

PUBLIC CONTRACTS REVIEW BOARD

Case No 1972 SPD5/2024/003 - Tender for the Provision of Audio, Stage, Lighting, Power, Rigging and Automation, Video and Dynamic Led for Muzika Muzika 2024 Lot 3

5th March 2024

The Public Contracts Board having noted the Letter of Reply dated 1st March 2024 filed by Festivals Malta wherein they stated that the Contracting Authority intends to cancel Lot 3 of the Tender.

The Board upholds the Contracting Authority's arguments that the tender for Lot 3 is to be cancelled on the basis of section 18.3(c) of the General Rules Governing Tenders, i.e. exceptional circumstances or force majeure render normal performance of the project impossible.

Therefore, this also brings the interim request of the appellant, Nexos &Co Ltd as now irrelevant. The Board will therefore not consider this appeal any further.

Under these circumstances this Board recommends that the deposit paid by the Appellant when filing the objection, be reimbursed.

Mr Kenneth Swain
Chairman

Mr Lawrence Ancilleri
Member

Mr R A Matrenza
Member