



KUNSILL LOKALI ҒAŽ-ŽABBAR

CITTÀ HOMPECH

21st May 2018

National Audit Office
Notre Dame Ravelin
Floriana

Dear Sir/Madam,

REPLY TO MANAGEMENT LETTER YEAR ENDING 31 DECEMBER 2017

17. Previous Management Letter

17.1 Income

Please refer to reply 2.1 – 2.10 below.

17.2 Payroll

Please refer to reply 3.1 – 3.3 below.

17.3 Expenditure

Please refer to reply 4.1 - 4.11 below.

17.4 Property, plant and equipment

Please refer to reply 5.1 – 5.26 below.

17.5 Trade and other receivables

Please refer to reply 6.1 – 6.11 below.

17.6 Inventories

Please refer to reply 7.1 – 7.3 below.

17.7 Bank and Cash

Issue resolved.

17.8 Trade Payables

Please refer to reply 8.1 – 8.15 below.

17.9 Financial Statements

Please refer to reply 9.1- 9.3 below.

17.10 Capital Commitments

Issue resolved.

17.11 Council meetings and minutes

Please refer to reply 10.1 and 10.2 below.

17.12 Electronic site

Please refer to reply 11.1 – 11.3 below.

12 Change in Executive Secretary

Please refer to reply 12.1-12.3

18. Income

Income from LES administration fees

2.1– 2.2 The Council will investigate the difference found between the LES income in the accounts and the Loqus system of € 213.45 and adjust the accounts accordingly. The Local Council are already performing such reconciliations and will identify the difference.

Income from LESA distribution

2.3 - 2.4 The Council has accepted the adjustment proposed by the auditors to reclassify LESA distribution.

Income from EU programmes

2.5 - 2.6 The Council has accepted the adjustment proposed by the auditors to reclassify EU income.

Supplementary Government income

2.7 - 2.8 The Council has accepted the adjustment proposed by the auditors to reclassify Capital and Cities Fund as annual income.

Accrued income

2.9 - 2.10 The grant is still receivable. Furthermore, the Council will take the suggestion made by the auditor and investigate why the grant has not yet been received.

19. Payroll

Reconciliation of wages between FS5s and books of accounts

3.1 – 3.3 The wages reconciliation performed by the auditor is wrongly calculated. Please find enclosed reconciliation of wages (Annex 1) in the nominal ledger, to the FS 7 and the Financial Statements noting the following:

- e) Employer's share of National Insurance is higher than the Employees' share since one part-time employee pays her NI at the rate of 10% while the employer pays the minimum National Insurance.
- f) The FSS documents include the Sick Benefits deducted from the Employee wages. This is included as a post-tax adjustment in the payroll.

20. Expenditure

Petty cash expenditure

20.1 - 4.3 The examples referred to in the management letter had a proper fiscal receipt. It is not always possible to obtain chits addressed to the Council. Furthermore, the Council has always filled a petty cash voucher.

Procurement procedures

4.4. – 4.5 The Council always requests a quote for every purchase made before buying an item. This is sometimes given orally or in writing.

Tender procedures

4.6 – 4.7 The non-collusive agreement is no longer being requested through the EPPS system. A template of the tender document sent from the Department of Contracts which all authorities are to abide by is being enclosed (Annex 2).

Bid bonds may only be requested when contract value exceeds €500,000. Kindly refer to the enclosed Contracts Circular 9/2016.

Rental Agreements

4.8 – 4.9 As regards the rent of the Council premises and the public garden, these are both government property devolved to the Local Council perpetually. The Council is paying the rent of the office premises and the public garden as per invoices issued by the Lands Department.

Travelling expenses

4.10 – 4.11 The Council will follow the recommendation.

21. Fixed Assets

Reconciliation of financial statements with accounting records.

5.1 – 5.2 In previous years, the assets were being reported under general headings in the accounts, such as Construction works and Urban Improvements, whilst an itemised list was being updated in the Fixed Asset registry (FAR). The financial statements agree to the classification in the Fixed Asset registry and the adjustments required in the nominal ledger represent only a reclassification adjustment.

The Local Council will consider commissioning an ad-hoc exercise to reconcile the categories in the accounts to the FAR and Financial statements.

Depreciation

5.3 - 5.8 The Council has accounted depreciation in accordance to Memo 39/2002 for playground furniture as reported by the auditors. This resulted in a deprecation rate of 100% on playground furniture. After discussions between the Local Council, the Auditor General and the auditors it was decided to adjust the deprecation rate on playground furniture to 20% since this better reflect the useful life of the assets as required by International Financial Reporting Standards.

In relation to the grant of € 100,000 in respect of 'Gnien il-Kunsill' project this has been apportioned to profit and loss at the rate of 10% to agree to the depreciation rate of construction works. The 'Gnien il-Kunsill' project consisted in both construction works and playground equipment. Since over 80% of the project consists in construction works, the grant was amortised to profit and loss over a period of ten years. We will take this into consideration and ensure that proper classification and depreciation rates will be applied according to the type of asset.

Fixed asset categories

5.9 – 5.11 As already pointed out under Points 5.1 to 5.2 in previous years general accounts were being used both for fixed assets additions and for grants.

As stated the Local Council will consider commission an ad-hoc exercise to reconcile the categories in the accounts to the FAR.

Details of fixed asset register

5.12 – 5.16 In respect of missing details in the fixed asset registry the Council will check if such details are missing, and if found missing will update accordingly. The FAR is being kept on a FAR software and not all information is printed in the reports.

In respect to the 'casting error' in the FAR categories, this was noticed by the Local Council when preparing the financial statements. The Local Council will investigate the difference to ensure that the registry is being updated continuously and ensure that all additions and disposals are properly accounted for.

Reconciliation of financial statements to fixed asset registry

5.17 – 5.20 The Local Council will investigate the difference of € 157 found in office equipment and adjust accordingly.

The Council has provided the auditors a schedule of the additions and impairment passed during the year (Annex 3). The schedule reconcile the amounts recorded in the accounts with the FAR printout. The noted differences were adjusted accordingly in line with Directive 1/2017 issued by the Department for Local Government.

Disposals

5.21 – 5.26 In respect of the disposal of the donated computers, please note that not all computers were disposed off, but only two out of three. For this reason an amount of € 1,300 is still showing in costs and in the grant.

The Council will ensure that all disposed assets will be approved by the Council.

In respect of the disposal of € 12,507 under assets under construction, as explained during the audit these were costs incurred in 2016 on the 'Gnien il-Kunsill' project of a revenue nature. Since in 2016 these were classified as assets, such costs were expensed to the income statement during the year.

22. Trade and other receivables

Receivable balances

6.1 – 6.2 The Council is still insisting to collect the money owed by Water Services Corporation. Furthermore the Council will take the suggestion made by the auditor and refer the matter to LCA for collection.

Unidentified deposits

6.3- 6.5 The Council has never recorded any deposits without matching them to the appropriate fines. The reason that €4,966.93 are still recorded as unidentified deposits is due to the fact that unidentified deposits cannot be identified without proper documentation, deposits cannot be allocated to the appropriate receivable account. Furthermore the Council cannot resolve this issue on its own.

Pre-regional LES debtors

6.6 – 6.7 The Council will refer the difference identified by the auditors to Loqus in order to be reconciled to the reports issued from the Loqus system.

Provision for LES debtors

6.8 – 6.9 The Council has accepted the adjustment proposed by the auditors.

GAL Xlokk membership

6.10 – 6.11 The Council will follow the recommendation.

23. Inventories

Net realisable value of inventories

7.1 – 7.3 Zabbar A Living History books are still held for resale and books are only donated during Council activities. Since the nature and content of book is still informative the Council is not of the opinion that the cost of books are reduced further.

24. Trade and other payables

Trade payables

8.1 - 8.2 The council has obtained creditors statements from the main suppliers. The Council will do its utmost to obtain suppliers statements from all suppliers.

Long outstanding trade payables

8.3 – 8.6 Not all the creditors provided in the list are long overdue, some of them provided services during December 2017 and other creditors were not paid because the outstanding balances were related to retention money. The difference of € 940 shown on the creditor's list due to Wasteserv was included in the financial statements in the contingent liability list. In the case of Veronica Grech Muscat and Neville's Printing Palace, the Council has accepted the adjustment proposed by the auditor.

Accrued expenditure

8.7 – 8.8 The Council will follow the recommendation.

PPP Creditor

8.9 – 8.13 The Local Council does not agree to Vella Group Ltd statements. The creditor statement has errors and even the dates are mixed in the statement.

Vella Group outstanding balance as at 31st Dec 2017 was Eur69,124.70 divided as follows:

- Euro 67,414.33 in relation to PPP
- Euro 1,710.37 were related to retention money re maintenance works (not PPP)

A sum of Euro 9,073.96 was paid in Jan 2018, that was due on 31 December 2017.

Furthermore, the Council will ensure that the short and long term portion on the PPP creditor is calculated correctly.

Deferred income

8.14 – 8.15 The Council will ensure that for future audits the short and long term portion on Deferred Income is calculated correctly.

9 Financial Statements

Restricted Cash

9.1 – 9.2 The Council has instructed HSBC bank and the blocked funds mentioned in the management letter has been released.

Presentation of financial statements

9.3 Two of the shortcoming identified by the auditors were amended in the financial statements. The Local Council will ensure that the quantitative and qualitative disclosures required by IFRS 7, 'Financial Instruments: Disclosures' are adhered to.

10 Council meetings and minutes

Schedule of payments

10.1 – 10.2 All schedule of payments were completed, accurate, containing information in a sequential order and jointly signed by the Mayor, Executive Secretary and Councillors as stipulated in the Local Councils (Financial) Procedures. The omitted cheques listed in the management letter were all cancelled cheques and it is not a normal practice to include cancelled cheques in the schedule of payments.

11 Electronite site

11.1 – 11.3 The Council will follow the auditors recommendations.

12. Change in executive secretary

12.1 – 12.3 The Council will follow the auditors recommendations.

SIGNED
Marc Vella Bonnici
Mayor

SIGNED
Ranier Busuttil
Agent Executive Secretary

ZABBAR LOCAL COUNCIL

WAGES RECONCIATION

1100/000	Mayor's allowance	14,690.28
1101/000	Councillors Allowance	12,914.30
1202/000	Mr. Duncan Busuttil	5,146.04
1204/000	Ms. Stephanie Testaferrata	21,143.88
1205/000	Ms. Mary Rose Caruana	15,552.19
1207/000	Isabelle Testaferrata	-
1209/000	Kyle Civelli	-
1211/000	Charlene Saliba	15,964.26
1212/000	Naomi Agius	13,376.12
1213/000	Maria Livori	13,116.50
1214/000	Judy Scicluna	4,351.78
1215/000	Maria Zarb	4,376.40
1216/000	Ranier Busuttil	9,704.89
1302/000	Mr. Duncan Busuttil	149.29
1304/000	Ms. Stephanie Testaferrata	512.52
1305/000	Ms. Mary Rose Caruana	437.82
1311/000	Charlene Saliba (Bonus)	512.52
1312/000	Naomi Agius (Bonus)	512.52
1313/000	Maria Livori (Bonus)	428.54
1314/000	Judy Scicluna (Bonus)	256.22
1315/000	Maria Zarb (Bonus)	256.22
1316/000	Ranier Busuttil (Bonus)	-
1402/000	Mr. Duncan Busuttil	519.00
1404/000	Ms. Stephanie Testaferrata	1,268.63
1405/000	Ms. Mary Rose Caruana	935.00
1410/000	Charlene Saliba	962.57
1411/000	Naomi Agius (Perf Bonus)	815.05
1412/000	Maria Livori (Perf Bonus)	823.11
1500/000	Social Security Cont.	-
1502/000	Mr. Duncan Busuttil	394.65
1504/000	Ms. Stephanie Testaferrata	2,098.09
1505/000	Ms. Mary Rose Caruana	1,574.53
1511/000	Charlene Saliba (Social Security Contr	1,583.65
1512/000	Naomi Agius (Social Securty)	1,348.41
1514/000	Maria Livori (Social Security)	1,397.32
1515/000	Judy Scicluna (Social Security Contribut	882.96
1516/000	Maria Zarb (Social Security)	882.96
1600/000	Allowances	282.15
1602/000	Stephanie Testaferrata Allowance	370.87
1603/000	Allowance Charlene Saliba	1,188.38
1604/000	Allowance Maria Livori	604.20
1605/000	Ranier Busuttil St Peter allowance	413.34
1703/000	Ms. Stephanie Testaferrata	3,236.25

1708/000	Charlene Saliba (Overtime)	1,657.68
1709/000	Maria Livori (overtime)	965.24
1710/000	Naomi Agius (Overtime)	1,169.87

	<u>158,776.20</u>
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FS 7 Gross	151,644.00
NI Share	10,163.00

	161,807.00
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Less Opening performance bonus	(2,540.69)
Less Social Security benefits	(961.34)
Add closing accrual	470.23

	<u>158,775.20</u>
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CT 5001/2014

Contracts Circular N° 09/2016

Department of Contracts
Notre Dame Ravelin
FLORIANA

To Permanent Secretaries
Directors General
Directors
Heads of Public Sector Organisations

02 June 2016

TENDER GUARANTEE (BID BOND) VALUES FOR CALLS FOR TENDERS ISSUED BY LOCAL COUNCILS

Reference is being made to Department of Contracts' *Procurement Policy Note (PPN) #3 - Bid Bond (Tender Guarantee) Values*, issued on 02 December 2013.

The provisions laid down in the afore mentioned PPN are being extended to cover all CfTs (Calls for Tenders) issued by Local Councils. This implies that a Tender Guarantee (Bid Bond) can only be requested by a Local Council, for procurement procedures (CfTs or Lots) whose value exceed the €500,000 threshold.

PPN #3 is being revised and updated to reflect these changes.

Contracting Authorities are encouraged to put forward any queries with the Department of Contracts' customer care service on info.contracts@gov.mt or +356 21220212.

Anthony Cachia
Director General (Contracts)

IMPORTANT NOTE

Submission of e-Tenders

Tenders must be submitted by registered Economic Operators.

EPPS users holding a sole trader account are kindly reminded that their account can only be used to submit tenders under their sole trader's name and not on behalf of any other organisation.

In case a tender needs to be submitted by any other type of Economic Operator (e.g. Company/Joint Venture/Consortium), an account needs to be created either through the ePPS or e-ID as per Terms of Use for Economic Operators and only this account must be used to submit the tender.

In the case where a person requires to submit a tender on behalf of an entity which may be an organisation or Joint Venture/Consortium, the submission must be performed through the account of the entity. The latter must assign the person an account to perform the submission on its behalf, if the person is not already assigned. The entity will be considered as the economic operator submitting the tender.

Economic Operators are reminded that ONLY in the case of New Account Registrations, irrespective of the type and form of the Economic Operators, they have a choice between registering either directly through the ePPS at www.etenders.gov.mt or through the e-ID Service via the MyGov website at www.mygov.mt. In the case of the latter, Economic Operators must qualify for e-ID as per the ePPS Terms of Use for Economic Operators.

Prospective Bidders are reminded that when submitting more than one option for a particular CFT, they should submit multiple tenders.

Prospective Bidders are reminded to follow the above instructions and other instructions in the Terms of Use of the e-procurement system (ePPS) and the Manual for Economic Operators available under the 'Help' tab of the epps homepage.

The Department of Contracts reserves the right to disqualify Economic Operators who do not abide by the above instructions.

Submission of Financial Offer

Tenderers must quote all components of the price inclusive of taxes/charges, customs and import duties and any discounts BUT excluding VAT. VAT shall be paid in accordance with the current VAT regulations.



REFERENCE NUMBER: [Ref No]

TENDER TITLE

Date Published: [Date]

Deadline for Submission: [Date]

at 09:30am
CET/CEST

Tender Opening: [Date]

at 10:00am
CET/CEST

Publicity requirements, if any

IMPORTANT

Clarifications shall be uploaded and will be available to view/download from www.etenders.gov.mt

 This e-tender does not require print-outs from this document. Please consider your environmental responsibility before printing.

**NAME OF CONTRACTING AUTHORITY/MINISTERIAL PROCUREMENT
UNIT**

Contact details (address, telephone, email address)

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## SECTION 1 - INSTRUCTIONS TO TENDERERS

### 1. General Instructions

- 1.1 In submitting a tender (unless otherwise indicated, a tender offer above 100MB will not be accepted by the system (ePPS), the tenderer accepts in full and in its entirety, the content of this tender document, including subsequent Clarifications issued by the Central Government Authority/Contracting Authority (CGA/CA), whatever the economic operator's own corresponding conditions may be, which through the submission of the tender is waived. Tenderers are expected to examine carefully and comply with all instructions, forms, contract provisions and specifications contained in this tender document. These Instructions to Tenderers complement the General Rules Governing Tenders, the Terms of Use and the Manual for Economic Operators applicable to Government's e-Procurement Platform (available from [www.etenders.gov.mt](http://www.etenders.gov.mt)).

No account can be taken of any reservation in the tender in respect of the procurement documents; any disagreement, contradiction, alteration or deviation shall lead to the tender offer not being considered any further.

Prospective tenderers must submit their response to this tender online, at [www.etenders.gov.mt](http://www.etenders.gov.mt), by completing the prescribed tender response format using the Tender Preparation Tool (TPT) provided by the System. Please note that the TPT was recently updated. This means that anyone who has downloaded the TPT in the past will need to download this tool again. If this is not done, the tender package, created using the old version of the tool, will not be accepted by the e-tenders portal. Therefore, to avoid the inconvenience of having the tender package rejected, please make sure that you fill in the tender structure using the latest version which can be downloaded from the <http://www.etenders.gov.mt> portal. In case of any discrepancy between the requirements contained in this document and those in the tender response format (xml tender structure), the latter shall prevail.

Prospective tenderers take full responsibility to submit their electronic tender response (offer) well before the tender submission deadline in order to avoid last minute upload restrictions. Tender offers must be fully uploaded/accepted by the ePPS prior to the deadline for submission of offers, that is, tenders in transit upon tender submission deadline will be rejected.

**Note:**

Where in this tender document a standard is quoted, it is to be understood that the Contracting Authority will accept equivalent standards. However, it will be the responsibility of the respective bidders to prove that the standards they quoted are equivalent to the standards requested by the Contracting Authority.



- 1.2 The subject of this tender is the cleaning, maintenance, upkeep and embellishment of soft areas of the following [services/supplies/works]: *Brief description*
- [.....]
  - [.....]
  - [.....]
- 1.3 The place of acceptance of the services **Haż-Żabbar**, the time-limits for the execution of the contract shall be for one year with the possibility of further yearly extensions up to a maximum of four years, and the INCOTERM<sup>2010</sup> applicable shall be **Delivery Duty Paid (DDP)**. *To be preset at vetting stage - No specific dates are to be included. Only number of days, weeks, months or years to be inserted.*
- 1.4 This is a global price for service contracts
- 1.5 This call for tenders is being issued under an open procedure. *Choose as applicable.*
- 1.6 This call for tenders is not a reserved contract. *Delete as applicable*
- 1.7 The Contracting Authority for this tender is **Haż-Żabbar Local Council**.

## 2. Timetable

|                                                                                                                                 | DATE         | TIME   |                                        |
|---------------------------------------------------------------------------------------------------------------------------------|--------------|--------|----------------------------------------|
| Clarification Meeting/Site Visit (Refer to Clause 6.1)                                                                          | [Date]       | [Time] | <i>If applicable</i>                   |
| Workshop (Refer to Clause 6.2)                                                                                                  | Refer to 6.2 | -      |                                        |
| Deadline for request for any additional information from the Contracting Authority                                              | [Date]       | [Time] | <i>8 calendar days before deadline</i> |
| Clarifications by registered users to be sent online through <a href="http://www.etenders.gov.mt">www.etenders.gov.mt</a>       |              |        |                                        |
| Last date on which additional information can be issued by the Contracting Authority                                            | [Date]       | [Time] | <i>4 calendar days before deadline</i> |
| Deadline for Submission of Tenders (unless otherwise modified in terms of Clause 10.1 of the General Rules Governing Tendering) | [Date]       | [Time] | <i>As per notice</i>                   |
| Tender Opening Session (unless otherwise modified in terms of Clause 10.1 of the General Rules Governing Tendering)             | [Date]       | [Time] |                                        |
| * All times Central European Time (CET)/Central European Summer Time (CEST) as applicable                                       |              |        | <i>Delete as applicable</i>            |

## 3. Lots

- 3.1 This tender is not divided into lots, and tenders must be for the whole of quantities indicated. Tenders will not be accepted for incomplete quantities. *As applicable*

## 4. Variant Solutions

- 4.1 Variant solutions cannot be applied for departmental tenders.

## 5. Financing

- 5.1 The project is financed from local budget funds.

## **6. Clarification Meeting/Site Visit/Workshop**

- 6.1 No clarification meeting/site visit is planned.
- 6.2 Economic operators may register to attend a workshop that will be organised in collaboration with the Institute for Public Services (Ex-CDRT: Centre for Development, Research and Training) at San Salvatore Bastion, Sa Maison Road, Floriana FRN1610. During this workshop, economic operators will be given the opportunity to familiarise themselves with Government's e-Procurement platform.

*Choose applicable clause*

Economic operators are to register to attend this workshop by sending an email on [etenders@gov.mt](mailto:etenders@gov.mt) with the name, surname, role within the organisation, and contact details (telephone and email address) of the nominated person.

## **7. Selection and Award Requirements**

In order to be considered eligible for the award of the contract, economic operators must provide evidence that they meet or exceed certain minimum criteria described hereunder.

### **(A) Eligibility Criteria**

- (i) Declare agreement, conformity and compliance with the General Rules Governing Tendering in the Tender Response Format (available from [www.etenders.gov.mt](http://www.etenders.gov.mt)).
- (ii) Declare agreement, conformity and compliance with the provisions of the Tenderer's Declaration, the terms of use and the manual for Economic Operators in Tender Response Format.
- (iii) Declare agreement, conformity and compliance with the provisions of the Statement on Conditions of Employment in Tender Response Format.
- (iii) Declare agreement, conformity and compliance with the provisions of the Statement on Conditions of Employment in Tender Response Format. Please also attach the minimum hourly workers' costs involving the provision of the employees' services. (Note 2A)

*Choose as applicable:  
In the Case of  
Works/Supplies*

*In the Case of Services*



Minimum hourly  
workers' cost.docx

*Minimum Hourly  
Workers' Cost - To be  
requested only in respect  
of certain services such  
as cleaning, care  
working, security, clerks  
and street sweeping*

- (iv) Power of Attorney (if applicable). (Note 2A)



Power of Attorney.docx

- (v) Data on Joint Venture/Consortium (if applicable). (Note 2A)



Data on JV and Consortium.docx

**(B) Exclusion (including Blacklisting) and Selection Criteria - information to be submitted through the tender response format (available from [www.etenders.gov.mt](http://www.etenders.gov.mt)). (Note 2A)**

- (i) Declaration concerning exclusion grounds including blacklisting (as per tender structure)



Blacklisting and Exclusion Form.docx

- (ii) Declaration concerning Selection Criteria (if any)

a) The economic operator shall be enrolled in the **(include here the needed professional or trade register)** kept in the Member State of its establishment. This information shall be included in the Selection Criteria Declaration Form in Question Reference number 1 under the Suitability section. (Note 2A)

*Delete and choose as applicable*



Selection Criteria Declaration Form.doc

b) The economic operator shall hold (include here the authorisation or membership required of the particular organisation needed in order to be able to perform the service in question).

This information shall be included in the Selection Criteria Declaration Form in Question Reference number 2 under the Suitability Section<sup>(Note 2A)</sup>

c) Choose any of the criteria listed in the Selection Criteria Declaration Form under the Technical and Professional Ability Section. Any criteria selected shall indicate which sections of the same form need to be completed by the Economic Operator.

*No percentage capping for sub-contracting is to be included.*

*For example:*

*Provide data concerning subcontractors and the percentage of works to be subcontracted to be submitted online through the tender response format. This information shall be included in the Selection Criteria Declaration Form in Question Reference number 10 under the Technical and Professional Ability Section. (Note 2A)*



### (C) Technical Specifications

- (i) Tenderer's Technical Offer in response to specifications to be submitted online through the prescribed Tender Response Format and by using the Tender Preparation Tool provided. (Note 3)
- (ii) **Literature** as per Form marked 'Literature List' is to be submitted with the technical offer at tendering stage. Alternatively, an Economic Operator can quote a reference number under which he/she has already supplied items so that there would be no need to submit literature. **No changes to the information provided in the Literature submitted will be allowed. Literature submitted shall be rectifiable only in respect of any missing information.** (Note 2B)
- (iii) **Samples** as per Form marked 'Sample List' may be requested during the adjudication stage to supplement the technical offer submitted. If requested, the Samples must be submitted within ~~XXX~~ working days of being notified to do so. (Note 3) If Samples are not submitted within the specified timeframe, offer will not be considered further.

  
Literature List  
Version 2.3.docx

  
Samples List.docx

### (D) Financial Offer

- (i) A financial offer calculated on the basis of **Delivered Duty Paid (DDP)** <sup>2010</sup> *Choose as applicable*  
(**Grand Total**) for the **services** tendered as per Tender Response Format [inclusive of spare parts/after-sales services/maintenance/training as applicable]. (Note 3)
- (ii) A filled-in **Financial Bid Form** (as per document available *Choose as applicable*  
to download online from [www.etenders.gov.mt](http://www.etenders.gov.mt)) as per Tender Response Format. (Note 3)

#### Notes to Clause 7:

1. *Not applicable for departmental tenders.*
2. A) *Tenderers will be requested to either clarify/rectify any incorrect and/or incomplete documentation, and/or submit any missing documents within five (5) working days from notification.*  
B) *Tenderers will be requested to rectify/submit only missing documents within five (5) working days from notification. No changes to the information provided in the Literature submitted will be allowed. Literature submitted shall be rectifiable only in respect of any missing information.*  
*All Rectifications are free of charge.*
3. *No rectification shall be allowed. Only clarifications on the submitted information may be requested.*

### 8. Tender Guarantee (Bid Bond)

- 8.1 No tender guarantee (bid bond) is required.

## ***9. Criteria for Award***

- 9.1 The sole award criterion will be the price. The contract will be awarded to the tenderer submitting the cheapest priced offer satisfying the administrative and technical criteria. *Cheapest Award (9.1 only)*

## SECTION 2 - EXTRACTS FROM THE PUBLIC PROCUREMENT REGULATIONS

### *Part IX of the Public Procurement Regulations*

#### Appeals from decisions taken after the closing date for the submissions of an offer

270. Where the estimated value of the public contract meets or exceeds five thousand euro (€5,000) any tenderer or candidate concerned, or any person, having or having had an interest or who has been harmed or risks being harmed by an alleged infringement or by any decision taken including a proposed award in obtaining a contract, a rejection of a tender or a cancellation of a call for tender after the lapse of the publication period, may file an appeal by means of an objection before the Public Contracts Review Board, which shall contain in a very clear manner the reasons for their complaints.

271. The objection shall be filed within ten (10) calendar days following the date on which the contracting authority or the authority responsible for the tendering process has by fax or other electronic means sent its proposed award decision or the rejection of a tender or the cancellation of the call for tenders after the lapse of the publication period.

272. The communication to each tenderer or candidate concerned of the proposed award or of the cancellation of the call for tenders shall be accompanied by a summary of the relevant reasons relating to the rejection of the tender as set out in regulation 242 or the reasons why the call for tenders is being cancelled after the lapse of the publication period, and by a precise statement of the exact standstill period.

273. The objection shall only be valid if accompanied by a deposit equivalent to 0.50 per cent of the estimated value set by the contracting authority of the whole tender or if the tender is divided into lots according to the estimated value of the tender set by the contracting authority for each lot submitted by the tenderer, provided that in no case shall the deposit be less than four hundred euro (€400) or more than fifty thousand euro (€50,000) which may be refunded as the Public Contracts Review Board may decide in its decision.

274. The Secretary of the Public Contracts Review Board shall immediately notify the Director, the Ministerial Procurement Unit and, or the contracting authority, as the case may be, that an objection had been filed with his authority thereby immediately suspending the award procedure.

275. The Department of Contracts, the Ministerial Procurement Unit or the contracting authority involved, as the case may be, shall be precluded from concluding the contract during the period of ten (10) calendar days allowed for the submission of appeals. The award process shall be completely suspended if an appeal is eventually submitted.

276. The procedure to be followed in submitting and determining appeals as well as the conditions under which such appeals may be filed shall be the following:

- (a) any decision by the General Contracts Committee, the Ministerial Procurement Unit or the Special Contracts Committee or by the contracting authority, shall be made public by affixing it to the notice-board of the Department of Contracts, the Ministerial Procurement Unit or of the office of the contracting authority, as the case may be, or by uploading it on government's e-procurement platform prior to the award of the contract if the call for tenders is administered by the Department of Contracts;



(b) the appeal of the complainant shall also be affixed to the notice-board of the Public Contracts Review Board and shall be communicated by fax or by other electronic means to all participating tenderers;

(c) the contracting authority and any interested party may, within ten (10) calendar days from the day on which the appeal is affixed to the notice board of the Review Board and uploaded where applicable on the government's e-procurement platform, file a written reply to the appeal. These replies shall also be affixed to the notice board of the Review Board and where applicable they shall also be uploaded on the government's eProcurement platform;

(d) the authority responsible for the tendering process shall within ten (10) days forward to the chairman of the Public Contracts Review Board all documentation pertaining to the call for tenders in question including files and tenders submitted;

(e) the secretary of the Review Board shall inform all the participants of the call for tenders, the Department of Contracts, the Ministerial Procurement Unit and the contracting authority of the date or dates, as the case may be, when the appeal will be heard;

(f) when the oral hearing is concluded, the Public Contracts Review Board, if it does not deliver the decision on the same day, shall reserve decision for the earliest possible date to be fixed for the purpose, but not later than six (6) weeks from the day of the oral hearing:

Provided that for serious and justified reasons expressed in writing by means of an order notified to all the parties, the Public Contracts Review Board may postpone the judgment for a later period;

(g) the secretary of the Review Board shall keep a record of the grounds of each adjournment and of everything done in each sitting;

(h) after evaluating all the evidence and after considering all submissions put forward by the parties, the Public Contracts Review Board shall decide whether to accede or reject the appeal or even cancel the call if it appears to it that this is best in the circumstances of the case.



### SECTION 3 - SPECIAL CONDITIONS

Please open the relevant file below, copy the text, and paste it under this section.  
The Special Conditions can then be amended/filled-in as necessary.





This table is to be deleted thereafter.

| Works Special Conditions                                                                          | Services Special Conditions                                                                          | Supplies Special Conditions                                                                            |
|---------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|
| <br>Works SC.doc | <br>Services SC.doc | <br>Supplies SC.doc |

## SECTION 4 - TECHNICAL SPECIFICATIONS/TERMS OF REFERENCE (Note 3)

Please open the relevant file/s below, copy the text, and zip in a separate file for uploading.  
The documents/forms can then be amended/filled-in as necessary.

This table is to be deleted thereafter.

| Works                                                                                               | Services                                                                                                                                                                                                                                 | Supplies                                                                                                 |
|-----------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|
| <br>Works TTO.docx | <br>Services TTO.docx<br><br><br>Terms of Reference -<br>Services.docx | <br>Supplies TTO.docx |

## SECTION 5 - SUPPLEMENTARY DOCUMENTATION

### ***5.1 - Draft Contract Form***

### ***5.2 - Glossary***

### ***5.3 - Specimen Performance Guarantee***

These are available to view and download from the 'Resources Section' at: [www.etenders.gov.mt](http://www.etenders.gov.mt)

### ***5.4 - General Conditions of Contract***

The full set of General Conditions for Services Contracts (Version 2.2) can be viewed/downloaded from the 'Resources Section' at: [www.etenders.gov.mt](http://www.etenders.gov.mt)

It is hereby construed that the tenderers have availed themselves of these general conditions, and have read and accepted in full and without reservation the conditions outlined therein, and are therefore waiving any standard terms and conditions which they may have.








These general conditions will form an integral part of the contract that will be signed with the successful tenderer/s.

## Financial Offer/Bill of Quantities

Documentation related to the financial offer/bill of quantities that needs to be filled in has to be made available to prospective tenderers in editable format, and uploaded separately in the 'CfT Documents' section of the tender's workspace on [www.etenders.gov.mt](http://www.etenders.gov.mt).

Please select any relevant template from those listed below, amend/edit as necessary, and save as a new document. Excel cells showing quantities and description should be locked as applicable.

This table and this page is to be deleted thereafter.

| Works                                                                                                                                                                                                                                                                                                                                                               | Services                                                                                                                                                                                                                                                                                                                                                 | Supplies                                                                                                             |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------|
| <br>BoQ Lump Sum - Works.xlsx<br><br><br>BoQ Unit Price - Works.xlsx<br><br><br>BoQ Instructions - Works.docx | <br>Global Price - Services.xlsx<br><br><br>Fee Based - Services.xlsx<br><br><br>Pegged rates.xlsx | <br>Financial Bid - Supplies.xlsx |



## Design Documents including Drawings

A list related to the Design Documents including Drawings needs to be filled in by the Contracting Authority.

Please select open the word document below, amend/edit as necessary, and save as a new document.

This table and this page is to be deleted thereafter.



Drawings &  
Designs.docx

FIXED ASSETS

| Cost                 | Trees     | Construction Works | Furniture & Fittings | New Sheet Signs | Urban Imprv | Office Equip | Plant & Mach | Motor Vehicle | Assets Not Yet Cap | Total                                                |
|----------------------|-----------|--------------------|----------------------|-----------------|-------------|--------------|--------------|---------------|--------------------|------------------------------------------------------|
| 01-Jan-17            | 11,379.00 | 2,454,175.00       | 74,352.00            | 31,395.00       | 282,519.00  | 34,817.00    | 33,153.00    | 18,386.00     | 330,739.00         | 3,270,915.00                                         |
| Additions            | 1,698.00  | 115,032.00         | 6,639.00             |                 | 31,294.00   | 12,381.00    | 2,091.00     |               |                    | 169,135.00                                           |
| Disposal             |           |                    |                      |                 | (35,993.00) | (3,899.00)   | (575.00)     |               |                    | (40,467.00)                                          |
| Other reclass        | 198.00    | 17,372.00          |                      |                 | 2,332.00    |              |              |               | (19,902.00)        | -                                                    |
| Rec - Gnien Kunsill  |           | 192,309.00         |                      |                 | 87,771.00   |              |              |               | (280,080.00)       | -                                                    |
| Reversal to Expenses |           |                    |                      |                 |             |              |              |               | (12,507.00)        | (12,507.00)                                          |
|                      |           |                    |                      |                 |             |              |              |               |                    | To agree to FAR<br>Rec of Gnien Kunsill<br>Rev to PL |

|                          |  |            |  |  |  |            |  |  |          |            |
|--------------------------|--|------------|--|--|--|------------|--|--|----------|------------|
| <b>Government Grants</b> |  |            |  |  |  |            |  |  |          |            |
| At 1 Jan 17              |  | 921,147.00 |  |  |  | 5,199.00   |  |  | 7,485.00 | 933,831.00 |
| Disposal                 |  |            |  |  |  | (3,899.00) |  |  |          | (3,899.00) |

|                     |   |            |           |           |             |           |           |           |          |              |
|---------------------|---|------------|-----------|-----------|-------------|-----------|-----------|-----------|----------|--------------|
| <b>Depreciation</b> |   | 921,147.00 |           |           |             | 1,300.00  |           |           | 7,485.00 | 929,932.00   |
| At 1 Jan 17         | - |            | -         |           |             |           |           |           |          |              |
| Charge for the year | - | 817,339.00 | 46,502.00 | 31,395.00 | 248,759.00  | 20,737.00 | 23,284.00 | 18,065.00 |          | 1,206,081.00 |
| Impairment          | - | 70,410.00  | 2,326.00  |           | 121,211.00  | 2,582.00  | 2,180.00  | 63.00     |          | 198,772.00   |
| Disposal            | - | 17,644.00  | 90.00     |           | 4,810.00    | 235.00    | 205.00    | 6.00      |          | 22,990.00    |
|                     | - |            |           |           | (35,993.00) |           | (529.00)  |           |          | (36,522.00)  |

|                       |           |            |           |           |            |           |           |           |            |              |
|-----------------------|-----------|------------|-----------|-----------|------------|-----------|-----------|-----------|------------|--------------|
| Net Book Value Dec17  | -         | 905,393.00 | 48,918.00 | 31,395.00 | 338,787.00 | 23,554.00 | 25,140.00 | 18,134.00 | -          | 1,391,321.00 |
| Net Book Value Dec16  | 13,275.00 | 952,348.00 | 32,073.00 | -         | 29,136.00  | 18,445.00 | 9,529.00  | 252.00    | 10,765.00  | 1,065,823.00 |
| Net Book Value Dec 16 | 11,379.00 | 715,689.00 | 27,850.00 | -         | 33,760.00  | 8,881.00  | 9,869.00  | 321.00    | 323,254.00 | 1,131,003.00 |

|                             |              |            |           |            |
|-----------------------------|--------------|------------|-----------|------------|
| <b>As per FAR</b>           | Cost         | Open       | Year      | NBV        |
| Buildings                   | 75,635.00    | 3,767.00   | 719.00    | 71,149.00  |
| Construction UIF            | 377,159.00   | 23,259.00  | 9,960.00  | 343,940.00 |
| Construction works          | 1,404,947.00 | 759,387.00 | 59,731.00 | 585,829.00 |
| Computer equipment          | 15,818.00    | 9,697.00   | 1,512.00  | 4,609.00   |
| Office Equipment            | 26,298.00    | 11,275.00  | 1,030.00  | 13,993.00  |
| Motor vehicle               | 18,386.00    | 18,071.00  | 63.00     | 252.00     |
| Office Furniture & Fittings | 80,991.00    | 46,592.00  | 2,326.00  | 32,073.00  |
| Plant and Machinery         | 34,669.00    | 22,960.00  | 2,180.00  | 9,529.00   |

|                         |            |            |            |           |           |
|-------------------------|------------|------------|------------|-----------|-----------|
| Street Signs            | 31,395.00  | 31,395.00  | -          | -         | -         |
| Trees                   | 13,275.00  | -          | 13,275.00  | 13,275.00 | -         |
| Urban Improvements 10%  | 98,997.00  | 64,512.00  | 3,180.00   | 31,305.00 | 29,136.00 |
| Urban Improvements 100% | 159,795.00 | 150,895.00 | 8,900.00   | -         | -         |
| Urban Imp 100%          | 109,131.00 | -          | 109,131.00 | -         | -         |

Cost's net of grants 2,446,496.00 1,141,810.00 198,732.00 1,105,954.00 1,055,215.00

|                    |              |            |            |              |            |
|--------------------|--------------|------------|------------|--------------|------------|
| Trees              | 13,275.00    | -          | 13,275.00  | -            | -          |
| Construction works | 1,857,741.00 | 786,413.00 | 70,410.00  | 1,000,918.00 | 952,348.00 |
| Off                | 80,991.00    | 46,592.00  | 2,326.00   | 32,073.00    | -          |
| Signs              | 31,395.00    | 31,395.00  | -          | -            | -          |
| UI                 | 367,923.00   | 215,407.00 | 121,211.00 | 31,305.00    | 29,136.00  |
| Office Equi        | 42,116.00    | 20,972.00  | 2,542.00   | 18,602.00    | 18,602.00  |
| P&M                | 34,669.00    | 22,960.00  | 2,180.00   | 9,529.00     | 9,529.00   |
| Motor vehciels     | 18,386.00    | 18,071.00  | 63.00      | 252.00       | 252.00     |

Add Assets under construction

|              |              |            |              |   |                     |        |
|--------------|--------------|------------|--------------|---|---------------------|--------|
| 2,446,496.00 | 1,141,810.00 | 198,732.00 | 1,105,954.00 | - | 10,765.00           | -      |
|              |              |            |              |   | <u>1,065,980.00</u> | 157.00 |