مجلس الإنماء والإعمار

COUNCIL FOR DEVELOPMENT & RECONSTRUCTION

TELEFAX MESSAGE: FOR IMMEDIATE DELIVERY TO THE ADDRESSEE

To :			**FROM :**	COUNCIL FOR DEVELOPMENT AND RECONSTRUCTION BEIRUT - LEBANON	
Attn :					
FAX NO.	:		**FAX NOS.**	:	(961-1) 98 12 52 / 3
SUBJECT	:	**Clarification No 1 related to the Tender of Supply and Installation of Radio Therapy Machine (Linear Accelerator) for the Ministry of Public Health (Rafik Hariri University Hospital (RHUH))**	**REF.**	:	2623/1
DATE	:	29 OCT 2020	**No. OF PAGES :**		**(4) INCLUDING COVER SHEET**

Dear Sir,

Kindly find attached Clarification No.1 related to **the Tender of Lebanon Emergency Assistance Project – Supply and Installation of Radio Therapy machine (Linear Accelerator) for the Ministry of Public Health (Rafik Hariri University Hospital (RHUH)).**

This Clarification is considered an integral part of the bidding document.

Yours faithfully

Council for Development and Reconstruction

Mohamad-Ali Kabbani
President

Clarification No.1

QUESTION 1

With reference to RFB No. LEAP-MOPH1-B for the supply and installation of a radiotherapy system at Rafik Hariri University Hospital, our company intends to propose the United Imaging uRT-linac 506c, an integrated CT–Linear Accelerator (CT-LINAC) platform incorporating diagnostic-quality CT imaging with advanced radiation therapy capabilities

In this regard, and in the interest of ensuring broad and effective competition, we kindly request clarification and reconsideration of certain qualification and mandatory technical requirements that, as currently formulated, may prevent this innovative platform from participating in the tender

ANSWER 1

Following review of the request regarding the proposed changes, the mandatory technical specifications and qualification criteria shall remain unchanged.

The technical specifications have been established based on the clinical, technical, and operational requirements of the beneficiary hospital. The specified photon energies, electron treatment capabilities, dose rates, and system configuration are maintained to ensure the required scope of radiotherapy treatments.

Furthermore, the qualification criteria concerning the bidder's previous LINAC supply and installation experience and the manufacturer's experience are maintained to ensure proven technical expertise, reliability, and implementation capabilities.

Accordingly, the requested amendments are not accepted, and all mandatory technical specifications and qualification criteria shall remain unchanged.

QUESTION 2

With reFerence to thc abovc-mentioned project, we would like to inform you that our company. is currendy preparing its offer and intends to participate and submrt a complete and competitive offer. In order to ensure that our offer is prepared in full compliance with the tender requirements, we kindly requcst your clarification on the following points:

- **Bid pricing**: Kindly clarify whether the bid price should include the environmental tax (2-3%), CNRS costs, port duties, and storage charges.
- **Method of payment**: Kindly clarify whether the term "receipt of the Goods" under the 35% payment upon delivery refers to the arrival of the Goods at the port of entry or their delivery to the final delivery site.
- **CT Scanner and Dosimetry Requirements**: Since the technical specifications require a CT scanner and dosimetry system for each radiotherapy machine (total of two), kindly clarify whether it would be acceptable to provide one C'I' scanner and one dosimetry system for both radiotherapy machines across the two projects, as both machines can operate using the same scanner and dosimetry.

ANSWER 2

Bid Pricing:

- **Customs Duties & VAT Exemptions**: As specified in BDS ITB 14.8 and SCC GCC 17.3, all goods imported under this contract for the Ministry of Public Health (RHUH) are exempt from Lebanese customs duties (under Decree No. 4461, Section 6). Furthermore, VAT is not applicable as the contract is 100% foreign-funded (in accordance with Law No. 379/2001 as amended by Law No. 64/2017).
- **Required Taxes & Duties**: The taxes explicitly explained in the Bidding Documents (such as the 8 per 1000 stamp duty and the 8.5% income tax for foreign suppliers, as set forth in BDS ITB 14.8 and SCC GCC 17.3) are treated as required.
- **Treatment of New Taxes:** These additional taxes (such as environmental taxes, CNRS costs, or other statutory levies) are new taxes and will be decided upon after evaluation and prior to finalization of the contract. Therefore, please don't add them to the proposed price, and indicate them separately as additional taxes, to be considered as needed during finalization of the contract.
- **Port Duties & Storage Charges:** Under the applicable Incoterms 2020 (CIP Port of Beirut, with final delivery to RHUH), the Bidder is responsible for all carriage and insurance costs up to the named place of destination (Port of Beirut) and subsequent inland transport to the final project site (RHUH). General handling fees, demurrage, or storage charges arising from the Bidder's or its carrier's delivery timing must be fully accounted for in the submitted pricing.

Method of Payment:

- As outlined in SCC GCC 16.1, the payment milestones for goods supplied from abroad are structured progressively as follows:
    1. 20% Advance Payment upon contract signature and submission of advance bank guarantee.
    2. 35% On Shipment upon handover of the goods to the carrier and submission of shipping documents under GCC Clause 13.1.
    3. 35% On Delivery upon receipt of the goods and submission of documents specified in GCC Clause 13.1.
    4. 10% On Final Acceptance upon issuance of the acceptance certificate by the Purchaser.
- Since handover and dispatch from the port of loading/origin are already covered under the separate "On Shipment" (35%) milestone, the term "receipt of the Goods" under the subsequent 35% "On Delivery" milestone refers strictly to the arrival, physical delivery, and formal receipt of the Goods at the final delivery site—specifically, Rafik Hariri University Hospital (RHUH), Beirut, Lebanon, as defined in SCC GCC 1.1(o) and the Schedule of Requirements.

CT Scanner and Dosimetry Requirements:

Each Project has its own requirements, and as per the technical specifications, you need to provide a CT scanner and dosimetry system for the radiotherapy machine under this procurement activity.

Clarification:

1- **Amendment to ITB 21.1 / ITB 21.2:**

ITB 21.1 is hereby amended to require the submission of a soft copy for the Technical Part.

The submission requirements for copies are revised as follows:

- **Copies: Technical Part:** The Bidder shall submit **one hard copy** and **one soft copy** of the Technical Part (provided via USB flash drive or CD-ROM). These must be enclosed in a separate sealed envelope clearly marked **"COPIES: TECHNICAL PART"**.
- **Copies: Financial Part:** The Bidder shall submit a hard copy of the Financial Part, which shall be placed in a separate sealed envelope marked **"COPY: FINANCIAL PART"**.
- **Bid Copies Envelope:** Both the technical and financial copy envelopes shall be placed together in a separate, sealed outer envelope marked **"BID COPIES"**.
- **Precedence:** In the event of any discrepancy between the original bid and the submitted copies, the original shall prevail.

All other terms, conditions, and specifications of the Request for Bids (RFB) document remain unchanged.

Note: As a reminder, the Bid security should be in the Technical Part Envelope as per ITB 11.2(b). However, care should be taken that the Technical Parts and their copies do not contain the financial information associated to the prices, as per ITB 11.4, "The Technical Part shall not include any financial information related to the Bid price. Where material financial information related to the Bid price is contained in the Technical Part the Bid shall be declared non-responsive".