

Public Contracts Review Board
Notre Dame Ditch
Floriana
Malta



Date 20th June 2023

Reference is being made to the Letter of Objection dated 13th June 2023 submitted by Anthony Fenech as Director of the Company ACJ Cleaning and Hospitality Services, the appellant on the final decision for the CfQ with reference number SCSA 23_0031.

I am replying in the name and on behalf Ms Lisa Cassar Shaw as the Chief Executive Officer of the Social Care Standards Authority as the Contracting Authority, to the objection lodged by the appellant and humbly submits:

Claims of the Appellant

Appellant claims that notwithstanding that his financial offer was the best offer, he still was not awarded the tender since the procurement proposal submitted by the company was not financially compliant as the main reason given was that:

Less than the minimum rate of €7.61 as per contracts Circular 05/2023.

The appellant further claims that when tender was published, Circular 05/2023 was still not published and in fact such circular entered into force during evaluation stage.

Finally, appellant requests to declare null and to revoke the decision of the General Contracts Committee and reconvene to award to the lowest priced bid.

Facts

On preliminary note, the Social Care Standards Authority as the Contracting Authority, appointed an Evaluation Committee and this CfQ was not decided by the General Contracts Committee as highlighted by appellant. In view of this fact, the appeal should be rejected as the committee responsible for evaluation was not the General Contracts Committee as erroneously stated by appellant.

Without prejudice to the above, the Social Care Standards Authority as Contracting Authority issued a call for quotations (CfQ) with reference number SCSA 23_0031 on 22nd February 2023.

According to the rules established all responses to the CfQ were to be submitted through the EPPS (Electronic Public Procurement System).

According to the note in the same CfQ regarding the pegged rates at the time was not to be less than €7.54 per hour excluding VAT for Cleaners (Offices) for the year 2023 (**vide Doc A**).

On 2nd March 2023, when the CfQ was still in the submission period, Circular 03/2023 was issued (later replaced by Circular 05/2023 dated 2nd March 2023) whereby the 'Total Rate Payable to Contractor and the Contractor's employees 'Basic Rate' for year 2023 was amended. The amendment referred to the minimum Hourly rates which was increased to €7.61 to reflect the COLA. To this effect a new document was uploaded in the EPPS system using CFT Clarification (**Doc B**) on the 3rd of March 2023 to reflect the recent pegged rate of €7.61.

The Social Care Standards Authority, as Contracting Authority issued a Clarification during the submission period published on 3rd March 2023 (**Doc B**). In this clarification, mention was made to Circular 03/2023 to reflect the updated information. The information so provided was uploaded in the system.

As the Contracting Authority, it has access to the audit trail of the CfQ (**Doc C**). The data clearly shows that all amendments to the CfQ were uploaded before the evaluation stage. The appellant submitted his bid on the 13th of March 2023 within the submission period. Appellant had ample time to verify and request any clarifications. To this effect, the appellant in the Eligibility/Section of his submission declared in the affirmative to have examined and accepted in full and its entirety the documents including Clarifications issued by the Contracting Authority (**Doc D**).

Therefore, the Social Care Standards Authority rebuts as being unfounded that the Circular came into force during the evaluation period of the quotation.

To add to what was stated above, the clarification issued on 3rd March 2023, the SME's had until the 8th of March 2023 to request a clarification himself to the Contracting Authority.

In this case, the applicant did not submit any clarifications or queries about the changes in view of the Circular issued by the Department of Contracts. The CfQ deadline for submission and closing date of CfQ was on 22nd March 2023, to which the appellant had not submitted any changes or made any queries to this effect.

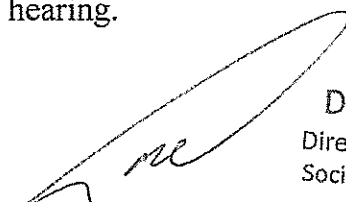
The Evaluation Period started on 12th April 2023 and contrary to what the appellant claims, the Circular was already issued and submitted for his perusal on 3rd March 2023. Thus, the responsibility to ensure that he follows all clarifications and documents rests upon the appellant, to which he failed to do so by not amending the rates to reflect the changes.

Therefore, the fact that the minimum rate as submitted by appellant was lower than what the Clarification stated, the appellant was not compliant with the minimum requirements. The Evaluation Committee cannot accept any bids that are lower than the amount of €7.61 as confirmed by Contract Circular 05/2023. Bids received lower than this amount were deemed as non-compliant to CfQ documentation, including all ancillary documents.

In view of the above, the Social Care Standards Authority requests the Public Contracts Appeals Board:

1. To reject the appeal submitted by ACJ Cleaning and Hospitality Services as being unfounded in premise and at law; and
2. To uphold the decision of the General Contracts Committee (sic) qua Evaluation Committee to award the relative contract to Melchior Dimech.

The Social Care Standards Authority as Contracting Authority reserves the right to make further submissions and to produce evidence and witnesses during the relative public hearing.



Dr Noel Cutajar LL.D
Director – Legal & Governance
Social Care Standards Authority

Dr Noel Cutajar
Advocate
469, Vincenzo Bugeia Institute
Triq il-Kbira San Guzepp
Sta Venera

Call for Quotations – CfQ

PROVISION OF CLEANING SERVICES

Issued by: Social Care Standards Authority

CfQ#: SCSA 23_0031

Issue Date: Wednesday 22nd February 2023

Submission Date and Time: Wednesday 22nd March 2023 at 12:00 (noon)

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Section A: Instructions

- 1) Response to this CfQ are to be submitted online through the ePPS (electronic Public Procurement System). All submissions will be dealt with in strictest confidence.
- 2) The **General Rules Governing Tendering Version 4.5**, found through www.etenders.gov.mt/Resources , shall apply in principle to this Call for Quotations.

3) The Estimated Procurement Value for this Call for Quotations has been based on comprehensive research including appropriate financial analysis. In the context of this procurement, the Estimated Procurement Value, based on market research, is that of €8,235.36 excluding VAT.

The purpose of this value shall be the guidance of prospective bidders when submitting their offer and is not to be considered as a binding capping price.

Therefore, the published Estimated Procurement Value is not restrictive and final on the Contracting Authority. Economic Operators are free to submit financial offers above or below the Estimated Procurement Value. However, the Contracting Authority reserves the right to accept or reject Financial Offers exceeding the Estimated Procurement Value.

Section B: General Information

1) Purpose

The purpose of this Call for Quotation (CfQ) is for the provision of **Cleaning Services** to the **Social Care Standards Authority**, 469, Bugeia Institute, St. Joseph High Road, St. Venera.

2) Beneficiary

The beneficiary, being **Social Care Standards Authority**, is the point of contact for this CfQ.

Social Care Standards Authority
469, Bugeia Institute, St. Joseph High Road, St. Venera

Please refer any inquiries through the e-tenders portal.

Any CfQ addenda/updates will be made available through the ePPS by not later than 15th March, 2023.

Requests for Clarification are to reach the CA by: Wednesday 8th March, 2023 at 12:00 (noon).

(Note 2) and (Note 3) in this document mean the following:

2. Tenderers will be requested to either clarify/rectify any incorrect and/or incomplete documentation, and/or submit any missing documents within five (5) working days from notification.

3. No rectifications shall be allowed. Only clarifications on the submitted information may be requested. Tenderers will be requested to clarify the submitted information within five (5) working days from notification.

Requests for Clarifications and/or Rectifications concerning a previous request dealing with the same shortcoming shall not be entertained.

3) Scope and Terms & Conditions

Execution of the Contract

The performance of the contract will commence from 2nd May 2023 following acceptance of award through EPPS. Should the commencement date be changed by the Contracting Authority the contractor will be informed in writing (or via email) of such change.

The performance period is for six (6) months.
This is a unit-rate contract.

Contractor shall send a monthly invoice, at the beginning of the following month, requesting payment according to the number of hours carried out.

Delays in Execution

Failure by the Contractor to deliver upon a request made by the Contracting Authority (CA) for a particular task to be carried out within a reasonable time, shall result in a default notice.
After three (3) default notices, an imposition of liquidated damages shall apply for every day, or part thereof, during which the request shall remain unfulfilled.

The flat rate compensation per day shall be that of €20 per day's delay, up to a limit of €1,000.
When the maximum amount of €1,000 is reached, the contract shall be considered as terminated.

No amendment of contract is being allowed.

Section C: Details of information requested

1) General Economic Operator Information

The Contracting Authority is asking interested Economic Operators to submit a response containing, the following information:

- Declaration concerning exclusion grounds ^(Note 2) as follows:

By submitting your offer, you are hereby declaring that you do not fall under any of the grounds listed under Part VI of LN352/2016 (S.L.601.03). (to be also included in the xml structure)

- Declaration concerning Selection Criteria ^(Note 2)

No Selection Criteria requirements are applicable.

2) Specific Project Overview

2.1 Contract Objectives and Expected Results

2.1.1 Overall Objectives

The Contractor's employees shall wear an appropriate uniform, which shall be to the satisfaction of the Contracting Authority and ensure that they maintain smart and clean attire.

The summer uniform should consist of a Polo or T-shirt, trousers and non-slip shoes.
The winter uniform should consist of a sweater, trousers and non-slip shoes.

- a) Uniforms shall reflect the company's corporate identity, including but not limited to, colour of uniform and logo.
- b) Safety wear and apron (where required) are also to be considered as part of the uniform.
- c) The Contractor shall provide safety and protective clothing and equipment.
- d) The Contractor shall be covered by an insurance policy in force throughout the duration of the contract as requested in Article 13 of the Special Conditions governing tenders.
- e) Water and electricity supply shall be provided by the Contracting Authority.
- f) Cleaning detergents and other required items shall be supplied by the Contracting Authority.

2.1.2 The overall objectives of this Contract are as follows:

The provision of one (1) cleaner to cover the SCSA part of building: 469, Bugeia Institute, St. Joseph High Road, St. Venera.

The maximum number of hours requested is 8 (eight) hours a day, 5 days a week (Monday to Friday excluding Public Holidays).

Furthermore, the overall objectives of the project of which this contract will be a part are as follows:

A. Daily:

- i. Washing of entrance and reception area.
- ii. Cleaning of restrooms including all sanitary fittings.
- iii. Cleaning of all kitchenettes including all kitchen utensils, appliances, cups, glasses, etc.
- iv. Attending to daily needs with regards to kitchenette and restroom consumables (such as hand- soap and toilet paper) which will be provided by the Contracting Authority.
- v. Emptying of all waste and sanitary bins (recycling bins included) from premises and common areas.
- vi. Replacing garbage bags as per different waste streams.
- vii. Recycled waste and any other waste are to be delivered to a specific collecting area as specified by the Contracting Authority as per Legal Notice 296/2018.
- viii. All office bins/recycle bins should be washed and lined in coloured plastic bags (depending on the bin).
- ix. All different types of garbage bags shall be provided by the Contracting Authority.

B. A schedule will be set by the Contracting Authority for cleaning of the below:

- i. ▪ Washing and cleaning of administrative offices and archive rooms.
- ii. ▪ Washing of stairs including landings and balconies.
- iii. ▪ Cleaning of main entrance doors and inner entrance glass doors.
- iv. ▪ Cleaning of office doors and office partitioning.
- v. ▪ Cleaning / dusting of all furniture.
- vi. ▪ Vacuuming of upholstery fixtures.
- vii. ▪ Monthly internal and external window cleaning including windowsills (windows open inwards);
- viii. ▪ Cleaning and washing of internal and external common areas including internal yard.
- ix. ▪ Cleaning of handrails and balustrades.
- x. ▪ Roof sweeping.

2.1.3 Results to be achieved by the Contractor

- a) To provide one (1) cleaner to efficiently carry out Cleaning Services.

b) To ensure that the cleaners employed during the execution of the contract are properly trained and motivated.

The personnel assigned by the Contractor to carry out the cleaning tasks shall be responsible for the execution of assigned tasks. To this end, the personnel provided must:

- i. Be able to handle day-to-day workload under minimal or no supervision.
- ii. Provide a reliable service and apply Health and Safety and hygienic rules and regulations relating to the cleaning related aspects.
- iii. Be of a good moral character and have clean conduct.
- iv. Maintain the cleaning supplies & tools in a clean and safe condition.
- v. Make proper and economic use of the cleaning products supplied by the Contracting Authority.
- vi. Be able to communicate fluently in Maltese or English.

All the necessary supplies and equipment including cleaning products to perform the cleaning services shall be provided by the Contracting Authority.

The contracted cleaner will be expected to sign a confidentiality declaration upon service.

Assigned cleaner shall be first approved by the Contracting Authority and during the execution of works, he or she may be asked to be substituted by the selected company without any reason, if and when the Contract Authority decides so.

3) Response Format and Award Criteria (Note 3)

Responses are to be straightforward, clear, concise and specific to the information requested. In order for submissions to be considered complete, Economic Operators must provide all the requested information mentioned in this document as well as any other comments, observations or suggestions which potentially may assist the Contracting Authority in the Call for Quotations.

The award criteria for this Call for Quotations is the Rate.

Section D: Additional Information

1) Assumptions and Risks

1.1 Assumptions Underlying the Project Intervention

The cooperation of all parties is being assumed. Unsatisfactory services may interfere with the daily routine at the Contracting Authority.

1.2 Risks

Health and Safety considerations for all personnel of the Contractor and the staff at the CA must be a prime consideration.

The Bidder shall provide a contingency plan (to be submitted at submission stage through EPPS) including response in the event of emergencies such as:

- i. Sick personnel.
- ii. Industrial actions.
- iii. Breakdown of public transportation.
- iv. Flexibility in working hours (exigencies may require that cleaning personnel be provided in a flexible manner); and
- v. Other contingency measures relevant to this contract.
- vi. The Contractor is to ensure that a replacement of cleaner/s will be provided immediately in the event that the contracted employee/s is/are unavailable.

2) Scope of the Work

2.1 Cleaning Services

The cleaning services shall be carried out within the timeframes indicated in this dossier.

Other cleaning services may also be requested by the Contracting Authority, under the same rates, terms and conditions unless stated otherwise.

2.2 Time of Service

The Contracting Authority's core cleaning hours will be between 07.00hrs and 15.00hrs, unless otherwise indicated by the Contracting Authority.

This timeframe may be changed at the Contracting Authority's discretion.

2.3 Cleaning Products and Cleaning Supplies & Tools

All cleaning products (such as floor/parquet detergents, hand-washing liquid, bleach, windowdetergents, dishes and plates detergents, multipurpose cleaner for ceramic, stainless steel cleaner, furniture polish, insect spray, air fresheners) and other cleaning supplies and equipment (such as brooms, squeezers, dusters, floor clothes, sponges, garbage bags, trolleys/carts etc.) shall be provided by the Contractor Authority.

2.4 Contract Management

The Corporate Services Unit within the Contracting Authority will be responsible for managing the contract.

2.5 Supporting Staff and Personnel

The Contractor shall have at least one (1) supervisor to coordinate together with the Contracting Authority the assigned cleaner. The supervisor will be the focal point for the Contracting Authority.

Random visits on a regular basis at office sites by the supervisor are obligatory to monitor the cleaner. Furthermore, immediate visits by the supervisor will be required in order to take prompt action on any reports received from the Contracting Authority.

In this regard, the supervisor is required to be reachable by means of a mobile phone during the times of execution of the cleaning services.

Further to the above, Contractor's employees must be on site in a timely manner. Cleaner shall sign attendance sheet which is to be provided by the contractor following award.

Project Management

Responsible Body

The Contracting Authority will be responsible for this quotation.

Management Structure

Any queries, clarifications, information requests and reports during the execution of the contract should be directed to the Contracting Authority. Direct contact details will be provided following the Award.

Monitoring and Evaluation

Definition of Indicators

Personnel performing duties at the Contracting Authority are to register their arrival and departure to/from work by signing an attendance sheet provided by the Contractor.

Employment Conditions

Bidders are responsible to ensure that their offer abides by and conforms to **ALL** National Legislation and Regulations of Employment.

Furthermore, the Economic Operator shall provide the following proof at submission stage through EPPS:

- a) Wages are paid by credit transfer where all costs are borne by the contractor (*proof shall be submitted at submission stage*).
- b) Employees are provided with a payslip (*copy of a payslip shall be submitted at submission stage*).
- c) Employees have a written contract (*copy of a contract shall be submitted at submission stage*).
- d) Freedom of employee to join a trade union (*a self-declaration by the bidder shall be submitted at submission stage*).
- e) Health and Safety resources (Quality assurance system employed by the Contractor to ascertain a safe working environment).
- f) Measures to ensure safety of employees, including when working from heights and for window-cleaning.
- g) Sufficient insurance cover in case of injury on duty (*copy of insurance shall be submitted at submission stage*).
- h) A valid Collective Agreement in place (*copy of Agreement shall be submitted at submission stage*).

Section E

Financial Bid Form (Note 3)

FEE-BASED CONTRACTS

Fee for provision of Cleaning Services as outlined in the Quotation Document, ref Number **SCSA 23_0031**.

N.B. - Three decimal points do not exist in the Euro currency therefore, such offers cannot be accepted. All amounts quoted in the financial bid are to be submitted up to two decimal points. (Both the unit price/rate and the grand total price should be up to 2 decimal places).

All prices offered are exclusive of VAT.

The Contracting Authority is bound to procure 80% of the awarded Contract Value.

Rate quoted: € per Hour

(Amount in Words):

Rate per hour (in Euro) including all taxes but excluding VAT.

The Minimum Predicted Quantity to be procured is for a period of six months from 1st May to 31st October 2023 which amount to 126 (one hundred and twenty-six) working days at 8 (eight) hours per day, which are equivalent to 1,008 (one thousand and eight) hours.

CARRIED FORWARD TO THE FINANCIAL SECTION OF THE ONLINE TENDER RESPONSE FORMAT

N.B: Contractors are to take note of Contracts Circular no 04_2023 regarding "pegging of rates". Rates under the amounts stated in said circular will be disqualified. Not less than €7.54 per hour excluding VAT for Cleaners (Offices) for the year 2023.

Tenderers are reminded that the Contracting Authority is entitled to reject any offer which is considered to be abnormally low according to Regulation 243 of LN 352/2016.

Signature of Legally Responsible Company representative: _____

Name and Surname in block letters: _____

ID Card No: _____

Date: _____

Call for Quotations – CfQ

PROVISION OF CLEANING SERVICES

Issued by: Social Care Standards Authority

CfQ#: SCSA 23_0031

Issue Date: Wednesday 22nd February 2023

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Contractor shall send a monthly invoice, at the beginning of the following month, requesting payment according to the number of hours carried out.

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2.1.3 Results to be achieved by the Contractor

- a) To provide one (1) cleaner to efficiently carry out Cleaning Services.

b) To ensure that the cleaners employed during the execution of the contract are properly trained and motivated.

The personnel assigned by the Contractor to carry out the cleaning tasks shall be responsible for the execution of assigned tasks. To this end, the personnel provided must:

- i. Be able to handle day-to-day workload under minimal or no supervision.
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- iii. Be of a good moral character and have clean conduct.
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The award criteria for this Call for Quotations is the Rate.

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1.1 Assumptions Underlying the Project Intervention

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- v. Other contingency measures relevant to this contract.
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2.1 Cleaning Services

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Furthermore, the Economic Operator shall provide the following proof at submission stage through EPPS:

- a) Wages are paid by credit transfer where all costs are borne by the contractor (*proof shall be submitted at submission stage*).
- b) Employees are provided with a payslip (*copy of a payslip shall be submitted at submission stage*).
- c) Employees have a written contract (*copy of a contract shall be submitted at submission stage*).
- d) Freedom of employee to join a trade union (*a self-declaration by the bidder shall be submitted at submission stage*).
- e) Health and Safety resources (Quality assurance system employed by the Contractor to ascertain a safe working environment).
- f) Measures to ensure safety of employees, including when working from heights and for window-cleaning.
- g) Sufficient insurance cover in case of injury on duty (*copy of insurance shall be submitted at submission stage*).
- h) A valid Collective Agreement in place (*copy of Agreement shall be submitted at submission stage*).

Section E

Financial Bid Form ^(Note 3)

FEE-BASED CONTRACTS

Fee for provision of Cleaning Services as outlined in the Quotation Document, ref Number **SCSA 23_0031**.

N.B. - Three decimal points do not exist in the Euro currency therefore, such offers cannot be accepted. All amounts quoted in the financial bid are to be submitted up to two decimal points. (Both the unit price/rate and the grand total price should be up to 2 decimal places).

All prices offered are exclusive of VAT.

The Contracting Authority is bound to procure 80% of the awarded Contract Value.

Rate quoted: € per Hour

(Amount in Words):

Rate per hour (in Euro) including all taxes but excluding VAT.

The Minimum Predicted Quantity to be procured is for a period of six months from 1st May to 31st October 2023 which amount to 126 (one hundred and twenty-six) working days at 8 (eight) hours per day, which are equivalent to 1,008 (one thousand and eight) hours.

CARRIED FORWARD TO THE FINANCIAL SECTION OF THE ONLINE TENDER RESPONSE FORMAT

N.B: Contractors are to take note of Contracts Circular no 04_2023 regarding "pegging of rates". Rates under the amounts stated in said circular will be disqualified. Not less than €7.61 per hour excluding VAT for Cleaners (Offices) for the year 2023.

Tenderers are reminded that the Contracting Authority is entitled to reject any offer which is considered to be abnormally low according to Regulation 243 of LN 352/2016.

Signature of Legally Responsible Company representative: _____

Name and Surname in block letters: _____

ID Card No: _____

Date: _____

List of Clarifications

| | | | |
|---|---|-----------------|----------|
| #Clarification Number | 1 | Date Published | 03/03/23 |
| Title Of Request | | Clarification 1 | |
| Question | | | |
| In line with Contracts Circular 03/2023, the minimum rate for the financial bid shall now read seven euro and sixty-one cents (E7.61).Please find updated quotation document here attached. | | | |
| File Associated to Question : <N/A > | | | |
| Answer | | | |
| Bidders are to use the updated financial bid form of this document. | | | |
| File Associated to answer : <CFQ SCSA 23 0031 v.2.pdf > | | | |

Doc

| Type Of Activity | Username | Date Created | CFT Name | Secondary CE Name | Secondary Account Name | Error Description | Error Code |
|---|------------|------------------|--------------------------------|---|------------------------|-------------------|---------------|
| CFT Submissions - Expression of Interest | anthonyacj | 03/03/2023 08:11 | PROVISION OF CLEANING SERVICES | Not Available | Not Available | Not Available | Not Available |
| CFT Submissions - Download Contract Document | anthonyacj | 03/03/2023 08:11 | PROVISION OF CLEANING SERVICES | CFQ SCSA 23_0031.pdf | Not Available | Not Available | Not Available |
| CFT Clarifications - Submit clarification response without request | micam299 | 03/03/2023 08:50 | PROVISION OF CLEANING SERVICES | Clarification 1 | Not Available | Not Available | Not Available |
| CFT Submissions - Accept agreement and confirm user details | anthonyacj | 04/03/2023 09:14 | PROVISION OF CLEANING SERVICES | Not Available | anthonyacj | Not Available | Not Available |
| CFT Submissions - Tenders page access | anthonyacj | 04/03/2023 09:14 | PROVISION OF CLEANING SERVICES | Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/110.0.0.0 Safari/537.36 | Not Available | Not Available | Not Available |
| CFT Submissions - Download Contract Document | anthonyacj | 04/03/2023 09:21 | PROVISION OF CLEANING SERVICES | CFQ SCSA 23_0031.pdf | Not Available | Not Available | Not Available |
| CFT Clarifications - Reminder for End Clarification period for the clarification Requests | SYSTEM | 06/03/2023 12:00 | PROVISION OF CLEANING SERVICES | Not Available | Not Available | Not Available | Not Available |

| | | | | | | | | | | |
|---|--------|--|------------------|---------------|--------------------------------|---|--|--|---------------|---------------|
| User - Email Notifications | SYSTEM | | | | | e-Tendering Platform Automated Notification - Request for clarifications to time limit | micam299 | | Not Available | Not Available |
| CFT Clarifications - Reminder for End Clarification period for the clarification Requests | SYSTEM | | 06/03/2023 12:00 | Not Available | PROVISION OF CLEANING SERVICES | Not Available | Not Available | | Not Available | Not Available |
| User - Email Notifications | SYSTEM | | | | | e-Tendering Platform Automated Notification - Request for clarifications to time limit | 0084079M@1054,01 64396M@3019,0421 486M@1412,gcc,zmd ,anthonyacj,0430085 M@2568,21287m,27 493m,karinaschembri 1234,darinsaab,kat2_ kate,micam299 | | Not Available | Not Available |
| CFT Clarifications - End Clarification period for the clarification requests | SYSTEM | | 07/03/2023 12:00 | Not Available | PROVISION OF CLEANING SERVICES | Not Available | Not Available | | Not Available | Not Available |
| User - Email Notifications | SYSTEM | | | | | e-Tendering Platform Automated Notification - Time limit for receipt of tenders or request to participate | micam299 | | Not Available | Not Available |

| | | | | | | | |
|--|------------|------------------|-----------------------------------|---|---------------|---------------|---------------|
| CFT Submissions - Tenders page access | anthonyacj | 10/03/2023 10:33 | PROVISION OF CLEANING SERVICES | Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/110.0.0.0 Safari/537.36 | Not Available | Not Available | Not Available |
| CFT Submissions - Download Contract Document | anthonyacj | 13/03/2023 08:43 | PROVISION OF CLEANING SERVICES | CFQ SCSA 23_0031.pdf | Not Available | Not Available | Not Available |
| CFT Submissions - Tenders page access | anthonyacj | 13/03/2023 08:46 | PROVISION OF CLEANING SERVICES | Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/110.0.0.0 Safari/537.36 | Not Available | Not Available | Not Available |
| CFT Submissions - Tender Submission Start | anthonyacj | 13/03/2023 08:54 | PROVISION OF CLEANING SERVICES | Windows 11/amd64/10.0/1.8.0 _341 | 9681850 | Not Available | Not Available |
| Syst - Automatic Upload Servlet | anthonyacj | 13/03/2023 08:55 | PROVISION OF CLEANING SERVICES | Cleaning Services_TENDER.zip | Not Available | Not Available | Not Available |



Tender Evaluation Page

CFT: PROVISION OF CLEANING SERVICES (STATUS: EVALUATION) MY CFT ROLE IS: PO/ES

Eligibility/Selection

ECONOMIC OPERATOR ORGANISATIONS

ACJ Cleaning and Hospitality Services Ltd

T/P RECEIPT ID

000188970

DOWNLOAD ALL ATTACHED DOCUMENTS :



| Economic Operator value | R | PO/ES value | ASc | Sc | Thr. | P |
|-------------------------|---|-------------|-----|----|------|---|
|-------------------------|---|-------------|-----|----|------|---|

▼ SECTION 1 - Exclusion (including Blacklisting) and Selection Criteria

We hereby confirm that both the contractor and any sub-contractor/s, if any, engaged throughout the execution of the contract under any of the exclusion grounds or are blacklisted under any offence listed under Part VI of the Public Procurement Regulations to Tenderers.

I Confirm

▼ SECTION 2 - Eligibility and Administrative Information

▼ Tenderer's Declaration - In response to your invitation to tender for this contract, I hereby declare that:

The Economic Operator I am representing ("We") has examined, and accept in full and in its entirety, the content of this document (including subsequent Clarification Notes issued by the Contracting Authority, if applicable) and the General Rules Governing the Tendering Process. We hereby accept the contents thereto in their entirety, without reservation or restriction. We also understand that any contradiction, alteration, deviation or omission shall lead to our offer not being considered any further. We offer to provide with the terms of the document and the conditions and time limits laid down, without reservation or restriction, the requirements of the Call for Quotations (CfQ).

Yes

▼ Statement on Conditions of Employment

It is hereby declared that all employees engaged on this contract shall enjoy working conditions such as wages, salaries, sick leave, maternity and parental leave as provided for in the relative Employment Legislation. Furthermore, we shall conform to Chapter 424 of the Laws of Malta (Occupational Health and Safety Authority Act) as well as any other national legislation standards and/or codes of practice or any amendment thereto in effect during the execution of the contract. In the event otherwise during the execution of the contract it is hereby being consented that the contract is terminated with immediate effect and no claim for damages or compensation be raised by us.

Agreed



gov.mt

199000

I agree and commit to submit a copy of the monthly payslips of the employees being detailed to carry out the services and copies of the FS3 forms at the end of the year if so requested.

Agreed


I agree that all employees engaged on this contract shall enjoy working conditions such as wages, salaries, vacation and maternity and parental leave as provided for in the relative Employment Legislation. Furthermore, we shall comply with the Laws of Malta (Occupational Health and Safety Authority Act) as well as any other national legislation, regulations, standards, codes of practice or any amendment thereto in effect during the execution of the contract. I/We are aware of, and shall abide by all Circulars and Guidelines issued by the Department of Contracts, which are available under the Resources Section of www.etenders.gov.mt. In the event that it is proved otherwise during the execution of the contract it is hereby being considered that the contract is terminated with immediate effect and that no claim for damages or compensation be raised by the contractor.

I Agree

▼ Extracts from the Public Procurement Regulations

I confirm that I am aware of the right of appeal as stipulated in the General Rules Governing Tendering. (Applicable only for contracts equal or exceeding 5000 Euro)

I confirm

For Internal Use: Section 2: Compliant? 

| | | | |
|---|--|------|---|
|  | | 100% |  |
| Overall | | |  |



CT 5012/2020

Contracts Circular N° 03/2023

Department of Contracts
Notre Dame Ravelin
FLORIANA

To Permanent Secretaries
Directors General
Directors
Heads of Public Sector Organisations

02 March 2023

**FURTHER TO: AWARD OF SERVICE CONTRACTS AND PEGGED RATES
(2023): SALARY SCALES 19 AND 20**

Reference is being made to the Cost-of-Living Adjustment (COLA) increase of €9.90c weekly and €0.25c hourly, as announced in the 2022 Budget Speech, covering year 2023.

To ensure that the principle of '*Equal Pay for Equal Work or Work of Equal Value*', as depicted in the Employment & Industrial Relations Act of 2002 (Chapter 452, Part IV) is adhered to, additional information to Contracts Circular N° 04/2023 (dated 24 January 2023) in relation to the Pegged Rates for Salary Scales 19 and 20, is being brought to the attention of all Stakeholders, namely the Contracting Authorities / Entities and Economic Operators.

Accordingly, further to Contracts Circular N° 04/2023, it shall be noted that all Service Contracts classified under Salary Scale 19 and Salary Scale 20 (irrespective of the nomenclature utilised) shall be inclusive of the following COLA entitlement:

- Salary Scale 19 Service Contracts shall be inclusive of €0.04 per hour
- Salary Scale 20 Service Contracts shall be inclusive of €0.07 per hour

To this end, the Minimum Hourly 'Total Rate Payable to Contractor' and the Contractor's employees 'Basic Rate' for Year 2023 shall be amended as necessary and applicable. The above COLA entitlement requirement is applicable to all the Public Administration, thus, Contracts for Services awarded by Contracting Authorities / Entities in the Public Service and in the Public Sector.

Contracting Authorities / Entities are being advised that the ‘Minimum Hourly Rates’ depicted in the table below supersede the rates forming part of Contracts Circular N° 04/2023.

| Government Salary Scale | 2023 Minimum Hourly Rates (excl VAT) | | | |
|-------------------------|--------------------------------------|---------------------|--|---|
| | Monday - Saturday Basic Rate * | Sunday Basic Rate * | Monday - Saturday Total Rate Payable to Contractor | Sunday Total Rate Payable to Contractor |
| Service Salary Scale 19 | € 5.88 | € 11.76 | € 8.24 | € 14.12 |
| Service Salary Scale 20 | € 5.42 | € 10.84 | € 7.61 | € 12.96 |

** The ‘Basic Rate’ refers to the ‘Rate Payable to the Contractor’s Employees*

In this regard, Contracting Authorities / Entities and Contractors are expected to liaise together, conduct adequate analysis and coordinate changes to the relevant Contract Agreements / Procurement Calls as well as implement all necessary actions in full adherence to the COLA entitlement measure.

All the other content of the original Contracts Circular N° 04/2023 remain applicable.

Contact

Contracting Authorities may submit any queries in relation to the generic content of this Circular to the Department of Contracts’ Customer Care service on info.contracts@gov.mt or by calling on +356 2378 1000.

However, regarding specific queries vis-a-vis the relevant ‘Basic Rates’ payable to the Contractor’s Employees all interested parties (including Contracting Authorities and Contractors) are to contact the Department for Industrial and Employment Relations on info.dier@gov.mt or +356 2122 4245/6.

Anthony Cachia
Director General (Contracts)

Department of Contracts
Notre Dame Ravelin
FLORIANA

To Permanent Secretaries
Directors General
Directors
Heads of Public Sector Organisations

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