

## PUBLIC CONTRACTS REVIEW BOARD

Case No. 427

TM/075/2011

### Tender for the Upgrading of CCTV Licensed Wireless Links

This call for tenders was published in the Government Gazette on the 19<sup>th</sup> August 2011. The closing date for this call with an estimated budget of €70,000 was the 2<sup>nd</sup> September 2011.

Two (2) tenderers participated in this call with one tenderer submitting four options.

Tektraco Ltd filed an objection on the 13<sup>th</sup> February 2012 against the decision of Transport Malta to disqualify its tender as technically non compliant and to recommend the award of tender to Alberta Fire and Safety Ltd.

The Public Contracts Review Board composed of Mr Alfred Triganza as Chairman, Mr. Carmel Esposito and Mr Joseph Croker as members convened a public hearing on Wednesday, 4<sup>th</sup> July 2012 to discuss this objection.

Present for the hearing were:

#### Tektraco Ltd

Dr Andrew Borg Cardona	Legal Representative
Ing. Michael Bugeja	Representative
Ing. Joe Camilleri	Representative

#### Alberta Fire & Safety

Dr Christian Farrugia	Legal Representative
Mr Karim Cassar	Representative

#### Transport Malta

Dr Joseph Camilleri	Legal Representative
Mr Paul Spiteri	Senior Manager
Mr Maurizio Micallef	Representative

#### Evaluation Board

Mr Antoine Zahra	Chairman
Mr Ray Stafrace	Member
Mr Joseph Ciappara	Member
Mr Peter Paul Coleiro	Member
Ms Cherie-Ann Caruana Arena	Secretary



After the Chairman's brief introduction, the appellant company's legal representative was invited to explain the motives of his client's objection.

Dr Andrew Borg Cardona, legal representative of Tektraco Ltd, the appellant company, made the following submissions:


- i. by email dated 6<sup>th</sup> February 2012 his client was informed that the company's tender was not technically compliant since the certification supplied did not conform with the requirements as stated in clause 6.1.2 of the tender document, which stated that bidders "*shall demonstrate their ability to work on the current system installed, thus ensuring no interruption of service shall occur. Therefore, technicians and/or engineers to install, commission and programme the equipment must possess the following certification: Certification for Honeywell MaxPro Levels 1 and 2 (and) Certification for Verint Codecs*" and that copies "*these certificates are to be attached with the tender bid.*"
- ii. the contracting authority had requested clarifications about various other aspects of the tender but none were requested with regard to the certification provided.

Ing. Joseph Camilleri, another representative of the appellant company, remarked that:-

- a. the contracting authority had indicated that what the bidder offered had to be compatible with the system already installed and in operation;
- b. his firm had replied to all the technical queries raised by the contracting authority and, as a result, it was rather odd that no query had been received with regard to such an issue as the submission of non compliant certifications;
- c. the certification Maxpro Levels 1 and 2 requested in the tender document was no longer issued after year 2008,  
  
and
- d. in the circumstances, the disqualification was deemed unfair and it led his firm to lodge this appeal.

Dr Joseph Camilleri, legal representative of Transport Malta, explained that:-

- i. the contracting authority had requested in clear terms the certification as per clause 6.1.2 of the tender document already cited;
- ii. what the contracting authority was requesting was the upgrading of the CCTV licensed wireless links, which, in itself, was indicative that there already was a system in place and, as a consequence, the proposal had to be integrated with the existing one which operation required that the technicians/engineers had to possess the Honeywell MaxPro Levels 1 and 2 certification together with the certification for Verint Codecs;



- iii. there was no problem with regard to the Verint Codecs so much so that the appellant company had indicated that it would be sub-contracting Verint Systems Inc. itself and the tender document did allow bidders to sub-contract works/services up to 40% of the value of the tender;
  - iv. the problem arose with regard to the Honeywell certification because, whereas the contracting authority requested Honeywell certification for CCTV, the appellant company submitted certification for something else, namely, access;
- and
- v. in the course of the evaluation process, the evaluation board had noted that the certification submitted by the appellant company did not match requirements and, to set its mind at rest, the evaluation board requested Honeywell of Germany to confirm if the certification submitted by the appellant company, namely Pro-Watch Ecosystem & MaxPro VMS, was equivalent to MaxPro Levels 1 and 2 and the reply given was that it was not.

Mr Paul Spiteri, senior manager at Transport Malta, explained that:-

- a. the recommended bidder had submitted the requested certificates from Honeywell in respect of Mr Karim Cassar and Mr Josef Grima indicating they were *'trained to a competent and knowledgeable level of ability for installation by successfully completing the course: Systems Training (Maxpro) Level 1 and 2'*;
  - b. on the other hand, the appellant company submitted Honeywell Training Certificates in the name of Mr Claudio Vella, Mr Ludovic Vella and Mr Trevor Buhagiar confirming that they have *'participated in a Pro-Watch Ecosystem & MaxPro VMS Training'*;
  - c. the certificate provided by the appellant company was not in accordance with requirements because it referred to 'access systems' and not with 'CCTV systems';
  - d. an 'access system' was simply meant to control access into a room/office by the installation of a camera and so forth whereas Transport Malta had in place a system that covered the Malta's port areas by way of CCTV;
  - e. the certification was required because the existing system at Transport Malta had to be reconfigured and, as a consequence, the technicians/engineers carrying out this contract had to be knowledgeable on the system;
- and
- f. in the course of the adjudication process the contracting authority had exchanged emails with Honeywell in order to establish if the certificates submitted by the appellant company satisfied the tender requirements.

The Chairman Public Contracts Review Board read out the following emails that Transport Malta exchanged with Honeywell Inc:-

*From: Cassar Cherie Anne at Transport  
Sent: 12 October 2011 10:42  
To: Fish, Les  
cc: Zahra Antoine at Transport  
Subject: MaxPro Training*

*Dear Mr Fish,*

*Could you please confirm or otherwise whether the Certification of Training on Pro-Watch Ecosystem & MaxPro VMS Training by your company is commensurate to certification for Honeywell MaxPro Levels 1 & 2.*

*Best Regards*

*Cherie-Anne Caruana. Arena ICT Coordinator*

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*From: Fish Les  
Sent: 14 October 2011 09:03  
To: Cassar Cherie Anne at Transport  
cc: Zahra Antoine at Transport  
Subject: RE: MaxPro Training*

*Hi Cherie-Anne,*

*Below is an explanation of the different systems and training offered:-*

- *Maxpro (Legacy DOS system)*

*Course offered:*

*Level 1: Maxpro Hardware*

*Level 2: Maxpro Macro programming (Advanced)*

*Note: Training on the Maxpro is no longer offered as (is) the system has been superseded by MaxproNet.*

- *MaxproNet (Current Windows version of Maxpro)*

*Course offered:*

*MaxproNet: Hardware which is based on Video Blox switching matrix hardware  
MaxproNet CPU*

- *MaxproVMS (Fully integrated analogue & digital platform, encompassing the entire Honeywell portfolio with integration to ProWatch)*

*Course offered:*

*MaxproVMS (Training covers configuration and operation of the MVMS platform only – no subsystems)*



- ProWatch (Access control)

Courses are conducted at our Southern office by HIS

To answer the question you have asked:

Maxpro Level 1 & Level 2 would have provided more in-depth knowledge of system programming where MaxproNet would have provided an introduction to Video Blox hardware. MaxproVMS is completely different while it does contain component of MaxproNet it has considerably more features. ProWatch is an access control system which has tight integration to MaxproVMS.

Regards Les

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From: Cassar Cherie Anne at Transport  
Sent: Friday, October 14, 2011 2:30 PM  
To: Fish, Les  
Cc: Zahra Antoine at Transport; Baldacchino Ethel at Transport  
Subject: MaxPro Training

Dear Mr. Fish,

Further to your e-mail below kindly explain in detail the difference between the MaxPro Levels 1 & 2 and MaxPro VMS with integration to ProWatch.

Thanks & Regards

Cherie-Anne Caruana Arena  
ICT Coordinator

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From: Baldacchino Ethel at Transport  
Sent: 14 October 2011 14:03  
To: Fish, Les  
Subject: FW: MaxPro Training

Dear Mr Fish,

As a conclusion, can someone with Maxpro VMS skills be able to fully administer and configure our Honeywell System?

Regards,

Ethel Baldacchino

Business Process Executive, Business Process Improvement Unit

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From: Fish, Les  
Sent: Monday, October 17, 2011 10:19 AM  
To: Baldacchino Ethel at Transport  
cc: Cassar Cherie Anne at Transport  
Subject: RE: MaxPro Training



Good morning Ethel, Cherie-Anne,

*If an individual has received MaxproVMS training only, it is my opinion that they would not have been exposed to a level of programming required to support your Maxpro/MaxproNET system.*

Notes:

*The individual would require a full understanding of analogue video matrix switching and its associated telemetry. Additionally the level of competency is very much dependent on the style of training given, indeed even within Honeywell two distinct focuses are used when delivering MaxproVMS training (Video or Access).*

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At this stage Mr Spiteri intervened and pointed out that:-

- i. the last email dated 17th October 2011 clearly stated that *"If an individual has received MaxproVMS training only, it is my opinion that they would not have been exposed to a level of programming required to support your Maxpro/MaxproNET system"*;
  - ii. Pro-Watch represented an access control system, namely controlling persons entering, say, an office but had nothing to do with the CCTV system at Transport Malta;
- and
- iii. Maxpro, which later became MaxproNet, covered the requirements of the tender whereas Pro-Watch and MaxproVMS did not cover those requirements.

Dr Camilleri agreed that the contracting authority did not raise with the appellant company the issue concerning the unsuitability of the certificates he presented and that was so because the contracting authority had already obtained the information it required from source, namely Honeywell itself. Dr Camilleri reiterated that the tender document was very specific in its requirements in this regard.

On the other hand, Dr Borg Cardona maintained that the last email dated 17<sup>th</sup> October 2011 also stated that *"the level of competency is very much dependent on the style of training given, indeed even within Honeywell two distinct focuses are used when delivering MaxproVMS training (Video or Access)"* and so it could well be the case that his client's MaxPro VMS training did cover the tender requirements depending on the level of training given. He stressed that Honeywell itself did not rule out that possibility. Dr Borg Cardona added that since MaxPro Levels 1 and 2 certificates were no longer issued then the contracting authority should have included the current equivalent qualifications in the tender requirements.

Mr Spiteri stated that Maxpro had been upgraded to the current MaxproNet and not to MaxPro VMS or to Pro-Watch which were not relevant to the CCTV system operated by Transport Malta.

Dr Camilleri insisted that Honeywell was very clear in its last email dated 17<sup>th</sup> October 2011 that MaxProVMS training only was not sufficient to support Transport Malta's Maxpro/MaxproNET system.

Ing. Joseph Camilleri, referred to letter dated 1<sup>st</sup> September 2011 from Mr Frederic Haegeman of Honeywell GmbH of Germany which read as follows:-

*TO WHOM IT MAY CONCERN*

*Honeywell Integrated Security, Schoenaich / Germany, do hereby confirm that ESI is an authorized and certified integrator of our range of access control products and systems in Malta.*

*This document certifies that ESI personnel (personal) are competent in the field of sales, engineering, installation, commissioning and maintenance of our products and systems and will ensure that their staff are continually updated on training on new products.*

*ESI is trained on the following HIS products:*

*Pro-Watch ECO and Pro-Watch Video Manager (Manger).*

Mr Spiteri remarked that the certification issued by Honeywell to ESI covering Pro-Watch ECO and Pro-Watch Video Manager one had to keep in view that Pro-Watch Manager represented an integration of a video camera to an access control, namely to control access into an office. Mr Spiteri concluded that had the appellant submitted certificates for MaxproNet (the current version of MaxPro as per Honeywell's email dated 14<sup>th</sup> October 2011) then those certificates would have been acceptable.

The Chairman Public Contracts Review Board remarked that it was quite clear that the certificates submitted by the recommended tenderer did satisfy the requirements set out in clause 6.2.1 of the tender document and what remained to be established was whether the certificates submitted by the appellant company met those same requirements or not. He observed that whilst the contracting authority had already sought to obtain a confirmation from Honeywell on this issue, yet, Honeywell's replies were not that clear cut and often reflected opinions and a case in point was the email dated 14<sup>th</sup> October 2011, which, among other things, stated that "*MaxproVMS is completely different while it does contain component of MaxproNet it has considerably more features.*"

Dr Christian Farrugia, legal representative of the recommended tenderer, submitted that:-

- a. the tender document was very specific in requiring Maxpro Levels 1 & 2 certification and, therefore, it was the responsibility of the bidder who did not possess/submit that certification to explain that the certification the said bidder actually submitted were equivalent to the requirement set out in the tender document - in other words, it was up to the bidder to clearly explain one's own compliance;



- b. the evaluation board had no discretion to accept certificates other than those specified in the tender document;

and

- c. his client submitted the certificates requested and the contracting authority raised no queries in that regard, yet it was a different case with the appellant company because it did not submit what was requested and the appellant company even failed to explain that its certificates were equivalent to those requested in the tender.

The Chairman Public Contracts Review Board concluded that, in order to clear the air, the Board would

- (i) furnish Honeywell with the title of the tender, the tender technical requirements at clause 6.1.2 with regard to certification and a copy of the Honeywell certificates submitted by the appellant company and by the recommended tenderer
- (ii) ask Honeywell to confirm which certificate/s satisfied the tender requirements.

At this point the hearing was brought to a close.

This Board,

- having noted that the appellants, in terms of their 'reasoned letter of objection' filed on the 13<sup>th</sup> February 2012 and also through their verbal submissions presented during the hearing held on the 4<sup>th</sup> July, 2012, had objected to the decision taken by the pertinent authorities;
- having noted all of the appellant company's representatives' claims and observations, particularly, the references made to the fact that (a) by email dated 6<sup>th</sup> February 2012 the appellant company was informed that the company's tender was not technically compliant since the certification supplied did not conform with the requirements as stated in clause 6.1.2 of the tender document, which stated that bidders "*shall demonstrate their ability to work on the current system installed, thus ensuring no interruption of service shall occur. Therefore, technicians and/or engineers to install, commission and programme the equipment must possess the following certification: Certification for Honeywell MaxPro Levels 1 and 2 (and) Certification for Verint Codecs*" and that copies "*these certificates are to be attached with the tender bid.*", (b) the contracting authority had requested clarifications about various other aspects of the tender but none were requested with regard to the certification provided, (c) the contracting authority had indicated that what the bidder offered had to be compatible with the system already installed and in operation, (d) the appellant company had replied to all the technical queries raised by the contracting authority and, as a result, it was rather odd that no query had been received with regard to such an issue as the submission of non compliant certifications, (e) the certification Maxpro Levels 1 and 2 requested in the tender



document was no longer issued after year 2008, (f) in the circumstances, the disqualification was deemed unfair and it led his firm to lodge this appeal, (g) the last email dated 17<sup>th</sup> October 2011 also stated that *"the level of competency is very much dependent on the style of training given, indeed even within Honeywell two distinct focuses are used when delivering MaxproVMS training (Video or Access)"* and so it could well be the case that the appellant company's MaxPro VMS training did cover the tender requirements depending on the level of training given and (h) since MaxPro Levels 1 and 2 certificates were no longer issued then the contracting authority should have included the current equivalent qualifications in the tender requirements;

- having considered the contracting authority's representatives' reference to the fact that (a) the contracting authority had requested in clear terms the certification as per clause 6.1.2 of the tender document already cited, (b) what the contracting authority was requesting was the upgrading of the CCTV licensed wireless links, which, in itself, was indicative that there already was a system in place and, as a consequence, the proposal had to be integrated with the existing one which operation required that the technicians/engineers had to possess the Honeywell MaxPro Levels 1 and 2 certification together with the certification for Verint Codecs, (c) there was no problem with regard to the Verint Codecs so much so that the appellant company had indicated that it would be sub-contracting Verint Systems Inc. itself and the tender document did allow bidders to sub-contract works/services up to 40% of the value of the tender, (d) the problem arose with regard to the Honeywell certification because, whereas the contracting authority requested Honeywell certification for CCTV, the appellant company submitted certification for something else, namely, access, (e) in the course of the evaluation process, the evaluation board had noted that the certification submitted by the appellant company did not match requirements and, to set its mind at rest, the evaluation board requested Honeywell of Germany to confirm if the certification submitted by the appellant company, namely Pro-Watch Ecosystem & MaxPro VMS, was equivalent to MaxPro Levels 1 and 2 and the reply given was that it was not, (f) the recommended bidder had submitted the requested certificates from Honeywell in respect of Mr Karim Cassar and Mr Josef Grima indicating they were *'trained to a competent and knowledgeable level of ability for installation by successfully completing the course: Systems Training (Maxpro) Level 1 and 2'*, (g) on the other hand, the appellant company submitted Honeywell Training Certificates in the name of Mr Claudio Vella, Mr Ludovic Vella and Mr Trevor Buhagiar confirming that they have *'participated in a Pro-Watch Ecosystem & MaxPro VMS Training'*, (h) the certificate provided by the appellant company was not in accordance with requirements because it referred to 'access systems' and not with 'CCTV systems', (i) an 'access system' was simply meant to control access into a room/office by the installation of a camera and so forth whereas Transport Malta had in place a system that covered the Malta's port areas by way of CCTV, (j) the certification was required because the existing system at Transport Malta had to be reconfigured and, as a consequence, the technicians/engineers carrying out this contract had to be knowledgeable on the system, (k) in the course of the adjudication process the contracting authority had exchanged emails with Honeywell in order to establish if the certificates submitted by the appellant company satisfied the tender requirements, (l) Pro-Watch represented an access control system, namely controlling persons entering, say, an office but had nothing to do with the CCTV system at Transport Malta, (m) Maxpro, which later became

MaxproNet, covered the requirements of the tender whereas Pro-Watch and MaxproVMS did not cover those requirements - Maxpro had been upgraded to the current MaxproNet and not to MaxPro VMS or to Pro-Watch which were not relevant to the CCTV system operated by Transport Malta, (n) the contracting authority did not raise with the appellant company the issue concerning the unsuitability of the certificates the company presented and that was so because the contracting authority had already obtained the information it required from source, namely Honeywell itself, (o) the certification issued by Honeywell to ESI covering Pro-Watch ECO and Pro-Watch Video Manager one had to keep in view that Pro-Watch Manager represented an integration of a video camera to an access control, namely to control access into an office and (p) had the appellant submitted certificates for MaxproNet (the current version of MaxPro as per Honeywell's email dated 14<sup>th</sup> October 2011) then those certificates would have been acceptable;

- having considered the recommended tenderer's representatives' reference to the fact that (a) the tender document was very specific in requiring Maxpro Levels 1 & 2 certification and, therefore, it was the responsibility of the bidder who did not possess/submit that certification to explain that the certification the said bidder actually submitted were equivalent to the requirement set out in the tender document - in other words, it was up to the bidder to clearly explain one's own compliance, (b) the evaluation board had no discretion to accept certificates other than those specified in the tender document and (c) his client submitted the certificates requested and the contracting authority raised no queries in that regard, yet it was a different case with the appellant company because it did not submit what was requested and the appellant company even failed to explain that its certificates were equivalent to those requested in the tender,

- having considered

(a) the contact made by the Public Contracts Review Board's Chairman via an email (Ref: Wed 11/07/2012 10:46) with Mr Christian Gradinger's (Technical Support Manager EMEA - Honeywell Integrated Security, Honeywell Security Group) wherein the following was stated, viz;

Quote

Mr Christian Gradinger  
Technical Manager – EMEA  
Honeywell Integrated Security  
101 Columbia Rd  
Morristown  
NJ 07960-4640  
United States

Dear Mr Gradinger

Re: Tender for the Upgrading of CCTV Licensed Wireless Links (Tender Document TM 075/2011)



Please be informed that the undersigned is currently presiding over a hearing in connection with an appeal filed by an appellant relating to the subject in caption.

Clause 6.1.2 of the tender document stated that:

*“Bidders shall demonstrate their ability to work on the current system installed, thus ensuring no interruption of service shall occur. Therefore, technicians and/or engineers to install, commission and programme the equipment must possess the following certification:*

- *Certification for Honeywell MaxPro Levels 1 and 2*
- *Certification for Verint Codecs*

*Copies of these certificates are to be attached with the tender bid.”*

Kindly note that, during the said hearing, it became evidently clear that there was a diverse opinion amongst interested parties, as regard the scope and extent, of the areas covered in the attached documentation as submitted by different tenderers.

The Board that I preside, namely the Public Contracts Review Board, decided to take this initiative, namely, to send you copies of a couple of samples of certificates in question in order to acquire a knowledgeable reply directly from someone who is duly competent in the field.

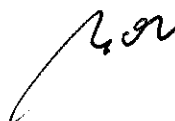
At this stage all that is required is that, at your earliest convenience, you would kindly go through the content of the attached documents (certificates) and, analysing them within the context of Clause 6.1.2 above, you would advise by return whether any one of them or both, for all that matters, fulfil the specification parameters of the said Clause.

Please allow us to take this opportunity to thank you in advance for your prompt attention to subject matter.

Yours truly,

Alfred Triganza  
Chairman  
Public Contracts Review Board

Unquote



The above email included 'training certificates' pertaining to Mr Claudio Vella (dated 25.06.2010) and Mr Karim Cassar (dated 21.08.2008)

(b) the content of Christian Gradinger's (Technical Support Manager EMEA - Honeywell Integrated Security, Honeywell Security Group) email reply to this Board's Chairman (Ref: Thu 12/07/2012 12:40) wherein the latter stated

Quote

*Dear Mr. Triganza,*

*I can confirm that ESI as part of their Integrator agreement with Honeywell has sent their engineering team to Pro-Watch ECO and Maxpro VMS Trainings to our Training Center in Germany. In these trainings the team has learned everything they need to know to successfully install and maintain Honeywell's Access control and Video Management Systems. As outlined in the attached certificate Mr. Claudio Vella has successfully participated in this training course.*

*Training was provided in total to three ESI engineers. We know ESI as a competent partner of Honeywell with the ability to install and maintain complex Security systems. ESI is a Silver certified Honeywell partner in our Integrator Service Certification program.*

*Training activities were limited to Pro-Watch and Maxpro VMS, we do not provide training for Verint Codecs.*

*I hope this helps to clarify.*

*Mit freundlichen Grüßen  
Best regards*

*Christian Gradinger  
Technical Support Manager EMEA - Honeywell Integrated Security*

*Honeywell Security Group  
Böblingerstrasse 17  
71101 Schönaich  
Germany  
Tel. : + 49 7031 637 786  
Fax. : + 49 7031 637 787  
Email: [christian.gradinger@honeywell.com](mailto:christian.gradinger@honeywell.com)  
[www.honeywellintegrated.eu](http://www.honeywellintegrated.eu)*

Unquote

reached the following conclusions, namely:



The Public Contracts Review Board is fully cognisant of the fact that the contracting authority had indicated that what a bidder offered had to be compatible with the system already installed and in operation. With regard to certification, this Board also took cognizance of the fact that *“the level of competency is very much dependent on the style of training given, indeed even within Honeywell two distinct focuses are used when delivering MaxproVMS training (Video or Access)”* and so it could well be the case that the appellant company’s MaxPro VMS training did cover the tender requirements depending on the level of training given. This issue had to be addressed by a knowledgeable third party who would be made aware that what the contracting authority was requesting was the upgrading of the CCTV licensed wireless links, which, in itself, was indicative that there already was a system in place and, as a consequence, the proposal had to be integrated with the existing one which operation required that the technicians/engineers had to possess the Honeywell MaxPro Levels 1 and 2 certification together with the certification for Verint Codecs.

The Public Contracts Review Board acknowledged the fact that there was no problem with regard to the Verint Codecs so much so that the appellant company had indicated that it would be sub-contracting Verint Systems Inc. itself and the tender document did allow bidders to sub-contract works/services up to 40% of the value of the tender

This Board had to analyse the suitability of certification submitted to ensure that this covered Honeywell certification for CCTV rather than certification for something else, namely, access amidst the claim made by the contracting authority stating that Pro-Watch represented an access control system, namely controlling persons entering, say, an office but had nothing to do with the CCTV system at Transport Malta.

With this in mind the Public Contracts Review Board emailed (Ref: Wed 11/07/2012 10:46) Mr Christian Gradinger’s (Technical Support Manager EMEA - Honeywell Integrated Security, Honeywell Security Group) attaching the ‘training certificates’ pertaining to Mr Claudio Vella (dated 25.06.2010) and Mr Karim Cassar (dated 21.08.2008) seeking an opinion as to whether the certification duly submitted by both tenderers fulfils the requirements stated in Clause 6.1.2 of the tender document.

This Board feels that Mr Gradinger’s email reply (Ref: Thu 12/07/2012 12:40) was clear enough confirming that ESI “sent their engineering team to Pro-Watch ECO and Maxpro VMS Trainings to” their “Training Center in Germany” and that in “these trainings the team has learend everything they need to know to successfully install and maintain Honeywell’s Access control and Video Management Systems. As outlined in the attached certificate Mr. Claudio Vela has successfully participated in this training course” adding that Honeywell knows “ESI as a competent partner of Honeywell with the ability to install and maintain complex Security systems”

This Board has also considered the fact that training activities were limited to Pro-Watch and Maxpro VMS as Honeywell does not provide training for Verint Codecs. The Public Contracts Review Board considered this within the claim made during the hearing that there was no problem with regard to the Verint Codecs so much so that the appellant company had indicated that it would be sub-contracting Verint Systems Inc. itself and the tender document did allow bidders to sub-contract works/services up to 40% of the value of the tender.

In view of the above, this Board finds in favour of the appellant company and, apart from recommending that the latter's bid be reintegrated in the evaluation process, this Board also recommends that the appellant company be reimbursed with the deposit paid for the appeal to be lodged.



Alfred R Triganza  
Chairman

*23<sup>rd</sup> July 2012*



Carmel Esposito  
Member



Joseph Croker  
Member