



RE: MONITORING OF SUBMARINE INTERCONNECTOR CABLE BETWEEN MALTA AND SICILY (Reference number TD/DO/2782/2023 (7230))

We write on behalf of Medbiologix Company Limited (C 76516) of 174, Psaila Street, Birkirkara, and are directed to lodge its official objection against Enemalta plc's decision to award the tender in caption to Ultramap Limited for the offered price of €102,000.

The grounds for this official objection are the following:

In terms of section 2.4.13, the tenderer **must have** "a dedicated 24/7 team which monitors the sea vessels activity and shall contact the sea vessel by any standard means to notify the crew about the location of the subsea cable".

According to the Instructions to Tenderers, under the heading 'Compliance System', the checklist ranking system marks the above requirement as **M – must have** "meaning that specifications included in the section are Fixed and no compromises will be made".

This is to be interpreted to mean that the successful bidder **must have**:

- a. a **dedicated 24/7 team** which monitors the sea vessels activity and
- b. which can readily **contact the sea vessel to notify the crew about the location of the subsea cable.**

The above mandatory requirement therefore essentially means that the successful bidder must have a team of persons or a software system, who/which is not only totally dedicated to the scope of this tender but is also able to promptly notify the vessel about the location of the subsea cable.

It is the objectors' firm opinion that it is financially unviable that the successful bidder could potentially offer this service by means of a team of physical persons, given that the global sum of the successful bidder's offer would effectively equate to a unrealistic rate of (€102,000 / 5 years / 365 days / 24 hours =) **€2.33 per hour per team of physical persons which are totally dedicated to this service alone**, and presuming also that the successful bidder has no other overheads or expenses and will not be carrying out this service at a profit!! This evidently renders the bid submitted by Ultramap Limited as being abnormally low and consequently imposes a series of obligations upon Enemalta p.l.c. under European Union Law respectively.

Apart from the above, it is the objectors' firm opinion that the successful bidder is unable to provide a 24/7 automated monitoring holistic system which would fit the additional requirement to provide real time, dedicated and prompt direct notification to vessels, given that the objector company alone has the sole representation in Malta of Vesper Guardian, namely the manufacturer who would be in a position to supply such a holistic system which contains all the necessary features to provide the all-inclusive services in terms of the referenced tenderer.

For all the above reasons, the Public Contracts Review Board is being asked to uphold this appeal by determining that the awarded bidder's offer is not compliant with the mandatory

specifications included in section 2.4.13 of the tender document and is abnormally low, and consequently reverse the decision to award the tender in caption to Ultramap Limited for the offered price of €102,000.


Attached herewith please find evidence of payment of the deposit of €625 in relation to this objection by the objectors, who reserve the right to provide all the necessary evidence and make further submissions during the hearing of this objection.

**NORVAL DESIRA LL.D.**



# Accounts



 MEDBIOLOGIX COMPANY LIMITED

40396610014



Details

Account  
History

Payment  
History

Search

Transaction Date

Debit / Credit

Description

01.09.2023

O/PO TO Cashier Malta  
Government

-625.00

27.08.2023

Balance B/F



Home



Exchange



Branches



Contact



Token