

16 February 2024

Public Contracts Review Board
Notre Dame Ditch, Floriana

Reply of the Marsaskala Local Council (the Contracting Authority) to the Objection lodged by Antoine Xerri (the Appellant) with respect to Tender For the Upkeep and Maintenance of Public Gardens and Soft Areas in Marsaskala Using Environmentally Friendly Products and Practices (KLM2023/08)

Dear Chairman and Members of the Board,

A. First Ground of Appeal – Reasons for Rejection

1. The appellant complains that the contracting authority had initially failed to specify the precise reasons for the technical non-compliance.
2. The contracting authority concedes that it did not give the specific reasons in its initial communication to the bidder. This was a minor administrative oversight which was remedied before the lapse of the timeframe to appeal. The subsequent communication provided clarity to the appellant, giving him the requisite information to understand and contest the rejection (**Doc A**).
3. In fact, the appellant himself acknowledges, in his second ground of appeal, that the he was given the specific reasons for rejection and for the technical non-compliance, so much so that he was able to file an appeal on the merits, addressing the two specific reasons given to him for his technical non-compliance.
4. For these reasons, this ground of appeal is completely without merit.

B. Second Ground of Appeal – Technical Non-Compliance

5. In this ground of appeal, the appellant submits that his bid was technically compliant.
6. The contracting authority disagrees, as it found the appellant’s bid to be technically non-compliant for not one, but two reasons.
 - i. *Service vehicle lacks ERA permit*
 7. First, the appellant’s service vehicle “*does not have the ERA waste handling permits required in order to be able to carry out all the works included in the scope of the tender.*” The ERA waste handling permit is a critical and integral requirement for technical compliance within the tender specifications, since part of the scope of the works involves waste handling and waste disposal, which requires an ERA waste handling permit.
 8. The appellant claims that his vehicle has this required ERA permit. However, the appellant’s submission in this regard was lacking in certain aspects, and was deemed insufficient as verifiable proof of an active ERA permit.
 9. Initially, the appellant submitted a document concerning a vehicle bearing registration number RXC002 for waste handling and waste disposal purposes. In this document he had expressly declared that he was “*waiting for the new ERA permit*” (Doc B). The required permit was therefore, by the appellant’s own admission, not regularly in place at the time of the initial submission.
 10. The contracting authority sought a clarification, where the appellant was informed, amongst other things, that: “*The service vehicles should also be covered with the relevant waste handling permit.*” (Doc C).
 11. The appellant subsequently submitted an updated document with information on the same vehicle RXC002 (Doc D). This contained a photo of the windscreen of the vehicle with an ERA permit expiring in July 2023. The updated document also

included what appears to be a letter from ERA, which the appellant is claiming to be the licence in question. But this letter lacks the vital formalities one expects from a licence, namely the official letterhead of ERA. The winning bidder in this tender submitted a proper ERA certificate with the ERA letterhead, which the contracting authority is attaching for ease of comparison (**Doc E**).

12. For this reason, the submission of a document without an official ERA letterhead, coupled with a photo of an expired permit, failed to meet the legal and technical standards of authenticity and current validity. It was deemed insufficient as verifiable proof of an active ERA permit.
13. This rendered the offer non-compliant with the stipulated technical requirements.
14. Furthermore, the reference to clause 4.2.18 in the appellant's appeal, pertaining to "other permits," does not mitigate this non-compliance. The clause explicitly relates to additional permits that might be necessary for the execution of the contract and does not pertain to the essential permits required for the core services outlined in the tender.
15. Therefore, the contracting authority correctly determined the appellant's offer as technically non-compliant.

ii. No certificates for key expert

16. The second technical non-compliance was the failure of the appellant to "*submit the copy of qualification certificates of the key expert*".
17. The appellant claims that it was sufficient for him to submit the CV and the Tree Specialist licence.
18. The tender dossier however expressly required the bidder to submit all the qualifications/certificates for the key expert.

19. The licence of a tree specialist was only part of the requirements, and was indeed also an integral element in view of the fact that one of the key experts had to be precisely a “Licenced Tree Specialist”. But the tender however necessitated not one, but two key experts: (i) a licenced tree specialist, and (ii) a gardener/horticulturer/nursery grower. The bidder had to submit “qualifications/certificates for each key expert” (Doc F).
20. The appellant failed to do this. He appointed the same person as both key experts and simply submitted that person’s CV and Tree Specialist licence, without the corresponding qualifications/certificates.
21. The appellant was given an opportunity to remedy his failure to submit the qualifications/certificates via a clarification question where he was specifically and expressly asked “*to send copy of all qualifications (certificates)*” (Doc G). In his reply, the appellant simply submitted the same exact document he had submitted with his initial offer, that is, the CV and the tree specialist licence.
22. Once again, the winning bidder in this tender submitted the requested certificates and qualifications for their key experts, which the contracting authority is also attaching for ease of comparison (Doc H).
23. Therefore, the contracting authority correctly determined the appellant’s offer as technically non-compliant.

C. Third Ground of Appeal – Price

24. Lastly, the appellant claims that his offer is the cheapest, which seems to imply that if his appeal were to be upheld, he should be awarded the tender.
25. While it is true that his bid is cheaper than the winning bid, there are two other bids which are cheaper than the appellant’s, which were also deemed technically non-compliant for the exact reasons the appellant’s bid was deemed non-compliant: these other two offers had the same key expert and the same service vehicle as the ones proposed by the appellant. The documents submitted were exactly the same. This

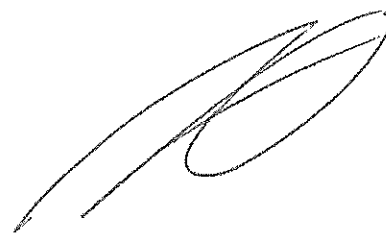
DALLI ADVOCATES
— L A W F I R M —

means that should this respectable board deem the appellant's bid to be technically compliant, then the other two bids should likewise be deemed technically compliant, and should be reintegrated into the new evaluation of the tender, even though they did not appeal.

26. For these reasons, the appellant's appeal can never have a truly favourable outcome for him, in view of the fact that even if his appeal is upheld, his offer would still not be the most competitive given the other two offers that would be reintegrated into the evaluation.

In view of the above considerations, the Contracting Authority submits that the appellant's objections should be rejected in their entirety.

Dr Veronique Dalli
veronique@dalliadvocates.com



Dr. Andrew Saliba
Andrew@dalliadvocates.com

FW: Tender KLM 2023/08 UPKEEP AND MAINTENANCE OF PUBLIC GARDENS AND SOFT AREAS IN MARSASKALA USING ENVIRONMENTALLY FRIENDLY PRODUCTS AND PRACTICES

Attard Lucille at Marsaskala Local Council <lucille.attard@gov.mt>

To:'easybuy2003@gmail.com' <easybuy2003@gmail.com>

Cc:'anthonyxerri1972@gmail.com' <anthonyxerri1972@gmail.com>

Dear Mr Scerri,

The following reasons hereunder explain why your bid was considered to be technically non compliant.

Justification: Key Expert Form

Clarifications were sent and bidder replied, one of which was not answered satisfactorily since bidder did not submit the copy of qualification certificates of the key expert. Bid is technically not compliant.

Justification: Waste Handling Permits of Service vehicles and respective log books

A clarification was requested and bidder replied however the reply did not present all documentation which is required to satisfy the tender requirements. The bidder appears to have commitment of use of only a service vehicle which does not have the ERA waste handling permits required in order to be able to carry out all the works included in the scope of the tender. Bid is technically not compliant.

Regards

Josef Grech
Executive Secretary
Marsaskala Local Council

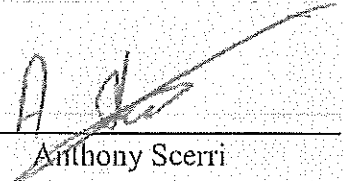
ERA PERMITS FOR RXC 002

Tuesday 28th November 2023

To whom it may concern,

I am currently waiting for the new ERA Permits for vehicle RXC 002.

Please find documentation related to the new ERA Permits.



Anthony Scerri

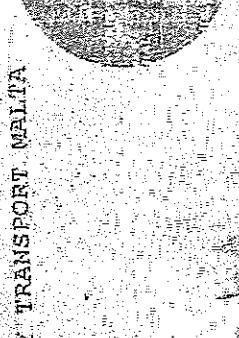
Doc C

Response Date	17/12/2023 15:51
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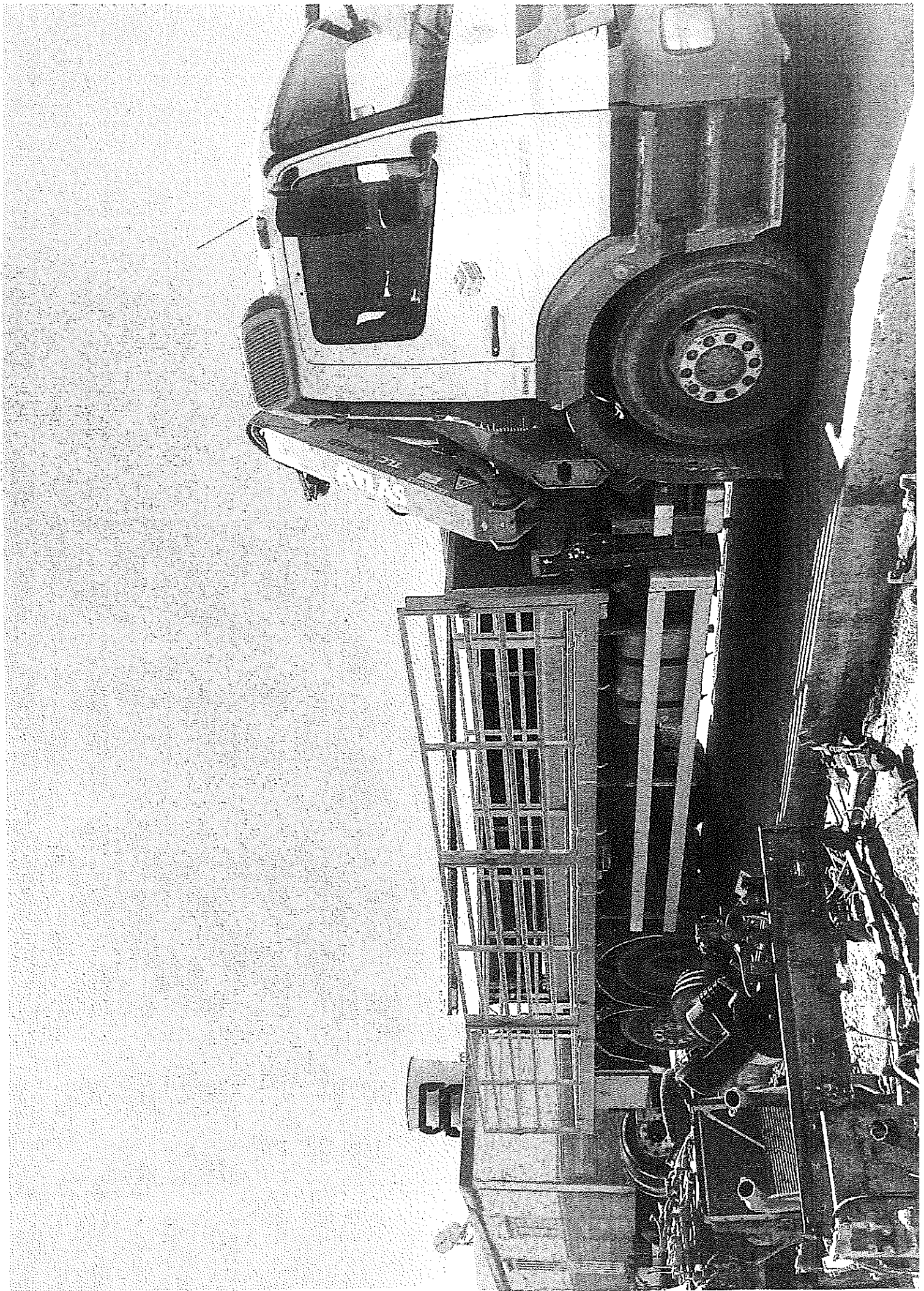
Clarification ID	6	Date	13/12/2023 08:43:22
		Date Answered	2023/12/17 15:32:51
EO Name	anthonyscerri		
Request Title	Waste Handling Permits of Services vehicles and respective log books		
Request description	<p>As included in the tender dossier, this tender requires a Service vehicle that satisfies the following criteria:</p> <p>The vehicles to be used in carrying out the service shall at a minimum fulfil the exhaust emission requirements of EURO 4/IV.</p> <p>The service vehicles should also be covered with the relevant waste handling permit, and duly insured as required by law.</p> <p>The service vehicles should have the carrying capacity of at least 1.5 tonnes.</p> <p>The bidder must present the technical sheets of the vehicles where emission standards are defined. For those vehicles where technical upgrade has achieved EUROIV standard the measures must be documented and included in the tender application, this must be approved by a credible third party.</p> <p>Kindly submit all the necessary information in order to satisfy the requirements listed above.</p> <p>This clarification opportunity is being sent without any commitment whatsoever on the part of the Contracting Authority, and does not imply that your offer will be accepted as it may still be deemed administratively, technically or financially non compliant during the evaluation process.</p>		
Request Attachment	N/A		
Response	<p>To the Evaluation Committee,</p> <p>Please find attached documentation as requested.</p> <p>Best wishes</p> <p>Anthony Scerri</p>		
Response Attachment	Logbook + Insurance + Pictures + ERA Permits - RXC 002.pdf		
Response Date	17/12/2023 15:32		

Clarification ID	25	Date	13/12/2023 08:44:46
		Date Answered	2023/12/19 13:16:27
EO Name	kurtborg		
Request Title	Water Bowser and Water Supply		
Request description	<p>This tender requires watering by bowser and the need for water supply. It is noted that no proof has been submitted to cater for the following requirements:</p> <p>Contractor shall be in possession or provide proof of access of one (1) small water bowser with a capacity of 1,000 litres.</p> <p>Contractor shall be in possession or provide proof of access of one (1) large water bowser with a capacity of 30,000 litres.</p> <p>Kindly submit all the necessary information listed above.</p> <p>This clarification opportunity is being sent without any commitment whatsoever on the part of the Contracting Authority, and does not imply that your offer will be accepted as it may still be deemed administratively, technically or financially non compliant during the evaluation process.</p>		

[H] Perjoduna ta' Validita' Period of Validity	[V] UNLIMITED	[W] Numru tas-Sistema System Number	735077
<p>NOTI (Notes): TRANSEER TO BE AUTHORIZED BY TRANSPORT MALTA COMPANY-OWNED VEHICLE</p>			
<p>3. Dettalji tal-Magna Engine Details</p> <p>Qawwa tal-Magna Engine Capacity</p> <p>6374</p>			
P.2 L-Ogħla Gawwa Netta (kW) Max. Net Power (In kW)	N/A	V.7 I-Livell flimkien ta' CO ₂ (g/km) Combined CO ₂ (g/km)	N/A
P.3 Tip ta' fjuwil jew sors ta' qawwa Type of fuel or power source	DIESEL		
P.5 Numru ta' Identifikazzjoni tal-Magna Engine Identification Number	902915C102530G		
[P.6] Kodi tal-Magna Engine Code	N/A	[P.7] Għamla tal-Magna Engine Make	MERCEDES BENZ
Q Proporzjoni ta' Qawwa/Piż (muturi biss) (kW/kg) Power/Weight ratio (only for motor cycles) (kW/kg)	N/A		
4. Dettalji Oħra Other Details	N/A		
F. Kulur Colour	WHITE		
S.1 Numru ta' passiġġieri bilqiegħda, ix-xufler u dawkl li jużaw is-siġġijiet bil-roti Number of sitting passengers, driver and wheelchair users	3		
S.2 Numru ta' passiġġieri bil-wieqfa (fejn xieraq) Number of standing places (where appropriate)	N/A		
[X.1] Data tal-aħħar bidla tas-sid Date of last change of owner	N/A		
[X.2] Numru ta' sidien ta' qabel Number of former owners	N/A		
[Y.1] Numru ta' pjanċi mahruġa Number of plates issued	2		
[Z] Tip ta' Gearbox Gearbox Type	[V.9] Kategorija Ambientali Environmental Category	EURO5	

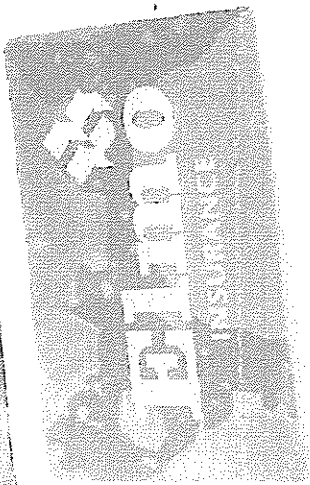


A. Numru ta' Reġistrazzjoni Registration Number	RXC002		
C. IS-SID REGISTRAT TAL-VETTURA Registered Vehicle Owner	ANTHONY XERRI 0343572M		
C.1.1 IXX CONSTRUCTION LTD			
C.1.2 J. TRLO I-IMPJNA			
C.1.3 CORNI			
2. Dettalji tal-Vettura Vehicle Details	MERCEDDES BENZ		
B. Data ta' Ewwel Reġistrazzjoni Date of First Registration	28/05/2019		
[B.1] Sena ta' Manifattura Year of Manufacture	2013		
D.1 Għamla Make	MERCEDDES BENZ		
D.2 Tip/Varijant/Verzjoni Type/Variant/Version	N/A		
D.3 Deskrizzjoni Kummerċjali/Issem tal-Vettura Vehicle Commercial Description/Name	2529 AXOR FLAT LORRY WITH HIAB		
E. Numru ta' Identifikazzjoni tal-Vettura Vehicle Identification Number	WDB9506082L767436		
F.1 L-Ogħla massa tekniċi/permessibbli, meta mgħobbja (eskluzi muturi u mopeds) Max. technically permissible laden mass (excluding mopeds and mopeds)	25000 KGS		
F.4 L-Ogħla massa permessibbli tal-vettura, kollha meta mgħobbja Max. permissible laden mass of the whole vehicle	N/A		
G. Massa tal-vettura f'servizz Mass of vehicle in service	N/A		
I. Data ta' Reġistrazzjoni li għaliha jirreferi dan il-certifikat Date of Registration to which this certificate refers	29/05/2019		
J. Kategorija tal-Vettura (EU) EU Vehicle Category	N3	[U.1] Kategorija Nazzjonali National Category	GC
K. Numru ta' Approvazzjoni tal-Tip Type Approval number	N/A		
L. Numru ta' Fustien Number of Axles	3		
M. Wheelbase (mm) Wheelbase (mm)	N/A	[L.1] Tip ta' Suspendin Suspension type	AIR
[M.1] Wisa' tal-fustien (mm) Axle width (mm)	N/A		
<p>Il-protezzjoni tas-sinjura (dan il-certifikat mhux jillabora fuq isid il-persuna li għandha tigiura li l-vettura hi rreġistrata u l-licenzja hi xierqa. This person whose name appears on this certificate is not necessarily the vehicle owner, but it is this person who shall ensure that the vehicle is properly registered and licensed.</p>			
<p>PROTEZZJONI TAL-INFORMAZZJONI - L-informazzjoni personali hi protetta u l-intuza akont id-dispozzizzjonijiet tal-Art. 440 tal-Privatizzazzjoni u l-Privatizzazzjoni ta' Dato (KAP. 440). INFORMATION PROTECTED - Personal information is protected and used in accordance with the provisions of the Data Protection Act (CAP. 440).</p>			



RECEIVED
RXC 002
A1A2

62343 0000
elmoinsurance.com



NordGlass
ETG 4575-00001

JUN 2007

10 9

ARRIVAL TIME

CERTIFICATE OF MOTOR INSURANCE

POLICY HOLDER

Name: Mr. Anthony Xerri
Address: obo RX Construction Ltd
Mdina Road
Qormi

ID Card No: 343572M

POLICY SUMMARY

Policy Number: 410-1096397
Certificate Number: 1257600
Date of Commencement of Insurance: 3 August 2021 at 19:28
Date of Expiry: 30 June 2022

MOTOR VEHICLE

Make & Model:	Mercedes Benz Truck	Registration No:	RXC002
Engine Number:	902915C1025306	Year of Manufacture:	2013
Engine Type:	Diesel	Chassis Number:	WDB9506082L767436
Engine Rating:	26 TONS / 6374 CC	Type of Body:	Flat Lorry
Seating Capacity:	3	Colour:	WHITE

LIMITATIONS AS TO USE*

Commercial Own Goods (Tonnage)

(* Limitations rendered Inoperative by Section 12 of the said ordinance are not to be included under the heading.

AUTHORISED DRIVERS

You and any person aged 25 years or over, driving on your order or with your permission

WE HEREBY CERTIFY THAT A POLICY OF INSURANCE COVERING THE LIABILITIES REQUIRED TO BE INSURED BY THE MOTOR VEHICLES INSURANCE (THIRD PARTY RISK) ORDINANCE CAP. 104 HAS BEEN ISSUED AS STATED ABOVE.

Issued on: 3rd August 2021
Issued by: Adrian Camenzuli

Signed _____

Authorised Insurers

For and on behalf of Elmo Insurance Ltd.

Examined _____

Antoine Xerri
53
Solitaire
Triq ix- Xitwa
Qormi
QRM 5234

Numru ta Permess: GBR/12/03803/23
GBR/12/03804/23

Reġistrazzjoni tal vetturi għal-garr tal-Iskart
Att dwar il-Harsien tal-Ambjent (KAP. 549)

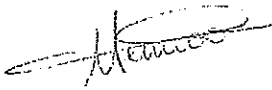
L-Awtorità għall-Ambjent u r-Riżorsi (minn hawn 'il quddiem l-Awtorità; l-Awtorità Kompetenti jew l-ERA) fl-eżerċizzju tas-setgħat tagħha taht l-Att dwar il-Protezzjoni tal-Ambjent (KAP. 549), hawnhekk tawtorizza skond il kundizzjonijiet anessi :

Antoine Xerri (minn hawn 'il quddiem "id-Detentur tal-Permess"), Ta'/Li l-Uffiċċju Registrat tiegħu (jew il-post prinċipali tan-negozju) li jinsab fl indirizz indikat hawn fuq

Reġistrazzjoni ta' RXC 002 bħala trasportatur tal-iskart taht dawn il-klassijiet msemmija hawn:
A1, A2

Iffirmat:

Data:

 Jonathan Henwood Team Manager (Permessi Ambjentali) Għad-Direttur għal-Ambjent u r-Riżorsi	Permess Mogħti: 7/7/2023
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Awtoriżżat li jiffirma f'isem l-Awtorità Kompetenti

Jul-24
RXC 002

A1, A2



Appendix 1 – Waste handling permits



Jonathan Callus
Blooming Garden Ltd
Mqabba Road
Siggiewi
SGW 2600

Numru ta' Permess: GBR/12/05960/23

Reġstrazzjoni tal-vetturi għal-ġarr tal-iskart Att dwar il-Harsien tal-Ambjent (KAP. 549)

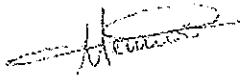
L-Awtorità għall-Ambjent u r-Riżorsi (minn hawn 'il quddiem l-Awtorità; l-Awtorità Kompetenti jew l-ERA) li eżerċizzju tas-setgħat tagħha taħt l-Att dwar il-Protezzjoni tal-Ambjent (KAP. 549), hawnhekk tawtorizza skond il kundizzjonijiet annessi:

Jonathan Callus f'isem Blooming Garden Ltd (minn hawn 'il quddiem "Id-Detentur tal-Permess"), Ta'/Li l-Uffiċċju Reġistrat tiegħu (jew il-post prinċipali tan-negozju) li jinsab fi indirizz indikat hawn fuq

Reġstrazzjoni ta' CGC 125 bħala trasportatur tal-iskart taht dawn il-klassijiet msemmija hawn:
A2

Iffirmat:

Data:

 Jonathan Henwood Team Manager (Permessi Ambjentali) Għad-Direttur għal-Affarijiet Regolatorji	Permess Mogħli: 27/10/2023
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Awtorizzat li jiffirma f'isem l-Awtorità Kompetenti



KEY EXPERT/S FORM (form 2)

Tenderers are to substantiate their claims, in respect to the proposed Key Expert/s, by complying with and submitting the following at tendering stage:

1. relevant up-to-date CVs;
2. duly filled-in *Professionals Declaration form*;
3. any and all, associated requirement/s listed within the *Literature List form*.

As applicable, Key Experts shall submit a filled-in *Statement of Availability* and the *Self-Declaration form* (as applicable and as per forms annexed below).

Key Expert Role (professional title)	Name and Surname	Nationality	Age	Qualification Title	MQF Level (or equivalent)	Public Employee? (choose only one option)	Authorisation to practice profession in Malta
Licenced Tree Specialist with Distinction Level						<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Gardener/Horticulturer/Nursery Grower						<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

Qualifications required are defined with reference to the Malta Further & Higher Education Authority (MFHEA) (previously known as the Malta Qualifications Council) (<https://mfhea.mt/academic-qualifications/>).

It shall be the Tenderers' obligation to ascertain that the qualifications possessed by the Key Experts proposed by them are equivalent to the established MQF/EQF Level prior to tender submission. The Evaluation Committee reserves the right to request the determination of the Malta Further & Higher Education Authority (MFHEA) (previously known as Malta Qualifications Council (MQC)) in checking the equivalency of the qualifications, which shall be final. The Malta Qualifications Recognition Information Centre (MQRIC) is the competent body within the Malta Further and Higher Education Authority (MFHEA) (previously known as NCFHE) that recognises qualifications against the Malta Qualifications Framework (MQF) and whose portal can be accessed here <https://mfhea.mt/>.

Key Experts whose qualifications do not meet the minimum requirements in terms of equivalency, or the equivalency of which is dubious or cannot be determined, shall be rejected.

STATEMENT OF AVAILABILITY ^(Plot 2)

TO BE COMPLETED BY EACH INDIVIDUAL KEY EXPERT IF REQUIRED

PUBLICATION REF:

I, the undersigned, hereby declare my availability in the above-mentioned tender procedure in case of award. I further declare that I am able and willing to work for the period(s) foreseen for the position, even if there are delays in the conclusion of contract beyond the validity of offers, for which my CV has been included in the event that this tender is successful.

I confirm that during the implementation stage of this contract I will not be engaged in another project in a position which will prevent me from providing the services for which I am being nominated for this tender.

Furthermore, should this tenderer be successful, I am fully aware that if I am not available at the expected start date of my services for reasons other than ill-health or *force majeure*, I may be subject to exclusion from other tender procedures and contracts and that the notification of award of contract to the tenderer may be rendered null and void.

Name and Surname of Key Expert:

Signature:

Name of Tenderer:

Date:

PUBLIC EMPLOYEES' DECLARATION FORM ^(Note 2)

TO BE COMPLETED BY EACH INDIVIDUAL KEY EXPERT/PERSONNEL WHO IS EMPLOYED WITH THE
PUBLIC ADMINISTRATION

PUBLICATION REF:

I, the undersigned, hereby declare that I do not have any Conflict of Interest as defined in the Public Administration Act, Chapter 595 of the Laws of Malta - First Schedule, Code of Ethics, Article 5.

I also declare that, I am not engaged in another project or in a position which may give rise to a possible private or personal interest sufficient to influence or appear to influence the objective exercise of my duties as public employee.

By making this declaration, I understand that as a public employee I shall avoid any financial or other interest or undertaking, which could directly or indirectly compromise the performance of my duties as public employee.

I am fully aware that the onus to disclose any possible conflict of interest lies solely on me and I shall be responsible to disclose any foreseen conflict of interest to my seniors/head of organization within one week from when the need arises as well as inform the Contractor accordingly.

In addition, as per the requirements of Article 6.2.3.1 (Private Work) of the Public Service Management Code (PSMC), I also declare that the necessary approval from the respective Permanent Secretary or the Chairperson/CEO as the case may be has been sought, thus granting the undersigned permission to engage in business outside my official duties.

Furthermore, I confirm that I shall also abide by the provisions laid down in Article 21 - Ethics Clauses of the General Rules Governing Tendering.

Name and Surname of Key Expert:

Signature:

Date:

PROFESSIONALS DECLARATION FORM ^(Note 2)

TO BE COMPLETED BY TENDERERS WHOSE PROPOSED KEY EXPERT/S IS/ARE NOT YET IN POSSESSION OF A FORMAL APPROVAL TO PRACTICE THE RELEVANT PROFESSION IN MALTA.

I, the undersigned, hereby declare and commit myself to, in case of award, provide the Contracting Authority (CA) with the necessary valid documentation which attests that the proposed Key Expert/s has/have been duly authorised by the relevant official body to operate the requested and indicated profession in Malta. I also confirm that the aforementioned documentation shall be made available to the CA within one (1) month from notification of contract award (letter to successful bidder) date.

In addition to the aforesaid, if the named authorisation is not made available within the stipulated timeframe, the Key Expert/s being proposed shall be substituted without further delay (within 2 working days from notification). The alternative Key Expert proposed shall:

- i. for CfTs carrying BPQR award criteria: fulfil or exceed the qualifications of the one proposed at tender submission stage;
- ii. for CfTs carrying Price/Cost award criteria: fulfil or exceed the minimum qualifications requested in the relevant Procurement Documents.

Name of Tenderer:

Signature:

Date:

List of literature ^(Note 2)

Item	Description	Reference in Technical Specifications
1.1	Waste Handling Permits of service vehicles	<i>(Refer to Article 4.2.10 of the Terms of Reference)</i>
1.2	CVs for each Key Expert mentioned in the Key Experts Form	<i>(Refer to Article 6.1.1 of the Terms of Reference)</i>
1.3	Qualifications/Certificates for each Key Expert mentioned in the Key Experts Form	<i>(Refer to Article 6.1.1 of the Terms of Reference)</i>
1.4	Statement of Availability for each Key Expert mentioned in the Key Experts Form	<i>(Refer to Article 6.1.1 of the Terms of Reference)</i>
1.5	Public Employees Declaration Form and/or Professionals Declaration Form for any Key Expert mentioned in the Key Experts Form (if applicable)	<i>(Refer to Article 6.1.1 of the Terms of Reference)</i>

For GPP criteria:

List of literature that will be submitted

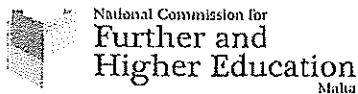
Item	Description
1.6	Seasonal Flower Beds - Bidders must present a list of all the species they propose to supply, together with the prices and the total number of units to be delivered. Within this list bidders must ensure that the list conforms with the guidelines set out in the "Common Species used for Landscaping in the Maltese Islands" issued by the Environment Management Unit Planning Directorate dated 2009. <i>(Refer to Article 4.2.6.6 of the Terms of Reference)</i>
1.7	Soil Improvers - Bidders must provide the detailed composition of the product, the origin of organic matter and a declaration of compliance with the above requirements. Products carrying the EU Ecolabel will be deemed to comply. Other appropriate means of proof, such as a technical dossier of the manufacturer or a test report of an independent body, will also be accepted. <i>(Refer to Article 4.2.6.7 of the Terms of Reference)</i>
1.8	Soil Improvers - Bidders must provide the relevant test reports (EN 13650, ISO 16772 or equivalent) demonstrating that the above criterion is met. Products carrying the EU Ecolabel will be deemed to comply. Other appropriate means of proof, such as a technical dossier of the manufacturer or a test report of an independent body, will also be accepted. <i>(Refer to Article 4.2.6.7 of the Terms of Reference)</i>

1.9	Machinery - Bidders must present all the documentation to show that this criterion is met. <i>(Refer to Article 4.2.9 of the Terms of Reference)</i>
1.10	Service Vehicle - The bidder must present the technical sheets of the vehicles where emission standards are defined. For those vehicles where technical upgrade has achieved EURO V standard the measures must be documented and included in the tender application, and this must be approved by a credible third party. <i>(Refer to Article 4.2.10 of the Terms of Reference)</i>
1.11	Watering by Bowser and Water Supply - Contractor shall be in possession or provide proof of access of one (1) small water bowser with a capacity of 1,000 litres. Contractor shall be in possession or provide proof of access of one (1) large water bowser with a capacity of 30,000 litres. <i>(Refer to Article 4.2.16 of the Terms of Reference)</i>
1.12	Special Requirements - The Contractor has to be registered and a valid certificate issued by the Plant Protection Directorate must be provided at submission stage. <i>(Refer to Article 8.2 of the Terms of Reference)</i>
1.13	Special Requirements - The Contractor must have a registered supplier for the supply of ornamental plants for the gardens and soft areas. Kindly supply details of the registered supplier/s who will be supplying the ornamental plants for this contract. <i>(Refer to Article 8.2 of the Terms of Reference)</i>

Clarification ID	20	Date	13/12/2023 08:40:36
		Date Answered	2023/12/19 12:57:16
EO Name	anthonyscerri		
Request Title	Key Experts proposed		
Request description	<p>For the two appointed Key Experts, you are kindly being requested to send copy of all qualifications (certificates) clarifications</p> <p>This clarification opportunity is being sent without any commitment whatsoever on the part of the Contracting Authority, and does not imply that your offer will be accepted as it may still be deemed administratively, technically or financially non compliant during the evaluation process.</p>		
Request Attachment	N/A		
Response	<p>To the Evaluation Committee,</p> <p>Please find attached the qualifications of the Key Expert mentioned in the Key Experts Form.</p> <p>Kind regards</p> <p>Anthony Scerri</p>		
Response Attachment	Antoine Zammit - CV and Qualifications.pdf		
Response Date	19/12/2023 12:57		

Clarification ID	15	Date	13/12/2023 08:42:10
		Date Answered	2023/12/17 15:57:44
EO Name	kurtborg		
Request Title	Forms related to proposed Key experts		
Request description	<p>You are kindly requested to send the public employees declaration form and/or professionals declaration form for any key expert mentioned in the key experts form, duly filled in and signed by each Key Expert.</p> <p>This clarification opportunity is being sent without any commitment whatsoever on the part of the Contracting Authority, and does not imply that your offer will be accepted as it may still be deemed administratively, technically or financially non compliant during the evaluation process.</p>		
Request Attachment	N/A		
Response	<p>The Key Expert is not a public employee and does not need to sign the Professionals Declaration Form.</p> <p>Best regards</p> <p>Kurt Borg</p>		
Response Attachment	N/A		
Response Date	17/12/2023 15:57		

Clarification ID	10	Date	13/12/2023 08:42:10
		Date Answered	2023/12/17 15:45:15



Malta
Qualifications
Recognition
Information
Centre



Ċentru
Malti
għal Rikonossiment
ta' Kwalifiki u
ta' Informazzjoni

Ċentru Malti għal Rikonossiment ta' Kwalifiki u ta' Informazzjoni

Mrs. Marija Arunovic
Ben's Court, Flat 6
Triq San Xmun
Bugibba SPB 2570

Ref No: MQRIC 2020/00665

EVALUATION OF QUALIFICATION

Country of Qualification:	Serbia
Name of Awarding Institution:	University of Belgrade
Status of Institution:	Recognised
Title of Qualification:	Advanced Diploma of Higher Education in Landscape Architecture and H
Year of Award:	2011
Status of Qualification:	Recognised
MQF/EQF Level:	Comparable to MQF Level 7

Additional Remarks:

This statement is an informed opinion based on information made available by the applicant and the research undertaken at the time of issue of this statement, and is not a confirmation of the authenticity of the submitted certificates.

The status of recognition of an awarding institution or of a qualification and its respective level rating is not definitive, MQRIC reserves the right to reissue statements amending its previous opinion based on newly available information regarding the awarding institution or the qualification.

This statement does not purport to indicate whether a holder of a qualification, whether recognised or otherwise, is suitable for a particular profession or eligible for any position, gain, scholarship or other benefit, and an assessment for such suitability remains with the person or entity contracting with the holder of a qualification.

The Mutual Recognition of Qualifications Act XV111 of 2002 empowers Designated Authorities to make further evaluations of qualifications and experience. In terms of the aforementioned Act, if the intention is of practicing a profession, one has to submit an application to the relevant Designated Authority requesting authorization to practice a profession.

An appeal may be filed within 10 days from the date of issue of this statement in accordance with Regulation 7 of the Malta Qualifications Framework for lifelong Learning Regulations, which appeal should be lodged with the MQRIC Appeals Board, Office of the Permanent Secretary, Ministry of Education and Employment, Great Siege Road, Floriana VLT 2000.

This statement was issued on the 18/02/2020

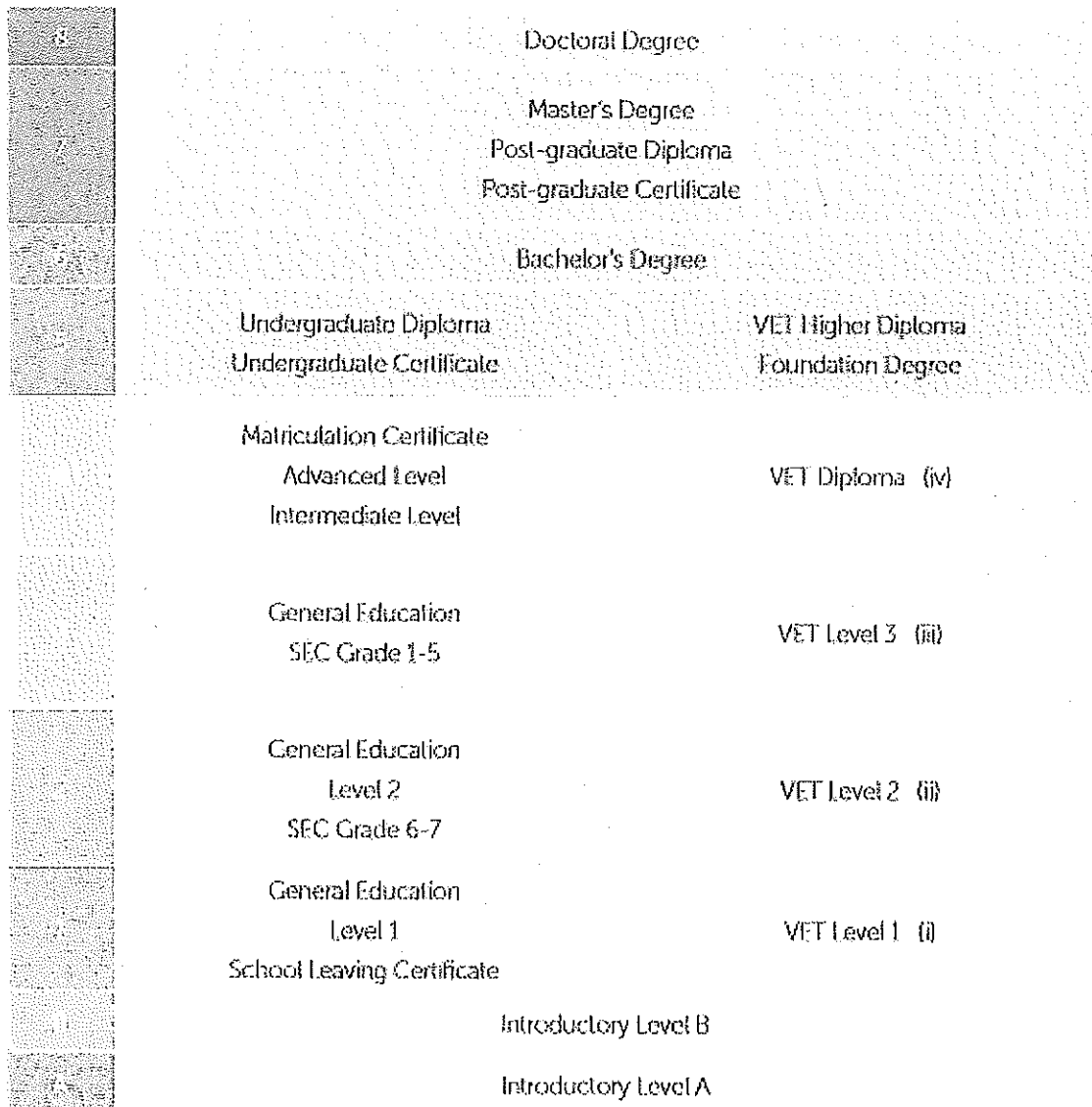
National Commission for Further and Higher Education
Triq J. Abela Scolaro, Hamrun HMR 1304
T - 356 2500 1450 E qric.malta@gov.mt
ncthe.gov.mt

AFFILIATE OF
ENQA

enic-naric.net
gateway to recognition of academic and professional qualifications



Malta Qualifications Framework



Annotations:

- i. A Full VET Level 1 qualification should enjoy the same parity of esteem as a Full Secondary School Certificate and Profile (SSCP) Level 1.
- ii. A Full VET Level 2 qualification should enjoy the same parity of esteem as 4 Secondary Education Certificate (SEC) subjects at Grade 6 and 7.
- iii. A VET Level 3 Qualification should enjoy the same parity of esteem as 6 Secondary Education Certificate (SEC) subjects at Grades 1 to 5.
- iv. A VET Diploma should enjoy the same parity of esteem as the Matriculation Certificate.



Maja Brown Blagojevic M.A.(Transl.)

Certified Court Interpreter for the Serbian Language
10/21, Hever Court, Molletta street, Swieqi SWQ 3532
☎ (+356) 21 376 380 ☎ (+356) 9944 6696
✉ maja.brown.blagojevic@gmail.com

CERTIFIED TRANSLATION FROM THE SERBIAN LANGUAGE



Coat of Arms: Republic of Serbia

UNIVERSITY OF BELGRADE
FACULTY OF FORESTRY

Diploma

OF HIGHER EDUCATION

MARIJA MIROSLAV ANTIĆ

*BORN ON 24/10/1986 IN CUPRIJA, CUPRIJA, R.SERBIA, ENROLLED IN
2005/2006 SCHOLASTIC YEAR, COMPLETED HER STUDIES AT THE
FACULTY OF FORESTRY, STREAMING LANDSCAPE ARCHITECTURE
AND HORTICULTURE ON 05/10/2011 WITH OVERALL GRADE 8.21 (EIGHT
21/100) THROUGHOUT HER STUDIES AND GRADE 10 (TEN) AT HER
DIPLOMA EXAM.*

*ON THE BASIS THEREOF THIS DIPLOMA OF HIGHER EDUCATION HAS
BEEN ISSUED AND PROFESSIONAL TITLE*

MASTER OF LANDSCAPE ARCHITECTURE & HORTICULTURE

BESTOWED UPON THE AFOREMENTIONED.

REGISTRY REFERENCE NUMBER 2954
IN BELGRADE 24/10/2011

DEAN
-signed: M.Medarevic-
PROF.DR. MILAN MEDAREVIC

PROVOST
-signature illegible-
PROF.DR BRANKO KOVACEVIC

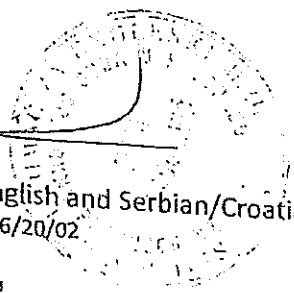
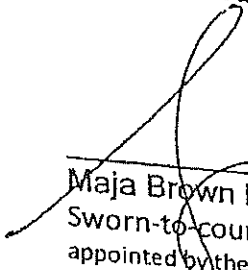
Embossed seal: REPUBLIC OF SERBIA, BELGRADE
UNIVERSITY OF BELGRADE
Coat of Arms: Republic of Serbia

*Interpreter's remark: Grading system from 6 (pass grade) to 10 (top grade)

END OF TRANSLATION

I hereby certify that the above document is a true translation of the original which was submitted in the Serbian language

In testimony whereof I have hereunto set my hand and affixed my Seal of Office, in Malta, this 13th day of December A.D. 2019



Ministry of Foreign Affairs of the Republic of Serbia

Maja Brown Blagojevic
Sworn-to-court Interpreter for English and Serbian/Croatian
appointed by the Decision No.A11093026/20/02
of the Secretary of Justice and
Administration for the Republic of Serbia
Endorsed by the Ministry of Foreign Affairs, Valletta, Malta

Maja Brown Blagojevic



This is to certify that

Romina Formosa

has attended the following course

Plant Production and Urban Tree Pruning

7746P/15
Certificate No.

30772G
ID Number:

April 2016
Date Awarded




Registrar





This is to certify that

Romina Formosa

has successfully completed the following course

Tree Care Specialist

with Pass grade

MCF LEVEL 2
CREDIT: 2 (60YH)

ID No. 100150
COMMISSION NO. 14483P119




Registrar

Licensed Tree Specialist
In accordance with S.L. 549.123

EPA

Name/Isom: Romina Formosa

Ohio Parks Mate

ID Card Number /

Matrícula/Identificación: 30772G

Registration Number /

Número de Registro: EP 1019/21

Valid Until/Valida até: 18/01/2024

Authority Signature /

Firma de Autoridad