



REFERENCE NUMBER: MGOZ Q 99/2017

**QUOTATION FOR A COMPLETE FIRE SAFETY  
AND OCCUPATIONAL HEALTH AND SAFETY  
RISK ASSESSMENT FOR THE  
ADMINISTRATION CENTRE AT ST. FRANCIS  
SQUARE, VICTORIA, GOZO**

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Date Published: 12<sup>th</sup> September 2017

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Quotation Opening: 10<sup>th</sup> October 2017 At 10:00am CEST

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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)

# QUOTATION FOR A COMPLETE FIRE SAFETY AND OCCUPATIONAL HEALTH AND SAFETY RISK ASSESSMENT FOR THE ADMINISTRATION CENTRE AT ST. FRANCIS SQUARE, VICTORIA, GOZO

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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 provision of a complete Fire Safety and Occupational Health and Safety Risk Assessment for the Administration Centre at St. Francis Square including the Ministry for Gozo offices, the Inland Revenue Department (IRD) within the Ministry for Finance (MFIN) and the Social Security Back Offices within the Ministry for the Family, Children's Rights and Social Solidarity (MFCS), St. Francis Square, the Gozo Public Library and the Electoral Gozo Office (ID Cards office) within the Office of the Prime Minister (OPM), Victoria, Gozo.
- 1.3 The place of acceptance of this service shall be the Administration Centre at St. Francis Square including the Ministry for Gozo offices, the Inland Revenue Department (IRD) within the Ministry for Finance (MFIN) and the Social Security Back Offices within the Ministry for the Family, Children's Rights and Social Solidarity (MFCS), St. Francis Square, the Gozo Public Library and the Electoral Gozo Office (ID Cards office) within the Office of the Prime Minister (OPM), Victoria, Gozo. The time-limits for the completion of the risk assessment shall be within three (3) weeks 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 global price contract.
- 1.5 This call for quotations is being issued under an open procedure.
- 1.6 This call for tenders is not a reserved contract.
- 1.7 The Contracting Authority for this quotation is the Corporate Services Directorate.

## 2. Timetable

|                                                                                                                                                                                                          | DATE                | TIME*   |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|---------|
| Clarification Meeting/Site Visit<br>(Refer to Clause 6.1)                                                                                                                                                | 19th September 2017 | 10:00am |
| 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> | 29th September 2017 | Noon    |
| Last date on which additional information are issued by the Contracting Authority                                                                                                                        | 5th October 2017    | Noon    |
| Deadline for submission of quotations<br>(unless otherwise modified in terms of Clause 10.1 of the General Rules Governing Tendering)                                                                    | 10th October 2017   | 10:00am |

\* All times Central European Summer Time (CEST) as applicable

## 3. Lots

- 3.1 This tender is divided into lots. Tenderers may submit a tender for one or both lots.
- 3.2 The tenderer must offer the whole of the quantity or quantities indicated for each lot. Under no circumstances will tenders for part of the quantities required be taken into consideration. Each lot

may form a separate contract and the quantities indicated for different lots will be indivisible.

3.3 Contracts will be awarded lot by lot, in accordance with the award criteria at Article 9.

#### **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 A clarification meeting/site visit will be held on the date and time indicated in Clause 2, at Boardroom at Exhibition Hall, Ministry for Gozo, St. Francis Square, Victoria, Gozo to answer any questions on the quotation document which have been forwarded in writing, or are raised during the same meeting. Minutes will be taken during the meeting, and these (together with any clarifications in response to written requests which are not addressed during the meeting) shall be posted online as a clarification note as per Clause 6.1 of the General Rules Governing Tendering (version 2.1).

Meetings between economic operators and the Contracting Authority, other than that provided in this clause during the tendering period are not permitted.

#### **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 2)</sup>
- (v) Data on Joint Venture/Consortium (if applicable) <sup>(Note 2)</sup>
- (vi) Power of Attorney (if applicable) <sup>(Note 2)</sup>

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

- (i) Declaration concerning exclusion grounds (as per form attached)
- (ii) Declaration concerning Selection Criteria - Not Applicable

##### **(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>

- (ii) **Literature** as per Form marked 'Literature List' may be requested during the adjudication stage to supplement the technical offer submitted. If requested, the Literature must be submitted within three (3) working days of being notified to do so. <sup>(Note 3)</sup> If Literature is not submitted within the specified timeframe, offer will not be considered further.

***Tenderers are NOT requested to supply Literature at Publication Stage. Should the Tender Evaluation Committee deem that Literature is required to supplement the technical offer already submitted, such a request will be sought from the Tenderer during the Adjudication Stage.***

***Should the tenderer submit Literature at Publication Stage, such information shall NOT be taken into consideration.***

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

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

#### **Notes to Clause 7.1:**

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 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) Minimum Hourly Workers
- (ii) Statement on Conditions of Employment
- (iii) Bidders' Details
- (iv) Bidder's Declaration
- (v) Blacklisting and Exclusion 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**

Corporate Services Directorate  
Ministry for Gozo  
St Francis Square  
Victoria  
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**

As per General Conditions

### **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 fire safety report (Lot 1) and the occupational health and safety report (Lot 2) are to be completed within three (3) weeks from the date of the letter of acceptance.

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

As per General Conditions.

## **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**

As per General Conditions

## SECTION 4 - TECHNICAL SPECIFICATIONS <sup>(Note 3)</sup>

### PERFORMANCE OBJECTIVES

To compile a complete Fire Safety and Occupational Health & Safety Risk Assessment for the Administration Centre, at St. Francis Square including the Ministry for Gozo offices, the Inland Revenue Department (IRD) within the Ministry for Finance (MFIN) and the Social Security Back Offices within the Ministry for the Family, Children's Rights and Social Solidarity (MFCS), St. Francis Square, the Gozo Public Library and the Electoral Gozo Office (ID Cards office) within the Office of the Prime Minister (OPM), Victoria, Gozo. Related Drawings are being uploaded separately for reference with this quotation. Upon award, the Contractor shall be allowed to visit the building to obtain any required information to aid the compilation of the risk assessment. The Administration Centre is primarily used as offices and exhibition halls. Both areas are occupied by officers and frequented by the general public.

**The risk assessment reports shall be completed and submitted in hard and soft copy report formats to the officer in charge within three (3) weeks from the date of letter of acceptance. Floor plan drawings of the Administration Centre in .dwg autocad format shall be given to the Contractor to compile the drawings for the risk assessment reports. For Lot 1 the Contractor shall submit a Fire Safety Risk Assessment Report while for Lot 2 the Contractor shall submit an Occupational Health & Safety Risk Assessment Report.**

#### **Key Experts for Lot 1 (Fire Safety Risk Assessment):**

The Fire Safety risk assessment report shall be compiled by a warranted engineer competent in building's Fire Safety or a competent person in Occupational Health and Safety registered with the Occupational Health and Safety Authority.

#### **Key Expert for Lot 2 (Occupational Health & Safety Risk Assessment):**

The Occupational Health and Safety (OHS) risk assessment report shall be compiled by a competent person in Occupational Health & Safety registered with the Occupational Health and Safety Authority.

#### **Key Experts (Lot 1 & Lot 2):**

Public employees may be recruited as experts as long as it is ascertained through the attached self-declaration; that they do not fall in any of the provisions laid down in the Public Administration Act - Chapter 497 of the Laws of Malta (First Schedule Code of Ethics Article 5).

This self-declaration is to be endorsed by all Key Experts (who are also Public Employees). <sup>(Note 2)</sup>

The Evaluation Committee reserves the right to request the tenderers to substantiate their claims in respect to the staff proposed by requesting CVs of key staff, signed Declarations of Exclusivity and Availability and signed Self-Declaration (relating to conflict of interest) forms during the evaluation stage.

### **1.0 Fire Safety and Occupational Health & Safety Risk Assessment**

#### **1.1 LOT 1 - FIRE SAFETY RISK ASSESSMENT REPORT**

The Contactor shall provide a detailed Fire Safety Risk Assessment Report for the Administration Centre with the following minimum requirements and in line with the Laws of Malta – L.N 44/2002 together with Fire Safety in building regulations;

- Fire Safety risk assessment/profile
- Fire Safety engineering
- Means of escape with directional signage
- Assembly and evacuation plan
- Passive and active fire safety systems
- Fire fighting equipment
- Emergency lighting
- Recommendations and conclusion

## 1.2 LOT 2 - OCCUPATIONAL HEALTH & SAFETY RISK ASSESSMENT REPORT

The Contractor shall provide a detailed Occupational Health and Safety Risk Assessment Report for the Administration Centre's occupants (officers) and the general public with the following minimum requirements in line with the Laws of Malta – Chapter 424, Occupational Health & Safety Authority Act, ACTXXVII of 2000, and any relevant subsidiary regulations;

- Occupational Health and Safety risk assessment for personnel working and people visiting the building/environment. The risk assessment shall include a hazard analyses with recommendations based on the Occupational Health & Safety hierarchy of controls and on how to reduce any identified risks as much as it is reasonably practicable.
- Recommendations and conclusion including screening for first aid and training of staff

## 1.3 SUBMITTALS

**Literature** as per Form marked 'Literature List' may be requested during the adjudication stage to supplement the technical offer submitted. If requested, the Literature must be submitted within three (3) working days of being notified to do so. <sup>(Note 3)</sup> If Literature is not submitted within the specified timeframe, offer will not be considered further.

For Lot 1 - Copy of engineer's warrant certificate or proof of registration as a competent person with the Occupational Health & Safety Authority .

For Lot 2 - Proof of registration as a competent person with the Occupational Health & Safety Authority.

## DRAWINGS

### *List of Drawings attached*

| No | Name                                                   | Drawing No |
|----|--------------------------------------------------------|------------|
| 1. | Administration Centre Plans (Level below Ground Floor) | 1          |
| 2. | Administration Centre Plans (Ground Floor)             | 2          |
| 3. | Administration Centre Plans (First Floor)              | 3          |
| 4. | Administration Centre Plans (Second Floor)             | 4          |

## LITERATURE LIST<sup>(Note 3)</sup>

List of literature to be submitted within three (3) working days from when notified to do so:

| Item  | Description                                                                                                                           | Reference in Technical Specifications      |
|-------|---------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|
| Lot 1 | Copy of engineer's warrant certificate or proof of registration as a competent person with the Occupational Health & Safety Authority | Clause 1.3 in the Technical Specifications |
| Lot 2 | Proof of registration as a competent person with the Occupational Health & Safety Authority                                           | Clause 1.3 in the Technical Specifications |

## 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 provide a risk assessment report carried out in accordance with the Technical Specifications/Terms of Reference (Section 4) of this Tender Dossier, and as detailed in the Financial Offer.

Tick as Appropriate

Lot 1 - Fire Safety Risk Assessment

Lot 2 - Occupational Health and Safety Risk Assessment

Name of Tenderer / Company: .....

Signature:.....

Date:.....

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

- 2) A list of the key experts proposed for the execution of the contract as per Form marked Key Experts.

### *Key Experts Form*

The Evaluation Committee reserves the right to request the tenderers to substantiate their claims in respect to the staff proposed by requesting CVs of Key Experts during the evaluation stage. Key Experts shall also be requested to submit a filled-in Statement of Exclusivity and Availability (as per specimen) during the evaluation stage.

#### LOT 1 - KEY EXPERTS FORM

| Name of Expert | Proposed Position                                | Nationality | Age | Educational Background | Specialist Area of Knowledge | Languages and Degree of Fluency (VG; G; W) |
|----------------|--------------------------------------------------|-------------|-----|------------------------|------------------------------|--------------------------------------------|
|                | Warranted Engineer<br><br><u>or</u>              |             |     |                        |                              |                                            |
|                | Competent Person in Occupational Health & Safety |             |     |                        |                              |                                            |

#### LOT 2 - KEY EXPERTS FORM

| Name of Expert | Proposed Position                                | Nationality | Age | Educational Background | Specialist Area of Knowledge | Languages and Degree of Fluency (VG; G; W) |
|----------------|--------------------------------------------------|-------------|-----|------------------------|------------------------------|--------------------------------------------|
|                | Competent Person in Occupational Health & Safety |             |     |                        |                              |                                            |

**Declaration Form**

**TO BE COMPLETED BY EACH INDIVIDUAL KEY EXPERT/PERSONNEL WHO IS EMPLOYED WITH THE PUBLIC ADMINISTRATION**

**PUBLICATION REF: MGOZ Q 99/2017**

I, the undersigned, hereby declare that I do not have any Conflict of Interest as defined in the Public Administration Act, Chapter 497 of the Laws of Malta - First Schedule, Code of Ethics, Article 5.

I also declare that, I am not engaged in another project or in a position which may give rise to a possible private or personal interest sufficient to influence or appear to influence the objective exercise of my duties as public employee.

By making this declaration, I understand that as a public employee I shall avoid any financial or other interest or undertaking, which could directly or indirectly compromise the performance of my duties as public employee.

I am fully aware that the onus to disclose any possible conflict of interest lies solely on me and I shall be responsible to disclose any foreseen conflict of interest to my seniors/head of organization within one week from when the need arises as well as inform the Contractor accordingly.

Furthermore, I confirm that I shall also abide by the provisions laid down in Article 21 - Ethics Clauses of the General Rules Governing Tendering version 1.11.

Name of Key Expert: .....

Signature: .....

Date: .....



## **Statement on Exclusivity and Availability**

**TO BE COMPLETED BY EACH INDIVIDUAL KEY EXPERT IF REQUIRED**

**PUBLICATION REF: MGOZ Q 99/2017**

I, the undersigned, hereby declare my exclusivity and availability in the above-mentioned tender procedure in case of award. I further declare that I am able and willing to work for the period(s) foreseen for the position for which my CV has been included in the event that this tender is successful, namely:

| From                           | To                           |
|--------------------------------|------------------------------|
| .....<br>< start of period 1 > | .....<br>< end of period 1 > |
| .....<br>< start of period 2 > | .....<br>< end of period 2 > |
| < etc >                        | < etc >                      |

I confirm that during the above period(s) I am not engaged in another project in a position which will prevent me from providing the services for which I am being nominated for this tender.

Furthermore, should this tenderer be successful, I am fully aware that if I am not available at the expected start date of my services for reasons other than ill-health or *force majeure*, I may be subject to exclusion from other tender procedures and contracts and that the notification of award of contract to the tenderer may be rendered null and void.

Name of Key Expert: .....

Signature: .....

Name of Tenderer: .....

Date: .....

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

Quotation Title: Quotation for a complete fire safety risk and occupational health and safety risk assessment for the Administration Centre at St. Francis Square, Victoria, Gozo.

Reference Number: MGOZ Q 99/2017

| Lot | Description of Service                                                                            | Total including Taxes, Other Duties, & Discounts <u>but</u> Exclusive of VAT<br>Amount in Euro (€) |
|-----|---------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|
| 1   | Fire Safety risk assessment report as specified in the technical specifications;                  |                                                                                                    |
| 2   | Occupational Health & Safety risk assessment report as specified in the technical specifications; |                                                                                                    |

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.

## 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 99/2017 of 12/09/2017. 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:  
  
Lot 1 - € ..... Lot 2 - € .....
- 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 2)</sup>
  - (i) Minimum Hourly Workers' Cost
  - (ii) Statement on Conditions of Employment
  
- (b) **Exclusion and Selection Criteria** <sup>(Note 2)</sup>
  - (i) Blacklisting and Exclusion form
  
- (c) **Evaluation Criteria/Technical Specifications** <sup>(Note 3)</sup>  
Tenderer's Technical Offer <sup>(Note 3)</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: \_\_\_\_\_

## MINIMUM HOURLY WORKERS' COSTS<sup>(Note 2)</sup>

**This refers to the least rate paid to officers employed on this contract**

The tenderer is to fill in this form and attach it as indicated in the 'Eligibility' section of the Tender Response Format.

The employee's cost per hour of work is worked out on the following:

|                        |  |
|------------------------|--|
| Basic Hourly Rate      |  |
| N.I.                   |  |
| Vacation Leave         |  |
| Bonus/Weekly Allowance |  |
| Public Holidays        |  |
| Sick Leave             |  |
| <b>Total</b>           |  |

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

|   |                                                                                                                                            |                                                                                |
|---|--------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|
| 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** *(Note 2)*

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 2)</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