post qualification Requirements (ITB 36.1)/ paragraph iii(b), "The Bidder should demonstrate average annual turnover of at least a minimum amount of 1.5 time of the lot/s price/s he is quoting for, in one of the last three (3) years. Copies of its audited financial statements for the past three fiscal years (2015,2014,2013) should be submitted to support this requirement"

Topic 4. Financial statements

- As far as it concerns financial statements, based upon Albanian Law on audited financial statements, companies must have audited financial statements in case three conditions are being met. What about the cases where financial statements of certain companies does not meet these conditions? Will these financial statements be considered as compliant or notwithstanding the fact that they do not meet these 3 conditions, they should be anyway audited to be considered as compliant to tender requirements?

Answer 4:

Please be informed that this is an international competitive bid, which means that prospective international bidders are expected to participate. Different countries have different rules regarding the certification of annual financial statements. However, referring to Section II. Bid Data Sheet (BDS), Clause ITB 11.1 (f), paragraph ii (b) , these financial statements should be audited by respective certified auditors, from the countries where they are coming from. (" *The Bidder shall also submit the following additional information: (b) copies of its **audited financial statements** for the past three fiscal years*".

Topic 5. Letter of Reference With respect to the submission of Letter of reference, is it enough to submit a letter of reference just for only one of the Lot items?

Topic 7. Manufacturer Authorization Form + ISO and CE Certificates

- Bidders must submit MAF (Manufacturer Authorization Form) ISO+CE certificates only for the main equipment or should they submit MAF +ISO+CE Certificate also for the respective item accessories like for instance: X-Ray Cassettes, Automatic Film developer, protective glasses, aprons, X-Ray Film Viewer, U.P.S, Chiller, Contrast Injector, Printer, Vacuum Biopsy assisted device etc..?

Topic 6. Installed Manufacturing Capacity

- In cases where the bidder is not a manufacturer, what document must be submitted in order to be compliant with the "Statement of installed manufacturing capacity"?

Answer 5 & Answer 6 & Answer 7: Pursuing to Section II. Bid Data Sheet (BDS), Clause ITB 11.1 (j), paragraph ii (b) " *The Bidder shall submit the following additional documents in its bid*".

- Original Manufacturer's Authorization Form must be submitted for each item, under each lot, as per the template included in this bidding document.

- A statement of installed manufacturing capacity;

As above, all equipment required under each Lot should be covered from an Original Manufacturer's Authorization Form, submitted from the producer. The same producer, who has issued the MAF, will issue the original statement of its manufacturing capacity.

Pursuing to Section II. Bid Data Sheet (BDS), clause ITB **11.1 (f) (ii) that, in the case of a Bidder offering to supply Goods under the Contract that the Bidder does not manufacture or otherwise produce,**

- (a) that the Bidder has been duly authorized by a manufacturer of the Goods that meets the criteria under (i) to supply the Goods in the Purchaser's country.