



16th September 2014

Ref: XAPA03
Xaghra Parish
Xaghra Parish Office
Domus Curialis
Victory Square
Xaghra, Gozo
Malta

Notification of Result – XAPA03

Reference is made to tender XAPA03 – WORKS TENDER FOR RESTORATION WORKS AT XAGHRA PARISH PARVIS, GOZO; in line with Clause 34.2 the Xaghra Parish is communicating the result of the tendering process.

Criteria of Award	The contract has been awarded to the cheapest priced tender satisfying the administrative and technical criteria.
Name of the successful Tenderer	Joseph Grima
The recommended price of the successful bidder	€36,522.16 inclusive of VAT
The deadline for filing a notice of objection (appeal)	The procedure for the submission of appeals is stipulated in Part XIII of the Public Procurement Regulations (Legal Notice 296/2010), extracts reproduced hereunder for ease of reference. The notice shall be filed within ten calendar days following the date on which the contracting authority has by fax or other electronic means sent its proposed award decision. <i>Extracts from the public procurement regulations have been attached to this letter for your reference.</i>

Regards

Rev. Carmel Refalo
(Archpriest Xaghra Parish)

This Project is part-financed through a Grant by the Ministry for Gozo

VOLUME 1 SECTION 6 - EXTRACTS FROM THE PUBLIC PROCUREMENT REGULATIONS

Part XIII - Appeals

The procedure for the submission of appeals is stipulated in Part XIII of the Public Procurement Regulations (Legal Notice 296/2010), reproduced hereunder for ease of reference.

- (1) 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 or a cancellation of a call for tender, may file a notice of objection with the Review Board.

The notice shall be filed within ten calendar days following the date on which the contracting authority has by fax or other electronic means sent its proposed award decision.

The communication to each tenderer of the proposed award shall be accompanied by a summary of the relevant reasons relating to the rejection of the tender as set out in regulation 44(3), and by a precise statement of the exact standstill period.

The notice of objection shall only be valid if accompanied by a deposit equivalent to one per cent of the estimated value of the tender submitted by the tenderer, provided that in no case shall the deposit be less than one thousand and two hundred euro (€1,200) or more than fifty-eight thousand euro (€58,000). The Secretary of the Review Board shall immediately notify the Director of Contracts that an objection had been filed with his authority thereby immediately suspending the award procedure. The Department of Contracts or the contracting authority involved, as the case may be, shall be precluded from concluding the contract during the period of ten calendar days allowed for the submission of appeals. The award process shall be completely suspended if an appeal is eventually submitted.

- (2) The procedure to be followed in submitting and determining complaints as well as the conditions under which such complaints may be filed shall be the following:
 - (a) any decision by the General Contracts Committee (or a Special Contracts Committee) and/or by a contracting authority, shall be made public at the Department of Contracts or at the office of the contracting authority prior to the award of the contract;
 - (b) the notice of objection duly filed in accordance with sub-regulation (1) shall be made public by the Review Board not later than the next working day following its filing;
 - (c) within three working days of the publication of the replies the Secretary of the Review Board shall prepare a report (the Analysis Report) analysing the letter of objection. This report shall be circulated to the persons who file an objection and interested parties. After the preparatory process is duly completed, the Head of the contracting authority shall forward to the Chairman of the Review Board all documentation pertaining to the call for tenders in question including files, tenders submitted, copies of deposit receipts, any motivated letter, who shall then proceed as stipulated in Part XIV;
 - (d) the Director or the Head of the contracting authority shall publish a copy of the decision of the Review Board at his department or at the premises of the relevant contracting authority, as the case may be.

Copies of the decision shall be forwarded by the Secretary of the Board to the complaining tenderer, any persons who had registered or had an implied interest, the Director of Contracts and to the contracting authority concerned.