



**CT2123/2014**

October 2014

To all prospective bidders,

**Clarification Note Number 3**

**Framework Agreement, for the execution of Responsive Structural and other Repair Works in Government Tenements in different localities in Malta and Gozo**

Reference is made to the above-mentioned Tender, for which deadline for submission of offers is the 21<sup>st</sup> October 2014 at 10.00am.

Please find below replies to requests for clarifications received which are construed to form an integral part of the Tender document.

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**Clarifications**

**Question 1:**

Our main concern is that given the fact that this tender is with fixed rates does the contracting authority allow for revision of prices in case there is an increase in market prices for the materials/equipment/labour costs.

**Answer 1:**

Prospective bidders are referred to Article 46.1 of Vol 2 Section 3 Special Conditions which states that:

46.1 Contracts shall be at the fixed prices shown in Volume 4 Bill Of Quantities which shall not be revised. No allowances will be made for fluctuations in rates and prices of for any increase or decrease in the costs of labour used/or materials which may occur until the end of the contact period.

**Question 2:**

Item 6.01 of the BoQ is listed as being measured per m sq. Is this the correct measurement unit or it should be l.m?

**Answer 2:**

It is confirmed that the correct measurement of item 6.01 is sq m.

**Question 3:**

Can tenders can be submitted in Gozo on or before the 21st October 2014.

**Answer 3:**

No. Prospective bidders are to note that tenders should be submitted as indicated in Vol 1 Art. 23 – Invitation for Participation which clause is being reproduced hereunder for ease of reference:

**23. Sealing and Marking of Tenders**

The Tenders must be submitted in English and received **before** the deadline specified in Clause 2 or as otherwise specified in accordance with Clause 11.1 and/ or 24.1. They must be submitted: EITHER by recorded delivery (official postal/ courier service) or hand delivered to:

**Department of Contracts,  
Notre Dame Ravelin,  
Floriana, FRN 1600  
Malta**

Tenders submitted by any other means will not be considered.

**Question 4:**

Kindly confirm that the insurance cover required by the Contractor as mentioned in Article 14 of Volume 2 Section 3 can be done once the awarded bidder has received confirmation of award and shall not be presented at tender application stage.

**Answer 4:**

The insurance cover shall be prepared and submitted by not later than **15 calendar days of the notification of award of the contract** as per Article 14.4 of the Special Conditions (Vol 2, Sec. 3).

**Question 5**

Kindly confirm that the information on materials and samples (item 2) mentioned in Section F (Drainage and Rainwater Systems) of Volume 3 shall be presented by the contractor after award of contract and not at tender application stage. Kindly confirm.

**Answer 5**

**No samples are being requested by the Housing Authority.** However, the Housing Authority reserves the right to demand samples of materials corresponding to the literature submitted by the tenderer at evaluation stage or after the award of tender.

The literature to be submitted with the tender document is listed in Item 1 in Form 8:

**1. List of literature to be submitted with tender:**

<b>Item</b>	<b>Description</b>	<b>Reference in Technical Specifications</b>
1.1	Liquid Membrane	Section E Clause 4.07
1.2	Concrete repair products	Section N Clause 2.0 – 2.3

### Question 6

Kindly confirm that a sole self employed can apply for this tender and that he can subcontract the personnel required in Form 6 - Overview of Tenderer's Personnel.

### Answer 6

A sole self employed can apply for this tender and may also subcontract the personnel required in Form 6 - Overview of Tenderer's Personnel as per Volume 1 Section 1, A. Item 6:

### 6. Selection Criteria

- 6.1.2 (d) Data concerning Sub-Contractors and the percentage of works to be Sub-Contracted as per Volume 1, Section 2 (Tender Form):  
The maximum amount of Sub-Contracting must not exceed 80% of the total Contract value.  
The main Contractor must have the ability to carry out at least 20% of the Contract works by his own means.

### Question 7

Section 2 - Tender Form - As we are applying for a company and we aren't joint venture, we still have to fill the leader part as the company name or the director's name?

### Answer 7

The table shown below (Volume 1 Section 2 – Tender Form) is to be filled in case of a Joint Venture/Consortium only. In case of a sole bidder, this table is to be filled in as 'Not Applicable'.

<b>In case of a Joint Venture/Consortium: Name(s) of Leader/Partner(s)</b>	<b>Nationality</b>	<b>Proportion of Responsibilities<sup>2</sup></b>
Leader <sup>1</sup>		
Partner <sup>1</sup>		
Etc ...		

### Question 8

Form 6 - Overview of Tenderer's Personnel there is written that there should be a person in charge for each description, is it ok if the same person can do more than 1 job mentioned in the list, for example the Mason can also do the plumbing and licensed electrician.

### Answer 8

A subcontractor may carry out more than one skill.

### Question 9

As the tender includes even refurbishing in Gozo, is it possible that we as Maltese get the jobs in Gozo as well?? What will happen if we don't accept a job?

**Answer 9**

The majority of the works are going to be carried out in Malta since there are few Government blocks of apartments in Gozo. If the contractor is unable to carry out the jobs assigned, he must submit a report giving adequate justification and documented evidence of the reason for such non conformity as per Volume 1, Section 1.1.11 (Failure to carry out tasks assigned in Job Orders) of the Tender document.

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All other tender documents, conditions and requirements, which are not superseded by this Clarification Letter, remain in place.



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