



e.j.busuttil



The Secretary, Public Contracts Review Board

Date: Wednesday 12th August 2026

Re: Reply to Contracting Authority / Central Procurement and Supplies Unit (CPSU)

Objection 692 CT2371/2025 - Framework Contract for the Supply of Vascular Atherectomy Devices

We acknowledge and thank the Public Contracts Review Board for the communication transmitted on behalf of the Central Procurement and Supplies Unit (CPSU) in relation to the above-referenced objection.

Before indicating whether E.J. Busuttil Limited (Objector) is prepared to agree to a third evaluation of the tender, the Objector respectfully requests confirmation as to whether the Evaluation Committee, at any stage of the preceding evaluation or re-evaluation exercises, requested or received any clarification from the recommended bidder in relation to its tender submission.

In particular, we respectfully request confirmation as to:

1. whether any clarification, explanation or confirmation was sought from, or provided by, the recommended bidder in relation to the discrepancy between the product code stated in its Financial Bid Form and that stated in its Technical Offer Form; and
2. if so, that the Objector be provided with copies of the relevant correspondence and/or clarification requests and responses.

This information is material to the Objector's consideration of the proposed further re-evaluation. In particular, it will enable the Objector to determine whether the evaluation process to date has remained within the permissible limits of clarification under the Public Procurement Regulations, or whether any post-submission clarification may have had the substantive effect of regularising, correcting or otherwise altering information contained in the bidder's submitted tender.

For the avoidance of doubt, this is now the second occasion on which the Contracting Authority has proposed that the same tender be re-evaluated by a new Evaluation Committee. In these circumstances, the Objector considers it important to establish precisely what steps have already been undertaken during the preceding evaluation and re-evaluation exercises, particularly in relation to the discrepancy forming the subject matter of the present objection.

Insisting on repeating the same exercise without any transparent change in approach or methodology is, respectfully, a decision that itself merits scrutiny.

Busuttil Buildings, Triq l-Għadam, Central Business District Zone 1, Birkirkara CBD1060, Malta

Tel. (+356) 21447184
info@ejbusuttil.com | www.ejbusuttil.com
ISO 9001:2015 Certified Company

Maltese Company Registration: C10135
Pharmaceutical Wholesale Dealer License: WL047
VAT Number: MT1098-1209

The Objector remains willing to consider the Contracting Authority's proposal for a further re-evaluation once the above information has been provided. At this stage, however, it would be premature for the Objector to indicate its agreement to a further evaluation process without first having visibility of the relevant clarification exchanges, if any.

We trust that the requested information will be provided at the earliest convenience, as it is necessary for the Objector to form a properly informed position on the proposed further re-evaluation and to ensure that the present objection is considered in accordance with the principles of transparency, equal treatment and procedural fairness.

Thanking you in advance for your assistance.

Yours faithfully,



Neil Bugeja
Commercial Manager, E.J. Busuttil Limited