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Contracts Circular N° 17/2012

Department of Contracts
Notre Dame Ravelin
Floriana

Permanent Secretaries
Director Generals
Directors
Heads of Public Sector Organisations

28 September 2012

TERMINATION OF CONTRACTS WITH S8S LTD

The Directorate for Industrial and Employment Relations has informed the Department of Contracts that S8S Ltd has been found guilty by the Court of offences against the provisions of the Employment and Industrial Relations Act. This contractor had not paid properly some of his employees between April and December 2011.

Such professional misconduct is not acceptable. In terms of the General Conditions for Service Contracts as published by this Department, this misconduct permits the Central Government Authority on public procurement to terminate contracts. In this regard, all public contracts which were effective during the period June to December 2011 are to be terminated. Contracting authorities should immediately issue a notice of termination to this contractor in terms of the general conditions.

Departments who would like to procure security services for the remaining period contracted to S8S Ltd, should contact the next cheaper bidder in the respective call for tenders. They should ask this bidder whether it is willing to provide such services with the same rates as it had tendered. If in the affirmative, Departments can enter into a contract with this bidder. If there will not be any bidders in providing such services under the same terms and conditions as they had tendered, then, Departments should take the necessary action to publish a fresh call for tenders. The new contractors are to be asked to take into employment all the workers being provided by S8S Ltd for the execution of the contract. This transition of service should be concluded within one month from the notice of termination.

Francis Attard
Director General (Contracts)