

**EuropeAid/116319/D/S/TR**  
**Support to the Enhancement of Safety of Maritime Transport**

**CLARIFICATION TO TENDER NO. I**

**Question 1:** We kindly request clarification on the following queries regarding to Ship Stability Software in Lot 6. (pages 161-162)

- a. Ship types (container, Bulker) for Load Control System. However, it is possible to find Ro-Ro in the list of regulation documents.
- b. Dimensions (sizes) of the ships. Can we choose Panamax vessel or not.

**Answer 1:** Ship stability software shall be able to make calculation of all tonnages (from very small to very big) and types (passenger, tankers, and other cargo ships and also small ships including yachts, small passenger boats, small ro-ro passenger boats, fishing vessels less than 24 meters and more than 24 meters) of ships instead of choosing certain ship types and tonnages. Beneficiary especially needs this "Ship Stability Software" for less than 500 GRT and less than 24 meters ships (small vessels such as small fishing vessels, yachts, service vessels, small passenger boats and small ro-ro passenger boats etc.) while their ship surveyors also make calculations for large vessels. Therefore, including ro-ro and panamax vessels, the Ship Stability Software should cover all tonnages and all ship types explained above and include all tonnages and types with the technical specifications as explained in Lot 6, Page 99-100.

**Question 2:** Both in the DRAFT CONTRACT and the TECHNICAL SPECIFICATIONS, under 1.1 it is described that: "...in ten (10) lot(s) .... shall be delivered DDP (Delivered Duty Paid) in given quantities at the following addresses;" then follow three addresses. From the above it is not quite clear to us if we are to offer the 'given quantities' to one or to each of the listed addresses. We kindly ask you to clarify this matter.

**Answer 2:** Except for the cargo handling simulators (Lot 10) the Contractor(s) shall transport, unload, and if applicable assemble, install and put into operation the equipment at Undersecretariat for Maritime Affairs, G. M. K. 128 Maltepe, Ankara. The cargo handling simulators shall be delivered, installed and put into operation at ITU (İstanbul Teknik Üniversitesi, Denizcilik Fakültesi, A Blok Manastır Yolu Üzeri, 34940, Tuzla / İstanbul) and DEU (Dokuz Eylül Üniversitesi, Deniz İşletmeciliği ve Yönetimi Yüksekokulu, Kaynaklar Yerleşkesi, 35160 Buca /İzmir), one simulator at each site.

**Question 3:** We have a question regarding lot 6.2:

The IMO VEGA can be purchased as multi-user version. Are we required to quote for 4 separate versions or will one 4-user version do?

**Answer 3: Software with 4-user version is required.**

**Question 4:** We have some questions regarding the technical specifications of deliverables under lot 6. Regarding training as specified for lot 6.1. According to Article 1.1 of the Draft Contract and the technical specifications it shows that training is to be given at the UMA Headquarter in Ankara. We trust that a room accommodating the trainees, an interpreter, the trainer and required equipment will be made available for the training period. Our question is which of the following equipment will be available on site. Can you please indicate if the following items will be available or should be provided for the Contractor?

- 6 standard PC's with current, identical Windows operating systems and CD-rom drives.
- A white wall or projection screen.
- A beamer for projection of computer screen displays on a white wall or white projection screen, to be connected via a standard monitor cable.
- A white board or blackboard or alternative.
- Chairs and tables.

**Answer 4: Chairs and tables shall be provided by the Beneficiary. For details please refer to Annex II-Technical Specifications, Article 1.3**

**Question 5:** Regarding the requirements that follow from participation (chapter 3) and origin (chapter 4) we have some questions we would like to address. The questions are listed below and your comments would be highly appreciated and welcomed.

From the tender requirements it seems that other countries than listed ("Member States of the European Union, EU Candidate Countries and the beneficiary countries of MEDA and CARDS programmes, including Turkey") are excluded from participating in the competition for the contract or making the requested products. As a representative for the world's largest maritime simulator supplier over the past 25 years, based in Norway, we are interested in participating to Lot 10, supply of Cargo Handling Simulators.

A. Does this also exclude Norwegian suppliers? Norway is a member of the EEA Treaty, and has in several of other similar tenders been included. Norway is also a subject to the EU procurement directives and do not exclude EC countries from participate in procurement/aid contracts. If exclusion has been intentional - could you please provide me with some information about why this contract is not a subject to the procurement directives or the WTO/GPA rules?

B. Norway has a third country agreement with Turkey, which is based on the principle of non-discrimination. Is it EC, Turkey or both who are regarded as the contracting authority for this contract?

C. The supplies in this tender are funded 75% from EU. Does Norway contribute to this fund?

**Answer 5: Please refer to the Procurement Notice, "Article No. 8" for the eligibility and rules of origin and "Article No. 21" for the legal basis. Norway does not**

**contribute to pre-accession funds. However the funding or origin of funding is not relevant for the eligibility criteria.**

**Question 6:** With reference to Lot 2 - Safety Equipment and Wear (Surveyors) of the tender in subject, we kindly ask you to clarify the following:

A. Item 1. Coverall, according to tender specifications the coverall shall be supplied in orange color (100 units) and white color (350 units) and must have reflective white stripes. In order to conform with the CE standards, it is not correct to provide white coverall with reflective white stripes because of reduced visibility. Please inform if coverall in yellow color is acceptable (or another alternative color indicated by you) in conformity with CE standards.

B. Item 8. Surveyors hammer, is it possible to have a photograph of the requested item?

**Answer 6:**

**A. Please refer to Corrigendum No. II, Item 2.1 Coverall**

**B. A surveyor's hammer looks like the following:**



**Question 7:** We would be grateful if you could confirm the exact requirement for Lot No. 9 of the above tender dossier. In the specification for the Automobile you state that you require a Cargo Carrier type vehicle, however further on in the specification you also require the vehicle to be able to seat 4 persons. Generally a vehicle of this type only has seating for two persons. We can however offer a Combi type vehicle which can offer seating for 5 persons, however this has a significantly smaller capacity for cargo. Please confirm if you require us to offer for a vehicle with 4 seats.

**Answer 7: A Combi Van type vehicle with 5 seating is required. Please refer to Corrigendum No. II, Item 9.1 Automobile**

**Question 8:** We received the tender documents for the contract mentioned above from the internet site. Please confirm that I can submit my bid on the basis of the same document. However it will be very nice of you, if you can send me the copy of tender document.

**Answer 8: The Contracting Authority does not send the copies of the tender dossier to the tenderers; however the dossier is available for collection from the Contracting Authority's offices, *Ehlibeyt Mahallesi 6. Sokak No:16/8 Ekşioğlu İş Merkezi 06520 Balgat/Ankara, TURKEY*. For the documents to be submitted with your offer please refer to Instructions to Tenderers, Article 11**

**Question 9:** We would like to know if an Indian company can bid for this tender under ALA category

**Answer 9:** No. Please refer to the Procurement Notice, “Article No. 8” for the eligibility and rules of origin.

**Question 10:** We would like to clarify some issues regarding the technical specs for cargo handling simulator, our Simulator does not require a dedicated server; could you confirm us that this option is also valid?

**Answer 10:** Simulator without a dedicated server is also possible, for details please refer to Corrigendum No. II, Item 10.1 Cargo Handling Simulator (ITU) and Item 10.2 Cargo Handling Simulator (DEU)

**Question 11:** We would be pleased if you could clarify the following issue concerning the “LOT 9: Motor Vehicles” of the above-mentioned tender.

1400 – 1800 cc diesel engine: Is there any possibility to offer any vehicle, which has “1910 cc engine” since most of the vehicles are presented with 1.9 in the brochure but are registered with higher engine capacity such as 1910 cc in the vehicle licence.

Type of vehicle: Vehicles are registered as either “passenger” OR “commercial” in the vehicle licence. Is there any restriction on the type of vehicle such as “passenger” OR “commercial” in the vehicle licence?

**Answer 11:** It is possible to offer a vehicle with 1910cc engine. Please refer to Corrigendum No. II, Item 9.1 Automobile for details. Vehicles shall be registered as light Commercial Vehicles, so that the drivers with “B Certificate” driving license can drive it.

**Question 12:** We would be pleased if you could clarify the following TAX issues concerning the “LOT 9: Motor Vehicles” of the above-mentioned tender since “Annex VI Tax and Customs Provision” is not very clear and there are several problems on provision of “Tax Exemption” for the EC funded projects in practice in Turkey. As you know, there are more than 3 types of taxes for vehicles in Turkey such as: Special Consumption Tax (OTV), Motor Vehicle Tax (MTV), Value Added Tax (KDV), etc.

Customs duties and taxes: As far as we have understood, the Contracting Authority (CFCU) is providing exemption for any customs duties or taxes (OTV, MTV, KDV, etc.) in the case when the contractor is the importer of the vehicle. Is there any possibility to get the same tax exemption in the case when the contractor is the re-seller of the vehicle’s importer (i.e. the distributor will import the vehicle and the contractor, which is the re-seller of the vehicle or agent of the distributor, will sell the vehicles to the CFCU)?

Purchase tax: As you know, the importers directly sell vehicles to clients in Turkey (i.e. re-seller is never registering the vehicle to itself and is selling the vehicle to the client on behalf of the importer to avoid to pay any purchase tax). Is this acceptable by the CFCU when the contractor is the re-seller of the vehicle's importer (i.e. the contractor will sell the vehicle to the CFCU on behalf of the importer)?

Will the CFCU provide the tax exemption (customs duty, MTV, OTV, KDV, etc.) to the importer other than the contractor in the case when the contractor is the re-seller of the vehicle's importer (i.e. the contractor will sell the vehicle to the CFCU on behalf of the importer)?

What is the procedure of getting the tax exemption for both locally procured and imported vehicles? (i.e. will the CFCU provide a document and/or licence for exemption and submit it to the Contractor, or will CFCU follow the procedures itself?)

**Answer 12: There is a Framework Agreement signed between Turkey and the European Commission. This Framework Agreement is now in National Assembly for ratification.**

**Once this Agreement is ratified and put in force, all imports by EC Contractors shall be allowed to enter Turkey without being subject to customs or import duties, charges, VAT and the Special Consumption Tax or to any other similar tax duties or charges. Such exemption shall only be applied to the imports in connection with the goods supplied by the EC contractor under the EC Contract.**

**Any EC Contractor or Contractor supplying goods for an EC Contractor who is entitled to the exemption, as provided in this Agreement shall be entitled to offset or deduct any VAT paid in connection with the goods supplied which are exempted from VAT, as provided in this Agreement against any VAT collected by them for any of their other transactions. Should the EC Contractor or Contractor not be able to make use of this possibility, they shall be able to obtain a VAT refund directly from the tax administration in a minimum period of ten (10) days upon submission of a written request to the tax administration attaching the necessary documentation required under Turkish law for the refund of VAT.**

**All these measures will apply after ratification retroactively to all contracts involving EC funds as from 10 September 2000.**

**Question 13:** Technical specification regarding to LOT 10 hardware and software requirement has been completely noted. We suppose the desks and chairs to be required for the instructor and trainee workstations should be provided by the training organizations. We have also need to know whether cable channels and / or raised floors to secure the cables will be provided by training organizations or not.

**Answer 13: Desks and chairs shall be provided by the Beneficiary. For details please refer to Annex II-Technical Specifications, Article 1.3 .**

**Question 14:** We would be grateful if you could clarify the following point: Lot 9, the vehicle we will offer meets all the required specifications mentioned in the Tender Dossier. This type of vehicles are named and classified as commercial vehicles because of their high capacity for loading. As a result, we can only invoice these vehicles as light commercial vehicles on the invoice and technical document. Is this adequate for the Contracting Authority? We would like to note that all of the mentioned competitors' vehicles are also classified in the same way.

**Answer 14: Yes it is adequate, for details please refer to Corrigendum No. II, Item 9.1 Automobile.**

**Question 15:** In page 96, article 4.3. of Technical Specifications (Portable Multigas Measuring Device) it is stated that “Calibration equipment to be supplied for at least 200 calibrations and at least four different gases”

- a. What is the total number of the calibration equipment requested by your Administration?
- b. Will the tenderer offer a set of calibration equipment per a multigas detector?
- c. A set of calibration equipment is capable of calibrating 20 each detectors. So is it enough to offer just one set of calibration equipment.

**Answer 15: Sufficient number of Calibration Equipment for the 24 Measuring Devices needs to be provided. Please refer to Corrigendum No. II, Item 4.3 Portable Multigas Measuring Device**

**Question 16:** In page 96, article 4.3. of Technical Specifications (Portable Multigas Measuring Device) it is stated that: “Necessary special software (if any) and cables shall be included”

Our questions depicted in previous question is also valid for this article. Please inform us what is the exact number of Software demanded by your Administration.

**Answer 16: Necessary special software (if any) and cables shall be included for each Measuring Device. Please refer to Corrigendum No. II, Item 4.3 Portable Multigas Measuring Device.**

**Question 17:** Please clarify the following issues

- For lot-10 even if it is not required a Server Station for the Simulator, these Server Stations must be supplied.
- We have found that the tender dossier it is not completed, Page 188 is empty.

**Answer 17: Simulator without a dedicated server is also possible, for details please refer to Corrigendum No. II, Item 10.1 Cargo Handling Simulator (ITU) and Item 10.2 Cargo Handling Simulator (DEU). Page 188 is not empty; it reads “Part 2-the Contractor’s Technical Offer”**

**Question 18:** Item 7.7 firewall in lot 7, embedded virus scan is required. Can we offer external?

**Answer 18:** Yes, it is also possible. Please refer to **Corrigendum No. II, Item 7.7 Firewall**

**Question 19:** Which language shall be required for the operating system of the items 7.1 desktop computers, 7.2 laptop computers and 7.6 Computer Server in lot 7 English or Turkish, please specify?

**Answer 19:** **Turkish Version is required. Please refer to Corrigendum No. II, Items 7.1 Desktop Computer, 7.2 Laptop Computer and 7.6 Computer Server.**

**Question 20:** Can we offer supplies with better technical specs? For example instead of 18 pages, 20 pages per minute for A4 printers.

**Answer 20:** **Tenderers can offer better products taking into account that Technical Specifications for the requested items in the tender dossier are given as minimum. Please refer to Procurement Notice, Article 16 and 17 for the selection and award criteria.**