

The Chairman said that the Public Contracts Review Board cannot change the Public Procurement Regulations and the decision not to hear this case must stand. He then thanked the parties for their attendance and declared the hearing closed.

End of Minutes

Decision

This Board,

having noted this objection filed by Idea Management Consultancy Services Ltd (hereinafter referred to as the Appellants) on 21 February 2020, refers to the claims made by the same Appellants with regard to the tender of reference T 090/2019 listed as case No. 1433 in the records of the Public Contracts Review Board awarded by Malta Information Technology Agency (hereinafter referred to as the Contracting Authority).

Appearing for the Appellants: Dr Silvio De Bono

Appearing for the Contracting Authority: Dr Danielle Mercieca

Whereby, the Appellants contend that:

- a) Although their objection was filed one and half hours late, they requested that their objection be heard for the benefit of Good Governance in the evaluation process.**

This Board would respectfully refer to Appellants’ ‘Letter of Objection’ dated 21 February 2020, which was delivered to the Public Contracts Review Board at 1.30pm on same date. Reference is also being made to the Authority’s ‘Letter of Rejection’ dated 11 February 2020, wherein, it was clearly denoted that:

“The deposit required if lodging an appeal as shown in the Award Notification should be made payable to The Chairman Public Contracts Review Board. Notices of objection must reach The Chairman Public Contracts Review Board by not later than 12.00NOON (Local Time) of Friday 21 February 2020.”

In this regard, this Board cannot accept Appellants’ request as the delivery of the objection letter was outside the stipulated time limit for submission of same. However, same Board directs that the deposit paid by Appellants should be fully refunded.

Dr Anthony Cassar
Chairman
12 March 2020

Dr Charles Cassar
Member

Mr Carmel Esposito
Member