



Public Contracts Review Board

Malta

For the attention of: The Secretary / Public Contracts Review Board

Re: SPD6/2025/112 - Framework Contract for the Provision of Health and Safety Project Supervisor Services across various Transport Malta sites in Malta, Gozo and Comino - Lots 1 & 2 - Formal Objection by Interested Third Party, Request for Hearing and Request for Relevant Documentation

Dear Sir/Madam,

We refer to the reasoned replies submitted by the **Authority for Transport in Malta**, dated **14 September 2026**, in connection with the objections lodged by Centreline Services Limited concerning the above-referenced procurement procedure.

MAKS Engineering Ltd, being an interested third party in the above procurement procedure, hereby formally objects to the Authority's request that the matter be determined **without the holding of a hearing**.

We note that, according to the Authority's reasoned replies, Centreline Services Limited's response to the Evaluation Board's clarification request was not available to the Evaluation Committee during the evaluation process and that, on the basis of the information available to it at the time, the Evaluation Committee concluded that no response had been submitted and consequently proceeded to discard the respective bid.

We further note that the Authority has now stated its intention to **re-evaluate the offers in question**.

In this respect, **MAKS Engineering Ltd** has a direct interest in any decision which may result in the reopening and/or re-evaluation of the offers and which may consequently affect the outcome of the procurement procedure and the position of the respective tenderers.

Accordingly, **MAKS Engineering Ltd** respectfully objects to the matter being determined without a **hearing** and requests that the Public Contracts Review Board affords **MAKS Engineering Ltd** the opportunity to participate in the proceedings and make its submissions before any decision is taken concerning the objection and/or the proposed re-evaluation.

Furthermore, **MAKS Engineering Ltd** wishes to **formally reserve its position in relation to the proposed re-evaluation**. In particular, **MAKS** respectfully requests that the circumstances surrounding the clarification request and response, including the date, time, manner and channel through which the clarification response was submitted and received, and the reasons why such response was not available to the Evaluation Committee at the material time, be properly established and considered before any determination is made which may alter the outcome of the original evaluation.

For this purpose, and **insofar as legally permissible and subject to any applicable confidentiality requirements**, **MAKS Engineering Ltd** respectfully requests access to and/or disclosure of the relevant documentation and records necessary for it to understand and make informed submissions concerning the circumstances in question, including, where permissible:

- the clarification request issued to Centreline Services Limited;
- the relevant clarification response and its date and time of submission;
- the available records evidencing receipt of such response;

- the relevant correspondence and/or system records concerning its submission and receipt; and
- any other relevant documentation or information establishing why the response was not available to the Evaluation Committee during the original evaluation.

Where any document cannot be disclosed in full due to confidentiality or other applicable restrictions, MAKS Engineering Ltd respectfully requests that the relevant non-confidential information, appropriately redacted documentation, or procedural information be made available insofar as permissible, so that MAKS may properly understand and address the basis upon which the proposed re-evaluation is being considered.

MAKS Engineering Ltd further respectfully requests that any re-evaluation, if ultimately directed or permitted, be carried out strictly in accordance with the applicable procurement rules and the principles governing **equal treatment, transparency and fairness between all participating tenderers**, without affording any tenderer an opportunity to alter or supplement its offer beyond what is lawfully permissible.

For the avoidance of doubt, **MAKS Engineering Ltd expressly reserves all its rights and remedies** in relation to the objection proceedings, the proposed re-evaluation, any subsequent evaluation decision, and any other decision which may affect its position in the procurement procedure.

In view of the above, MAKS Engineering Ltd respectfully requests that:

1. **A hearing be held** before the Public Contracts Review Board determines the matter;
2. **MAKS Engineering Ltd be recognised and notified as an interested party** and be afforded the opportunity to participate and make appropriate submissions;
3. The circumstances surrounding the clarification response, including its submission, receipt and non-availability to the Evaluation Committee, be properly established and considered;
4. **The relevant documentation and records referred to above be made available to MAKS Engineering Ltd, insofar as legally permissible**, prior to the hearing and/or within such timeframe as will allow MAKS a reasonable opportunity to consider the same and make its submissions;
5. No determination concerning the proposed re-evaluation be made without MAKS Engineering Ltd being afforded the opportunity to make its representations on matters which may affect its position in the procurement procedure; and
6. **MAKS Engineering Ltd's rights and remedies remain fully reserved** in respect of the objection proceedings, any re-evaluation and any subsequent procurement decision.

Kindly acknowledge receipt of this communication and advise us accordingly regarding the **date of the hearing, the requested documentation and any further procedural requirements**.

Yours faithfully,



Karl Attard
Director
MAKS Engineering Ltd