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13th May 2026

The Secretary
Public Contracts Review Board
Notre Dame Revlin
Floriana VLT 2000

Dear Sir,

Re: NLC/04/2025 - Tender for the Cleaning and Clearing of Non-Urban Roads and Sites in Naxxar using Environmentally Friendly Products and Practices.

I write for and on behalf of my clients AgriBrands Ltd with reference to the tender in caption.

Reference is made to the letter dated 4th May 2026 by virtue of which my clients were informed by the Executive Secretary of the Naxxar Local Council ("NLC") that the procurement proposal submitted by my client was "*not the cheapest priced offer satisfying the administrative and technical criteria*".

In view of this notice, the tender was awarded to the recommended bidder namely Green Ivy Cleaning Services.

My client felt aggrieved by this decision and is therefore filing this present objection.

The reasons for this objection are being outlined hereunder.

1. The Recommended Bidder does not possess a valid Employment Licence.

According to *Clause 5(A) – Selection and Award Requirements – Eligibility Criteria*, all economic operators submitting their respective offers for this tender, had to satisfy the following requirement, namely:

In line with the Employment Agencies Regulations S.L. 452.130, Economic Operators operating an Employment Agency or Employment Business shall be in possession of a Valid licence issued by the Department for Industrial and Employment Relations (DIER), for a period of two (2) years beginning from the date specified in the licence for its commencement. The said licence shall specify if the activity in Malta of the Employment Agency/ Business is:

1. *(i) recruitment of persons for employment in Malta or outside Malta; or*
2. *(ii) to render one (1) or both of the following activities:*
 1. *Temporary Work Agency and/ or*
 2. *Outsourcing Agency.*

Economic Operators shall submit a Self-Declaration whereby they declare that should they be the Recommended Awardee, prior to Contract Signing, they shall be in possession of a Valid or Conditional Licence, issued in accordance with the Employment Agencies Regulations (S.L.452.130), to operate an Employment Agency or Employment Business. Such Self-Declaration shall also specify that during Contract Execution Stage of the Procurement/ Concession Procedure, Economic Operators (in their capacity as Contractors) shall, prior to the expiry of a valid Licence, renew the licence for further periods of two (2) years. Accordingly, the signed and dated Contract Agreement shall be accompanied by a copy of the said Licence and any other documentation as may be requested.

For avoidance of doubt, it is being clarified that the Authority/Entity responsible for the Procurement/ Concession Procedure shall not endorse the Contract Agreement if the copy of the Licence is not submitted. Economic Operators shall also commit to adhere to any timeframes imposed by the Authority/Entity responsible for the Procurement/ Concession Procedure vis-à-vis the submission of a Valid or Conditional Licence, issued in accordance with the Employment Agencies Regulations (S.L.452.130). Additional information on such licences may be viewed from the Department for Employment and Industrial Relations' Employment Agencies portal (<https://employmentagencies.gov.mt/#/en/home>)

It appears that, notwithstanding such requirement, the recommended bidder did not have the requisite employment licence at the time of submission of its offer, nor does it possess the same licence at this of submission of this objection, and thus the contracting authority, in this case the Naxxar Local Council, couldn't have awarded this tender to the recommended bidder. On the contrary, the NLC should have rejected the recommended bidder's offer.



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2. The Recommended Bidder failed to satisfy the requirement of Section 5(A) – Eligibility Criteria in its Self-Declaration.

Without prejudice to the first ground of appeal, the objector contends that the recommended bidder failed to satisfy the requirements of section 5(A) – eligibility criteria, in that it failed to declare in its self-declaration that:

- a) It is in possession of a valid employment licence;
- b) It shall be in possession of a valid or conditional licence prior to contract signing;
- c) during contract execution stage of the procurement procedure, it shall renew the licence for further periods of two (2) years;

In view of such omission, the NLC couldn't have awarded the tender to the recommended bidder.

Therefore, in view of the above, and while reserving the right to make further submissions and present evidence, the objector humbly requests this honourable board to:

- 1) Accede to this present appeal and declares the recommended bidder Green Ivy Cleaning Services is technically and/or administratively not compliant;
- 2) Consequently declares that the decision by the Naxxar Local Council to award the tender to the recommended bidder is unfounded;
- 3) Orders the setting aside of the said decision and cancel the notice of award to the recommended bidder.
- 4) Cancel the rejection notice dated 4th May 2026 sent to Agribrands Ltd
- 5) Recommend that the tender is awarded to Objector being the cheapest compliant bidder;
- 5) Order that the deposit paid by the Objector in connection with the present objection be refunded.
- 6) Grant such further or other remedy as this Honourable Board may deem appropriate in the circumstances.

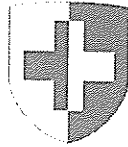


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Kunsill Lokali in-Naxxar

4th May 2026

Agri Brands Ltd.
000235877

TENDER REFERENCE: NLC/04/2025

SUBJECT: Tender for the Cleaning and Clearing of Non-Urban Roads and Sites in Naxxar using Environmentally Friendly Products and Practices

Dear Sir/Madam,

Thank you for participating in the above-mentioned procurement procedure. However, this Entity regrets to inform you that the procurement proposal submitted by your company was not the cheapest priced offer satisfying the administrative and technical criteria.

Tender ID	Name of Tenderer	Financial Offer Excl. VAT €	Ranking
000235901	Green Ivy Cleaning Services	65000.00	1
000235877	AgriBrands Ltd.	81600.00	3

The procurement was recommended for award to **Tender ID. 000235901 Green Ivy Cleaning Services for the amount of EUR 65,000.00 excluding VAT**, this being the cheapest priced offer satisfying the administrative and technical criteria.

If you intend to object to this decision, the Public Procurement Regulations allow for an official objection which in this case has to be lodged at the Public Contracts Review Board, Notre Dame Ditch, Floriana by 4.00pm of Thursday 14th May 2026 against a deposit of **Eur 475.00**.

The official 'recommendation for award' schedule can be accessed on the website: www.etenders.gov.mt.

Although this Entity has not been able to make use of your services on this occasion, we trust that you will continue to take an active interest in its procurement opportunities.

Yours sincerely,

Paul Gatt
Executive Secretary



Bank of Valletta p.l.c
 Registration Number: C 2833
 Registered Office: 58 Zachary Street, Valletta VLT 1130 - Malta

Pay third party

Printed by: Mr. Alexander Azzopardi
 Printed on: 12/05/2026 - 13:15
 Document ID: 28302720

Transaction details

Payer's name: AGRIBRANDS LIMITED

Beneficiary Name & Surname / Company / Group name: Cashier Malta Government

Relation: Administrative Services

Reason: Other

Payment details: Objection Deposit CFT NLC 04 2025 Cleaning on Non Urban Roads Naxxar

Currency: EUR - Euro

Beneficiary IBAN/Account: MT55MALT011000040001EURCMG5001H

Beneficiary IBAN/Account type: Valid IBAN of country - Malta

Bank name: Other bank

Bank address / Bank's BIC: Let the bank apply the beneficiary bank BIC

Beneficiary address: No

From account: AgriBrands Current (EUR) 5002064127 9

Charges should be paid by: Shared - I pay BOV charges; Cashier Malta Government pays the beneficiary bank charges

Amount: EUR 475.00

BOV to transfer the money: as soon as possible

Receiving bank to get the money as: normal priority payment

FPAD Result: The name you entered is very similar to our records: CASHIER MALTA GOVERNMENT CALL ACCOUNT - GENERAL. If you continue without correcting it, the payment may be sent to the wrong person, and recovery may not be possible as it could result in fraud. This Verification of Payee check will not block the payment, but it is simply providing additional security. Please verify the payment details with the recipient before proceeding.

Saved template: modify existing template

Additional information

Credit amount: EUR 475.00

Debited amount (excluding charges): EUR 475.00

Estimated amount to be withdrawn from account: EUR 476.00

Transaction charge: EUR 1.00

Transaction result

Status: Your instructions have been processed successfully.

Transaction ID: 178833672