



REFERENCE NUMBER: MGOZ Q 15/2019

**QUOTATION FOR THE COLLECTION,  
INSPECTION, SERVICING, REFILLING AND  
DELIVERY OF FIRE EXTINGUISHERS AT THE  
MANUFACTURING AND SERVICES SECTION  
(MSS), XEWKIJA, GOZO**

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Date Published: 18<sup>th</sup> January 2019

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Quotation Opening: 1<sup>st</sup> February 2019 At 10:00am CET

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Participation is free of charge

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**IMPORTANT**

Clarifications shall be uploaded and will be available to view/download from <http://mgoz.gov.mt>

**Ministry for Gozo**

Corporate Services Directorate, St. Francis Square, Victoria, Gozo VCT 1335

Tel: 22100222 Email: [procurement.mgoz@gov.mt](mailto:procurement.mgoz@gov.mt)

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# SECTION 1 - INSTRUCTIONS TO BIDDERS

## 1. General Instructions

- 1.1 In submitting a quotation, the bidder accepts in full and in its entirety, the content of this quotation document, including subsequent Clarifications issued by the Contracting Authority (CA), whatever his own corresponding conditions may be, which he hereby waives. Bidders are expected to examine carefully and comply with all instructions, forms, contract provisions and specifications contained in this quotation document. No account can be taken of any reservation in the quotation as regards the quotation document; any disagreement, contradiction, alteration or deviation shall lead to the quotation offer not being considered any further.
- 1.2 The subject of this quotation is the collection, inspection, servicing, refilling and delivery of fire extinguishers at the Manufacturing and Services Section (MSS) within the Projects and Development Directorate.
- 1.3 The place of acceptance of this service shall be the Manufacturing and Services Section (MSS), Sannat Road, Xewkija, Gozo. The time-limits for the completion of the services shall be within one (1) week from the date of the letter of acceptance and the INCOTERM<sup>2000</sup> applicable shall be **Delivery (Duty Paid)**.
- 1.4 This is a fee based service contract.
- 1.5 This call for quotations is being issued under an open procedure.
- 1.6 This call for quotations is not a reserved contract.
- 1.7 The Contracting Authority for this quotation is the Projects and Development Directorate.

## 2. Timetable

|                                                                                                                                                                                                          | DATE                          | TIME*   |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|---------|
| Clarification Meeting/Site Visit<br>(Refer to Clause 6.1)                                                                                                                                                | N/A                           | N/A     |
| Deadline for request for any additional information from the Contracting Authority<br><b>Clarifications to be sent via email on <a href="mailto:procurement.mgoz@gov.mt">procurement.mgoz@gov.mt</a></b> | 24 <sup>th</sup> January 2019 | Noon    |
| Last date on which additional information are issued by the Contracting Authority                                                                                                                        | 28 <sup>th</sup> January 2019 | Noon    |
| Deadline for submission of quotations<br>(unless otherwise modified in terms of Clause 10.1 of the General Rules Governing Tendering)                                                                    | 1 <sup>st</sup> February 2019 | 10:00am |

\* All times Central European Time (CET) as applicable

## 3. Lots

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

## 4. Variant Solutions

- 4.1 No variant solutions will be accepted. Bidders must submit a quotation in accordance with the requirements of the quotation document.

## **5. Financing**

- 5.1 The project is financed from local budget funds.

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

- 6.1 No clarification meeting/site visit is planned.

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

- 7.1 In order to be considered eligible for the award of the contract, bidders 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 (included as part of the Bidder's Declaration). <sup>(Note 3)</sup>
- (ii) Declare agreement, conformity and compliance with the provisions of the Bidder's Declaration. <sup>(Note 3)</sup>
- (iii) Declare agreement, conformity and compliance with the provisions of the Statement on Conditions of Employment. Please also complete the minimum hourly workers' costs involving the provision of the employees' services. <sup>(Note 2A)</sup>
- (v) Data on Joint Venture/Consortium (if applicable) <sup>(Note 2A)</sup>
- (vi) Power of Attorney (if applicable) <sup>(Note 2A)</sup>

### **(B) Exclusion (including Blacklisting) and Selection Criteria - information to be submitted as per attached form** <sup>(Note 2A)</sup>

- (i) Declaration concerning exclusion grounds (as per form attached)
- (ii) Declaration concerning Selection Criteria
  - a) *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.* <sup>(Note 2A)</sup>

*Any subcontractor proposed and disclosed at this stage shall be evaluated in line with the Exclusion and Blacklisting Criteria as per section 7 (B) of these Instructions to tenderers. Furthermore, if the sub-contractor is relied upon by the Contractor to meet the standards established in the selection criteria, apart from submitting the relevant commitments in writing, such reliance will be evaluated to verify its correctness and whether in effect these criteria are satisfied.*

### **(C) Technical Specifications**

- (i) Bidder's Technical Offer in response to specifications and/or a declaration that the bidder will comply with all terms and conditions of the quotation <sup>(Note 3)</sup>

### **(D) Financial Offer**

- (i) A filled-in Financial Bid Form <sup>(Note 3)</sup>

**Notes to Clause 7:**

1. Not applicable for departmental tenders.

2. A) Bidders 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) Bidders 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. Criteria for Award**

- 8.1 The sole award criterion will be the price. The contract will be awarded to the cheapest priced quotation satisfying the administrative and technical criteria.

## **9. Submission of Quotation**

The quotation must comprise the following duly completed documents, inserted in a single, sealed envelope:

- (i) Statement on Conditions of Employment
- (ii) Bidders' Details
- (iii) Bidder's Declaration
- (iv) Blacklisting and Exclusion Form
- (v) Selection Criteria Declaration Form
- (vi) Technical Offer
- (vii) Financial Bid

All quotations must be received by date and time indicated in the timetable at Clause 2 and deposited in the tender box.

All packages must bear only:

- (i) the reference of the invitation to quotation concerned;
- (ii) the name of the bidder.

The quotations must be submitted in English and deposited in the tender box **before** the deadline. Late submissions will not be accepted. They must be submitted:

EITHER by recorded delivery (courier service) or hand delivered to:

**Procurement Unit  
Corporate Services Directorate  
Ministry for Gozo  
St. Francis Square  
Victoria, Gozo**

Quotations submitted by any other means will not be considered.

No liability can be accepted for late delivery of quotations. Late quotations will be rejected and will not be evaluated.

Bidders may alter or withdraw their quotations by written notification prior to the above deadline. No quotation may be altered after the deadline for submission.

Any notification of alteration or withdrawal must be prepared, sealed, marked and submitted in the same manner as the quotation submission explained above, and the envelope must also be marked with "alteration" or "withdrawal".

Quotations will be opened in a public session on the date and time indicated in the timetable at Clause 2 at the Procurement Unit, Ministry for Gozo, St. Francis Square, Victoria, Gozo. A 'Summary of Quotations Received' will be drawn up and affixed on the Contracts notice board at the Ministry for Gozo and shall also be available to view on the Ministry's website, <http://mgoz.gov.mt/en/Pages/Procurement/Notice%20Board/Notice-Board.aspx>

Reductions or alterations to quotation prices made by bidders after submission will not be taken into consideration during the analysis and evaluation of the quotations.

The Contracting Authority reserves the right to accept or reject any quotation and/or to cancel the whole quotation procedure and reject all quotations. The Contracting Authority reserves the right to initiate a new invitation to quote.

In the event of a quotation procedure's cancellation, bidders will be notified by the Contracting Authority.

**In no circumstance will the Contracting Authority be liable for damages, whatever their nature (in particular damages for loss of profits) or relationship to the cancellation of a quotation, even if the Contracting Authority has been advised of the possibility of damages. The publication of a contract notice does not commit the Contracting Authority to implement the programme or project announced.**

## ***10. Data Protection and Freedom of Information***

Any personal data submitted in the framework of the procurement procedure and/or subsequently included in the contract shall be processed pursuant to the Data Protection Act (2001). It shall be processed solely for the purposes of the performance, management and follow-up of the procurement procedure and/or subsequent contract by the Contracting Authority without prejudice to possible transmission to the bodies charged with a monitoring or inspection task in conformity with National and/or Community law.

## ***11. Gender Equality***

In carrying out his/her obligations in pursuance of this contract, the tenderer shall ensure the application of the principle of gender equality and shall thus 'inter alia' refrain from discriminating on the grounds of gender, marital status or family responsibilities. Tenderers are to ensure that these principles are manifest in the organigram of the company where the principles aforementioned, including the selection criteria for access to all jobs or posts, at all levels of the occupation hierarchy are amply proven. In this document words importing one gender shall also include the other gender.

## 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

These conditions amplify and supplement, if necessary, the General Conditions governing the contract. Unless the Special Conditions provide otherwise, those General Conditions remain fully applicable. The numbering of the Articles of the Special Conditions is not consecutive but follows the numbering of the Articles of the General Conditions. Other Special Conditions should be indicated afterwards.

### **Article 2: Notices and Written Communications**

Written communication following award of quotation is to be forwarded to the:  
Engineer in Charge  
Manufacturing and Services Section  
Sannat Road  
Xewkija, Gozo

### **Article 5: Supply of Information**

As per General Conditions.

### **Article 6: Assistance with Local Regulations**

As per General Conditions.

### **Article 7: Obligations of the Contractor**

Further to the General Conditions no performance guarantee is required if the value of the contract does not exceed €10,000 excluding VAT.

### **Article 13: Medical, Insurance and Security Arrangements**

Not Applicable

### **Article 14: Intellectual and Industrial Property Rights**

As per General Conditions

### **Article 15: Scope of the Services**

The scope of the services is defined in Section 4 (Terms of Reference)

### **Article 16: Personnel and Equipment**

As per General Conditions.

## **Article 18: Execution of the Contract**

The Collection, Inspection, Servicing, Refilling and Delivery of the Fire Extinguishers shall be completed within one (1) week from the date of letter of acceptance.

## **Article 19: Delays in Execution**

If the contractor fails to deliver back the Fire Fighting Equipment from servicing and/or refilling within one (1) week from date of the letter of acceptance a penalty charge of €10 per item per day shall apply up to a maximum of 20% of the annual contract value.

If the total amount of penalties will exceed 20% of the annual contract value, the Contracting Authority may terminate the contract. In such case, the Contracting Authority reserves the right to procure the service from any other stores and any expenses incurred (further to the contract rates), up till the date of completion of contract (Article 18.2 above) shall be borne by the Contractor.

## **Article 20: Modification of the Contract**

Further to the General Conditions, the Contracting Authority reserves the right to vary the quantities specified and would not by doing so, be held liable for any damages. The unit prices awarded through this quotation shall be applicable to the quantities procured under the modification.

## **Article 24: Interim and Final Progress Reports**

Not applicable.

## **Article 26: Payments and Interest on Late Payment**

As per General Conditions.

## **Article 27: Pre-Financing Guarantee**

Not applicable.

## **Article 30: Revision of Prices**

No revision of prices shall be allowed for this agreement.

## **Article 32: Breach of Contract**

As per General Conditions.

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

The Contractor is to collect, inspect, Service and/or Refill and deliver each of the following types of extinguishers - Dry Powder and CO<sub>2</sub>.

The following fire extinguishers are to be inspected and serviced:

| Type            | Weight | Amount |
|-----------------|--------|--------|
| Dry Powder      | 1 kg   | 6      |
| Dry Powder      | 2 kg   | 4      |
| Dry Powder      | 3 kg   | 2      |
| Dry Powder      | 6 kg   | 16     |
| Dry Powder      | 9 kg   | 2      |
| Dry Powder      | 12 kg  | 3      |
| CO <sub>2</sub> | 2 kg   | 2      |

The following fire extinguishers may require refill:

| Type            | Weight | Amount |
|-----------------|--------|--------|
| Dry Powder      | 1 kg   | 3      |
| Dry Powder      | 2 kg   | 2      |
| Dry Powder      | 3 kg   | 1      |
| Dry Powder      | 6 kg   | 8      |
| Dry Powder      | 9 kg   | 1      |
| Dry Powder      | 12 kg  | 1      |
| CO <sub>2</sub> | 2 kg   | 1      |

The Contracting Authority reserves the right to vary the quantities indicated above and would not by doing so, be held liable for any damages. The rates awarded through this quotation shall be applicable to the quantities procured under the modification.

The successful bidder is requested to provide the following service:

1. Inspection of Fire Extinguishers including the following:
  - Fire extinguishers are to be checked for signs of corrosion or damage.
  - Fire extinguishers are to be weighed to ensure that no loss of the fire extinguishing medium has occurred.
  - Pressure gauge is to be checked to confirm no loss of pressure.
  - Discharge valve is to be checked for any damage.
  - Safety pin and tamper seal are to be checked to ensure they are correctly located.
  - Discharge hose or nozzle is to be checked for any damage or blockages which may inhibit the free flow of the fire extinguishing medium.
  - Check that the Operating Instructions of fire extinguishers are clearly visible.

## 2. Recording and Communication:

- Details of the inspection of fire extinguishers are to be recorded and signed on the service labels.
- The Contractor is to inform the Contracting Authority in writing, of any additional services that may be required, such as but not limited to the refilling of fire extinguishers. This is to be done within (1) one working day from the date of inspection even when the items have already been collected and temporary replacement is provided.

## 3. Collection, Servicing, Refilling and Delivery of Fire Extinguishers:

- Fire extinguishers are to be collected, serviced, refilled and delivered, to and from the Manufacturing and Services Section (MSS), Sannat Road, Xewkija, Gozo.

## 4. Provision of Replacement Fire Extinguishers:

- When fire extinguishers are taken out of the premises, the selected Contractor is to provide a temporary replacement of the same type (and size) of fire extinguisher/s, in accordance to the BS EN3 regulations and standards.

## 5. Hydrostatic Testing:

- The selected contractor will also be responsible to carry out hydrostatic testing (hydropressure testing) of fire extinguishers when required.

## 6. Other Conditions:

- Servicing is to be done according to the BS EN3 Standards.
- Rates given in the Financial Form are to include all service and transportation costs.
- Any cylinders declared to be non-serviceable or beyond repair are to be disposed of by the selected contractor in accordance to the Laws of Malta.
- Collection and delivery should take place from Monday to Friday during office hours as and when instructed by the Contracting Authority.
- Payments will only be settled following delivery of serviced and refilled fire extinguishers and after the Contracting Authority confirms that the items conform with the specifications of this document and certification of relative invoice is processed.

Upon completion of service the Contractor shall

- affix a certificate/sticker on each respective Fire Fighting Equipment as per EU Regulations.

Each certificate/sticker must contain the following:-

- o The works carried out
- o The person responsible for the inspections/works
- o The new servicing date
- o Any other relevant details

Or Issue a certificate of condemnation.

The Fire Fighting Equipment collected by the contractor are to be returned to the respective department/entity within one (1) week.

Contractor is to ensure to deliver the same Fire Fighting equipment that has been collected.

## Tenderer's Technical Offer<sup>(Note 3)</sup>

The Technical Offer shall constitute the following:

- 1) Declaration that tenderer shall comply with the conditions and specifications of this tender document as reproduced hereunder:

### Declaration:

I / We declare that as part of our technical offer, we confirm to collect, inspect, service, refill and deliver fire extinguishers within one (1) week from the date of letter of acceptance and that service shall be carried out in accordance with the Terms of Reference (Section 4) of this Quotation Dossier, and as detailed in the Financial Offer.

Name of Tenderer / Company: .....

Signature:.....

Date:.....

*(the person or persons authorised to sign on behalf of the tenderer)*

## FINANCIAL BID<sup>(Note 3)</sup>

**Quotation Title: Quotation for the Servicing and Refilling of Fire Extinguishers at the Manufacturing and Services Section (MSS), Xewkija, Gozo**

**Reference Number: MGOZ Q 269/2018**

| Item                                                                                                     | Description of Service                                | Indicative Quantity | Unit Rate including Taxes, Other Duties, & Discounts <u>but</u> Exclusive of VAT Amount in EURO (€) | Total including Taxes, Other Duties, & Discounts <u>but</u> Exclusive of VAT Amount in EURO (€) |
|----------------------------------------------------------------------------------------------------------|-------------------------------------------------------|---------------------|-----------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|
| 1                                                                                                        | Servicing of 1 kg Dry Powder Fire Extinguishers       | 6                   |                                                                                                     |                                                                                                 |
| 2                                                                                                        | Servicing of 2 kg Dry Powder Fire Extinguishers       | 4                   |                                                                                                     |                                                                                                 |
| 3                                                                                                        | Servicing of 3 kg Dry Powder Fire Extinguishers       | 2                   |                                                                                                     |                                                                                                 |
| 4                                                                                                        | Servicing of 6 kg Dry Powder Fire Extinguishers       | 16                  |                                                                                                     |                                                                                                 |
| 5                                                                                                        | Servicing of 9 kg Dry Powder Fire Extinguishers       | 2                   |                                                                                                     |                                                                                                 |
| 6                                                                                                        | Servicing of 12 kg Dry Powder Fire Extinguishers      | 3                   |                                                                                                     |                                                                                                 |
| 7                                                                                                        | Servicing of 2 kg. CO <sub>2</sub> Fire Extinguishers | 2                   |                                                                                                     |                                                                                                 |
| 8                                                                                                        | Refilling of 1 kg Dry Powder Fire Extinguishers       | 3                   |                                                                                                     |                                                                                                 |
| 9                                                                                                        | Refilling of 2 kg Dry Powder Fire Extinguishers       | 2                   |                                                                                                     |                                                                                                 |
| 10                                                                                                       | Refilling of 3 kg Dry Powder Fire Extinguishers       | 1                   |                                                                                                     |                                                                                                 |
| 11                                                                                                       | Refilling of 6 kg Dry Powder Fire Extinguishers       | 8                   |                                                                                                     |                                                                                                 |
| 12                                                                                                       | Refilling of 9 kg Dry Powder Fire Extinguishers       | 1                   |                                                                                                     |                                                                                                 |
| 13                                                                                                       | Refilling of 12 kg Dry Powder Fire Extinguishers      | 1                   |                                                                                                     |                                                                                                 |
| 14                                                                                                       | Refilling of 2 kg. CO <sub>2</sub> Fire Extinguishers | 1                   |                                                                                                     |                                                                                                 |
| <b>GRAND TOTAL EXCLUDING VAT - CARRIED FORWARD TO FINANCIAL SECTION OF ONLINE TENDER RESPONSE FORMAT</b> |                                                       |                     |                                                                                                     |                                                                                                 |

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Name:** \_\_\_\_\_

**ID:** \_\_\_\_\_

N.B -Three decimal points do not exist as currency; therefore such offers cannot be accepted. Offers are to be submitted up to two decimal points.

The Quantities in the Financial Offer are only indicative and the Contracting Authority reserves the right to vary the quantities indicated in the Financial Offer and would not by doing so, be held liable for any damages. The rates awarded through this quotation shall be applicable to the quantities procured under the modification.

### BIDDER DETAILS<sup>(Note 3)</sup>

(A separate, distinct Bidder Details Form must be submitted for EACH OPTION - if applicable - submitted)

|                                    |  |
|------------------------------------|--|
| Company's Name:                    |  |
| Contact Person's Name and Surname: |  |
| Business Address:                  |  |
| VAT Registration Number            |  |
| Telephone Number:                  |  |
| Mobile Number:                     |  |
| E-mail address:                    |  |

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Name: \_\_\_\_\_

ID: \_\_\_\_\_



## BIDDER'S DECLARATION(S) (Note 3)

**To be completed and signed by the bidder (including each partner in a consortium).**

In response to your letter of invitation to quotation for the above contract, we, the undersigned, hereby declare that:

- 1 We have examined, and accept in full and in its entirety, the content of this quotation document (including subsequent Clarifications Notes issued by the Contracting Authority) for invitation to quotation No MGOZ Q 15/2019 of 18/01/2019. We hereby accept the contents thereto in their entirety, without reservation or restriction. We also understand that any disagreement, contradiction, alteration or deviation shall lead to our quotation offer not being considered any further. We also declare agreement, conformity and compliance with the General Rules Governing Tendering.
- 2 We offer to provide, in accordance with the terms of the quotation document and the conditions and time limits laid down, without reserve or restriction, the supplies, as per description on the Financial Bid
- 3 The total price of our quotation (inclusive of duties, other taxes and any discounts but excluding VAT) is:  
  
€ .....
- 4 This quotation is valid for a period of 90 days from the final date for submission of tenders.
- 5 We are making this application in our own right and [as partner in the consortium led by < name of the leader / ourselves > ] for this quotation. We confirm that we are not quoting for the same contract in any other form. [We confirm, as a partner in the consortium, that all partners are jointly and severally liable by law for the performance of the contract, that the lead partner is authorised to bind, and receive instructions for and on behalf of, each member, and that all partners in the joint venture/consortium are bound to remain in the joint venture/consortium for the entire period of the contract's performance]. We are fully aware that, in the case of a consortium, the composition of the consortium cannot be modified in the course of the quotation procedure.
- 6 We are not bankrupt or under an administration appointed by the Court, or under proceedings leading to a declaration of bankruptcy. We also declare that we have not been convicted criminally, or found guilty of professional misconduct. Furthermore, we are up-to-date in the payment of social security contributions and other taxes.
- 7 We accept that we shall be excluded from participation in the award of this quotation if compliance certificates in respect of declarations made under Clause 6 of this declaration are not submitted by the indicated dates.
- 8 We agree to abide by the ethics clauses of the instructions to bidders and, in particular, have no potential conflict of interests or any relation with other candidates or other parties in the tender procedure at the time of the submission of this application. We have no interest of any nature whatsoever in any other quotation in this procedure. We recognise that our quotation may be excluded if we propose key experts who have been involved in preparing this project or engage such personnel as advisers in the preparation of our quotation.
- 9 We will inform the Contracting Authority immediately if there is any change in the above circumstances at any stage during the implementation of the contract. We also fully recognise and accept that any false, inaccurate or incomplete information deliberately provided in this application may result in our exclusion from this and other contracts funded by the Government of Malta and the European Communities.

10 Our quotation submission has been made in conformity with the Instructions to Bidders, and in this respect we confirm having included in the appropriate packages as required, the following documentation:

- (a) **General Information** <sup>(Note 2A)</sup>
  - (i) Statement on Conditions of Employment
  
- (b) **Exclusion and Selection Criteria** <sup>(Note 2A)</sup>
  - (i) Blacklisting and Exclusion form
  - (ii) Selection Criteria Declaration Form
  
- (c) **Evaluation Criteria/Technical Specifications**  
  
Tenderer's Technical Offer <sup>(Note 3)</sup>  
Literature <sup>(Note 2B)</sup>
  
- (d) **Bidder's Declaration and Financial Offer** <sup>(Note 3)</sup>

**Notes:**

1. *Not Applicable for departmental tenders.*
2. *Bidders will be requested to either clarify/rectify any incorrect and/or incomplete documentation, and/or submit any missing documents within five working days from notification. Rectification is subject to a non-refundable administrative penalty of €50.*
3. *No rectification shall be allowed. Only clarifications on the submitted information may be requested.*

11 I acknowledge that the Contracting Authority shall request rectifications in respect of incomplete/non-submitted information pertinent to the documentation listed in Clause 10(a) and 10 (b) of this Quotation Form. We understand that such rectification/s must be submitted within five (5) working days, and will be subject to a non-refundable administrative penalty of €50, and that failure to comply shall result in our offer not being considered any further.

12 We note that the Contracting Authority is not bound to proceed with this invitation to quotation and that it reserves the right to cancel or award only part of the contract. It will incur no liability towards us should it do so.

Name and Surname: \_\_\_\_\_

I.D. / Passport Number: \_\_\_\_\_

Signature of bidder: \_\_\_\_\_

Duly authorised to sign this quotation on behalf of: \_\_\_\_\_

Company/Lead Partner VAT No: \_\_\_\_\_  
*(if applicable)*

Stamp of the firm/company: \_\_\_\_\_

Place and date: \_\_\_\_\_

## Statement on Conditions of Employment<sup>(Note 2A)</sup>

**Tenderers are to ensure that self-employed personnel are not engaged on this contract.  
Non-compliance will invalidate the contract.**

It is hereby declared that all employees engaged on this contract shall enjoy working conditions such as wages, salaries, vacation and sick leave, maternity and parental leave as provided for in the relative Employment Legislation. Furthermore, we shall comply with Chapter 424 of the Laws of Malta (Occupational Health and Safety Authority Act) as well as any other national legislation, regulations, standards and/or codes of practice or any amendment thereto in effect during the execution of the contract.

In the event that it is proved otherwise during the execution of the contract it is hereby being consented that the contract is terminated with immediate effect and that no claim for damages or compensation be raised by us.

Signature: .....

*(the person or persons authorised to sign on behalf of the tenderer)*

Date: .....

**Data on Joint Venture/Consortium (Where applicable)** (Note 2A)

|   |                                                                                                                                            |                                                                                |
|---|--------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|
| 1 | Name                                                                                                                                       | .....                                                                          |
| 2 | Managing Board's Contact Details                                                                                                           | Address: .....<br>.....<br><br>Telephone: ..... Fax: .....<br><br>Email: ..... |
| 3 | Agency in the state of the Contracting Authority, if any<br><i>(in the case of a Joint Venture/Consortium with a foreign lead partner)</i> | Address: .....<br>.....<br><br>Telephone: ..... Fax: .....<br><br>Email: ..... |
| 4 | Names of Partners                                                                                                                          | (i) .....<br><br>(ii) .....<br><br>(iii) .....<br><br>(iv) .....               |
| 5 | Name of Lead Partner                                                                                                                       | .....                                                                          |
| 6 | Agreement governing the formation of the Joint Venture/Consortium<br><i>(Enclose Joint Venture/ Consortium Agreement)</i>                  |                                                                                |
|   | Place of Signature:<br>.....                                                                                                               | Date of Signature:<br>.....                                                    |

Signature: .....

*(the person or persons authorised to sign on behalf of the tenderer)*

Date: .....

**POWER OF ATTORNEY<sup>(Note 2A)</sup>**

Please attach here the Power of Attorney empowering the signatory of the tender and all related documentation as per clause 2.3 of the General Rules Governing Tendering (version 2.0) and clause 7(A)(v) of Section 1 - Instructions to Tenderer.

**Signature:** .....  
*(the person or persons authorised to sign on behalf of the tenderer)*

**Date:** .....

**BLACKLISTING AND EXCLUSION FORM**<sup>(Note 2A)</sup>

**DECLARATION CONCERNING EXCLUSION GROUNDS**

I hereby declare that I do not fall under any of the grounds listed under Part VI of LN352/2016.

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Signature

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Name of Company

## SELECTION CRITERIA DECLARATION FORM

| Suitability                                                                                                                                                                                                                                                  | Answer                                                   |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|
| 1) The economic operator is enrolled in the relevant professional or trade registers kept in the Member State of its establishment:                                                                                                                          | [text]                                                   |
| If the relevant documentation is available electronically, please indicate:                                                                                                                                                                                  | Web address: [text]                                      |
|                                                                                                                                                                                                                                                              | Issuing authority or body: [text]                        |
|                                                                                                                                                                                                                                                              | Precise reference of the documentation: [text]           |
| 2) For service contracts:<br>Is it a requirement in the bidder's country of establishment to hold a particular <b>authorisation or membership</b> of a particular organisation needed in order to be able to perform the service in question:                | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| If yes, please specify which authorisation or membership is required:                                                                                                                                                                                        | [text]                                                   |
| Please indicate whether the economic operator has the required authorisation or membership (as named above):                                                                                                                                                 | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| If the relevant documentation is available electronically, please indicate:                                                                                                                                                                                  | Web address: [text]                                      |
|                                                                                                                                                                                                                                                              | Issuing authority or body: [text]                        |
|                                                                                                                                                                                                                                                              | Precise reference of the documentation: [text]           |
| Technical and professional ability                                                                                                                                                                                                                           | Answer                                                   |
| 1) Please provide details of the technicians or technical bodies the economic operator can call upon, especially those responsible for quality control in relation to this procurement exercise:                                                             | [text]                                                   |
| 2) In the case of public works contracts, the economic operator will be able to call on the following technicians or technical bodies to carry out the work:                                                                                                 | [text]                                                   |
| 3) Please provide details of the technical facilities and measures for ensuring quality and the study and research facilities used:                                                                                                                          | [text]                                                   |
| 4) Please provide a statement of the relevant supply chain management and/or tracking systems used:                                                                                                                                                          | [text]                                                   |
| 5) For complex products or services to be supplied or, exceptionally, for products or services which are required for a special purpose: Will the economic operator allow checks by the public body or any competent official body from their country, to be | <input type="checkbox"/> Yes <input type="checkbox"/> No |

|                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                           |  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|--|
| conducted on the production capacities or the technical capacity of the bidder and, where necessary, on the means of study and research which are available to it and on the quality control measures?                                                                                                                                                         |                                                                                                                           |  |
| 6) The following educational and professional qualifications are held by:<br><br>a) The service provider or the contractor itself:                                                                                                                                                                                                                             | [text]                                                                                                                    |  |
| and/or (depending on the requirements set out in the relevant procurement documents)<br><br>b) Its managerial staff:                                                                                                                                                                                                                                           | [text]                                                                                                                    |  |
| 7) Please provide details of the environmental management measures which the economic operator will be able to use when performing the contract:                                                                                                                                                                                                               | [text]                                                                                                                    |  |
| 8a) Please provide details of the average annual manpower for the last three years:                                                                                                                                                                                                                                                                            | Year, average annual manpower:<br><br>Year 1: [Year],[number],<br>Year 2: [Year],[number],<br>Year 3: [Year],[number].    |  |
| 8b) Please provide details of the number of managerial staff for the last three years:                                                                                                                                                                                                                                                                         | Year, number of managerial staff:<br><br>Year 1: [Year],[number],<br>Year 2: [Year],[number],<br>Year 3: [Year],[number]. |  |
| 9) Please provide details of relevant tools, plant or technical equipment available to you in relation to this procurement exercise:                                                                                                                                                                                                                           | [text]                                                                                                                    |  |
| 10) Please provide details of the proportion (i.e. percentage) of the contract that you intend to subcontract:                                                                                                                                                                                                                                                 | [text]                                                                                                                    |  |
| 11a) For public supply contracts the economic operator will supply the required samples, descriptions or photographs of the products to be supplied, which do not need to be accompanied by certifications of authenticity:                                                                                                                                    | <input type="checkbox"/> Yes <input type="checkbox"/> No                                                                  |  |
| 11b) Where applicable, the economic operator furthermore declares that it will provide the required certificates of authenticity:                                                                                                                                                                                                                              | <input type="checkbox"/> Yes <input type="checkbox"/> No                                                                  |  |
| 11c) If the relevant documentation is available electronically, please indicate:                                                                                                                                                                                                                                                                               | Web address: [text]                                                                                                       |  |
|                                                                                                                                                                                                                                                                                                                                                                | Issuing authority or body: [text]                                                                                         |  |
|                                                                                                                                                                                                                                                                                                                                                                | Precise reference of the documentation: [text]                                                                            |  |
| 12) For public supply contracts: Can the economic operator provide the required certificates drawn up by official quality control institutes or agencies of recognised competence attesting the conformity of products clearly identified by references to the technical specifications or standards, which are set out in the relevant procurement documents? | <input type="checkbox"/> Yes <input type="checkbox"/> No                                                                  |  |



|                                                                                                                                                                                                                                      |                                                |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|--|
| If not, please explain why and state which other means of proof can be provided:                                                                                                                                                     | [text]                                         |  |
| If the relevant documentation is available electronically, please indicate:                                                                                                                                                          | Web address: [text]                            |  |
|                                                                                                                                                                                                                                      | Issuing authority or body: [text]              |  |
|                                                                                                                                                                                                                                      | Precise reference of the documentation: [text] |  |
| <b>Quality Assurance Schemes and Environmental Management Standards</b>                                                                                                                                                              | <b>Answer</b>                                  |  |
| Will the economic operator be able to produce certificates drawn up by independent bodies attesting that the economic operator complies with the required quality assurance standards, including accessibility for disabled persons? | [ ] Yes [ ] No                                 |  |
| If not, please explain why and specify which other means of proof concerning the quality assurance scheme can be provided:                                                                                                           | [text]                                         |  |
| If the relevant documentation is available electronically, please indicate:                                                                                                                                                          | Web address: [text]                            |  |
|                                                                                                                                                                                                                                      | Issuing authority or body: [text]              |  |
|                                                                                                                                                                                                                                      | Precise reference of the documentation: [text] |  |
| Will the economic operator be able to produce certificates drawn up by independent bodies attesting that the economic operator complies with the required environmental management systems or standards?                             | [ ] Yes [ ] No                                 |  |
| If not, please explain why and specify which other means of proof concerning the environmental management systems or standards can be provided:                                                                                      | [text]                                         |  |
| If the relevant documentation is available electronically, please indicate:                                                                                                                                                          | Web address: [text]                            |  |
|                                                                                                                                                                                                                                      | Issuing authority or body: [text]              |  |
|                                                                                                                                                                                                                                      | Precise reference of the documentation: [text] |  |

The undersigned formally declare that the information stated in this declaration is accurate and correct and that it has been set out in full awareness of the consequences of serious misrepresentation.

The undersigned formally declare to be able, upon request and without delay, to provide the certificates and other forms of documentary evidence referred to, except where the contracting authority or contracting entity has the possibility of obtaining the supporting documentation concerned directly by accessing a national database in any Member State that is available free of charge. On condition that the economic operator has provided the necessary information (web address, issuing authority or body, precise reference of the documentation) allowing the contracting authority or contracting entity to do so. Where required, this must be accompanied by the relevant consent to such access.

The undersigned formally gives consent to the [NAME OF CONTRACTING AUTHORITY], in gaining access to documents supporting the information which has been provided in this declaration for the purposes of this tendering procedure.

Name: [text]

Position: [text]

Date: [date]

Place: [text]