

Department of Contracts  
Notre Dame Ravelin  
FLORIANA

To Permanent Secretaries  
Directors General  
Directors  
Heads of Public Sector Organisations

07 October 2022

## **PROCUREMENT PLAN REPORT**

Planning is fundamental in the managerial function of an institution, organisation and any other such business establishments because accurate planning achieves better coordination and increases operational efficiency.

Contracting Authorities / Entities should carry out a Needs Analysis to identify the Procurement Procedures that shall be undertaken in each given year. Thereafter, such an exercise shall be documented in a structured Procurement Plan Report and submitted to the relevant Competent Authority.

Further to Contracts Circular N° 13/2022, it is important to note that the submission of the Procurement Plan Report exercise is being undertaken in liaison with the Ministry for Finance and Employment. **To this end, it has now been extended in scope whereby any Procurement Procedure/s not listed in the said report risk not being considered for Budgetary Allocation (Local / EU Funds).**

In addition, it is being emphasised that the Procurement Plan Report shall be compiled by all the Contracting Authorities / Entities within the Public Administration.

### **Applicability of the Procurement Plan Report**

All the Contracting Authorities / Entities within the Public Administration planning on pursuing a Procurement / Concession Procedure in line with the

following Subsidiary Legislations, explicitly wherein the Estimated Value (including Potential Costs) equals or exceeds a specific threshold, shall compile the said Procurement Plan Report:

- Public Procurement Regulations S.L. 601.03
- Public Procurement of Entities operating in the Water, Energy, Transport and Postal Services Sectors Regulations S.L. 601.05
- Concession Contracts Regulations S.L. 601.09
- Procurement of Property Regulations S.L. 601.12

Therefore, for avoidance of doubt, it is being specified that the Procurement Plan Report compilation is *now also* compulsory to a list of Contracting Authorities categorised under Schedule 3<sup>1</sup> of the Public Procurement Regulations S.L. 601.03 (as well as any other relevant Procurement / Concession Subsidiary Legislation), namely:

- Grand Harbour Regeneration Corporation plc
- INDIS Malta Ltd
- Malta Information Technology Agency (MITA)
- Malta Government Technology Investments Limited (MGTIL)
- MGI/MIMCOL
- Infrastructure Malta

Contracting Authorities / Entities are reminded that they shall not only include the default Procurement Procedure (namely the Open Procedure) but also any other Procurement / Concession Procedure (as well as any Procurement Tool) in line with the aforementioned regulations.

#### Content of the Procurement Plan Report

The Procurement Plan Report shall incorporate only Procurement / Concession Calls wherein the Estimated Value (including Potential Costs) equals or exceeds the following thresholds, in line with the appropriate classification of the Contracting Authorities / Entities.

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<sup>1</sup> Local Councils, although listed under Schedule 3 of the Public Procurement Regulations S.L. 601.03 are not expected to submit a Procurement Plan Report.

<b>Subsidiary Legislation</b>	<b>Contracting Authorities / Entities Classification / Threshold</b>
<i>Public Procurement Regulations: S.L. 601.03</i>	Schedule 2: Procurement Estimated Value equals or exceeds €140,000 excluding VAT Schedule 16: Procurement Estimated Value exceeds €10,000 excluding VAT Schedule 3: Procurement Estimated Value equals or exceeds €140,000 excluding VAT
<i>Utilities<sup>2</sup> Procurement Regulations: S.L. 601.05</i>	Procurement Estimated Value equals or exceeds €431,000 excluding VAT
<i>Concession Contracts Regulations: S.L. 601.09</i>	Contracting Authorities / Entities classified under Schedule 1 of the Public Procurement Regulations S.L. 601.03
<i>Procurement of Property Regulations: S.L. 601.12</i>	Procurement Estimated Value exceeds €500,000 excluding VAT

### Compilation of the Procurement Plan Report

Contracting Authorities / Entities shall compile and submit their Procurement Plan Report to their respective Line Ministry. Thereafter, each Ministry is expected to validate all the plans received and submit them collectively, in one (1) single consolidated document to the Department of Contracts.

Contracts Circular N° 13/2022 includes annexes with:

- (i) a Procurement Plan Report Template, and
- (ii) a Procurement Plan Report Guidance Sheet

### Submission of the Procurement Plan Report

Ministries are reminded that they shall submit the Procurement Plan Report (of the Contracting Authorities / Entities under their remit<sup>3</sup>) to [compliance.contracts@gov.mt](mailto:compliance.contracts@gov.mt) adhering to the deadline stipulated in the table on the next page.

<sup>2</sup> Contracting Entities operating under the Public Procurement of Entities operating in the Water, Energy, Transport and Postal Services Sectors Regulations S.L. 601.05.

<sup>3</sup> Each Ministry shall collect, collate and validate the Procurement Plan Reports received by the Contracting Authorities / Entities (including Schedule 3 of S.L. 601.03) under its remit. If a Contracting Authority / Entity does not envisage any Procurement / Concession Calls to take place in any given period, a NIL reply should be communicated.

<b>Planned Publication of Procurement Procedure</b>	<b>Submission to DoC</b>
October 2022 till December 2022	24 October 2022
January 2023 till December 2023	30 November 2022

### **Contact**

Contracting Authorities may submit any queries to the Department of Contracts' Customer Care service on [info.contracts@gov.mt](mailto:info.contracts@gov.mt) or by calling on +356 21220212.

Anthony Cachia  
Director General (Contracts)