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REFERENCE NUMBER: MGOZ/MPU/ T 24/2018

PERIOD CONTRACT FOR THE SUPPLY AND DELIVERY OF VARIOUS TYPES OF TIMBER

Clarification No. 1

Reference is made to the above-tender, for which deadline for submission of offers is the 18th May 2018 at 09.30am.

Question 1: With reference to the tender document's terms and conditions, it states that the duration of the contract shall be for a period of 2 years (with an option of extending an additional 6 months) and the time-limits for delivery shall not be longer than 3 working days from date of order.

Therefore, in case of being awarded the contract, could you kindly confirm the following:

1) There will be some type of initial framework agreement. Meaning certain quantities would have to be confirmed in advance (example every 6 months or year) in order to manage the stock inventory and be able to respect the very short delivery terms of 3 working days.

2) When this initial framework agreement is provided, the contractor should be permitted a decent time allowance (example 2 months) to be able to stock the wood according to the tender specifications and quantities. Once this framework agreement preparation period is over, it can be agreed that delivery can then be carried out as requested within 3 working days from date of order.

If this form of framework agreement is not given, this constrains the contractor to have no choice but to order all the required timber as per technical specifications and estimated quantities provided and risk not delivering anything due to the below clause:

Article 19: Period of Execution of Tasks

19.1 *The duration of this contract shall be for a period of 24 months. However, upon agreement by both parties, this contract may be extended for a further six (6) months under the same terms and conditions.*

Following award of contract, the Contracting authority also reserves the right:

a. Not to place any orders for the supplies over the period of this agreement and the Contracting Authority would not, by doing so, be held liable to damages or other costs whatsoever.

b. Without prejudice to clause 23.2 of the special conditions, to cancel the contract with the successful tenderer if he/she fails to deliver the supplies within the agreed time scales on three (3) separate instances.

c. Without prejudice to clauses 21.1 and 23.2 of the special conditions, should the ordered supplies not be delivered in the agreed time scales, the Contracting authority may seek the purchase of such materials from other contractors and any extra expenses incurred, further to the contract rates, shall be borne by the Contractor.

d. Without prejudice to clause 35.3 of the special conditions, to cancel the contract if the services delivered fail to meet the Terms of reference and conditions on three (3) separate instances.

We kindly ask you to modify such clauses in the tender contract as to make the supply reasonably possible to participate in.

Answer 1: The intent of this tender/contract is to have a period contract covering the provision of various types of timber for different entites within the Ministy for Gozo on a just-in-time basis.

In line to Clause 29.1 of the Special Conditions, orders will be made on an 'as and when required' basis, therefore no quantities can be confirmed in advance to suppliers. It is also being confirmed that deliveries will have to be made within three (3) working days from the date of the respective requisition/order.

Article 19, quoted in your question, is also being confirmed. Furthermore, it is also being reminded that as per Clause 4.2.2 of Section 4 in the Tender Document, the quantities stipulated in the Financial Bid Form are only indicative and are to be considered for evaluation purposes only and represent an average consumption for a two (2) year period. The Ministry for Gozo reserves the right to increase or decrease these quantities according to its exigencies at the same rates and conditions and would not, by doing so be held liable for any damages.

Question 2: Only the thickness is provded for Lots 1 & 2. Could you kindly provide the dimensions required?

Answer 2: No specific dimensions are required for the items in Lots 1 and 2, as long as the provision of the timber during the contract is provided in line to the thickness requested in the tender dossier.
