



31<sup>st</sup> May 2017

**TENDER REFERENCE NUMBER: MGOZ T 20/2017**

**TENDER FOR THE DRAFTING SERVICES OF A COST BENEFIT ANALYSIS IN CONNECTION WITH THE UPGRADING & DEVELOPMENT OF THE CENTRE OF INNOVATION, RURAL SCIENCES, & ENVIRONMENTAL MANAGEMENT AT THE GOVERNMENT'S EXPERIMENTAL FARM IN XEWKIJA, GOZO**

**Clarification no. 3**

Reference is made to the above-mentioned Call for Tenders, for which the deadline for submission is on the 13<sup>th</sup> of June 2017 at 09.30a.m. **Kindly find hereunder replies to Clarification requests raised by a prospective bidder and submitted on the 29<sup>th</sup> of May 2017 on the epps;**

1. Public Procurement Regulations (S.L.174.04) Part IX, "Remedies", paragraph 262 explains that prospective bidders may file for remedies in situations "(a) to set aside or ensure the setting aside of decisions including clauses contained in the procurement document and clarification notes taken unlawfully at this stage or which are proved to be impossible to perform". In view of the Regulation, kindly elaborate on paragraph 5.2 of the terms of reference where the timelines of the project may become impossible to adhere to depending on the date of any call announced by the Managing Authority and the date of commencement – both of which are not within the control of the prospective bidder.

**Reply:**

As per clause 3.1 of the Terms of Reference bidders have to take into the consideration the tight deadlines, as stipulated in Article 18.2 of the Special Conditions.

2. In view of paragraph 5.3 of the terms of reference, kindly indicate the probability that the call under the Cohesion Policy will be submitted during the project execution phase. Also, kindly provide a minimum time frame by which the project may be executed as well as an estimated time of contract signing, taking into consideration evaluation and appeals period.

**Reply:**

The Contracting Authority is not in a position to indicate the eventuality referred to in clause 5.2 of the Terms of Reference. Regarding the timeframes pertaining to the execution of the assignment kindly refer to Article 18.2 of the Special Conditions. Also, the Contracting Authority is not in a position to provide the timeframes when the call will be awarded due to the difficulties which may arise during the award and evaluation process.

3. Section 1.5 of the terms of reference refers to “the Contracting Authority is in the process in applying for funding under the Cohesion Policy (2014-2020) to acquire the necessary capital for this end”. Kindly provide an indicative budget for the project (not for the study), in order to enable the prospective bidder to understand whether the Project is likely to be considered a major project, and thereby necessitate interactions with third parties other than the contracting authority and the managing authority.

**Reply:**

The Contracting Authority is not in a position to provide the budget of the proposed project since such information has to be provided as part of the detailed project brief to be drafted by the contractor as stipulated in clause 2.3 of the Terms of Reference. Consultations with other stakeholders can only be undertaken as directed by the Contracting Authority in line with clause 4.2 of the Terms of Reference.

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*All other call for Tender documents, conditions and requirements remain in place.*

Procurement Unit  
Corporate Services Directorate  
Ministry for Gozo