

Department of Contracts
Notre Dame Ravelin
FLORIANA

To Permanent Secretaries
Directors General
Directors
Heads of Public Sector Organisations

23 January 2017

SUBMISSION OF A LIST OF CONTRACTS BY CONTRACTING AUTHORITIES

Further to Contracts Circular N° 15/2015 and in line with Regulation 111 (2) of the Public Procurement Regulations (LN 352/2016), every six (6) months, Heads of Contracting Authorities are hereby being reminded, that they are to publish in the Government Gazette, a full list of all contracts awarded, with a value exceeding €5,000 excl VAT (including a list of all cases involving variations which exceed the original contract values by more than 5%).

The List of Awarded Contracts should incorporate contracts up to €135,000 excl VAT or up to €250,000 excl VAT (i.e. those Contracting Authorities that have a Ministerial Procurement Unit established within the Ministry), as the case may be.

The said list of contracts should include the name of the economic operator, the nature of the contracts and the contract value. With regard to the list of variations, in addition to such information, the original and final contract values are also to be included.

Furthermore, if no contracts or variations took place in a given period, a nil reply from each Contracting Authority should also be communicated to this Office.

The new threshold of €5,000 excl VAT shall start being applied for the returns of the List of Contracts awarded in 2017. Thus, the List of Awarded Departmental Contracts for period July till December 2016 should be based on the threshold of €2,500 excl VAT.

Publication copies of the said list of contracts, as published in the Government Gazette, are to be forwarded to the attention of the Office of the Director responsible for the Compliance and Monitoring Unit within the Department of Contracts (DoC) at **compliance.contracts@gov.mt**, by not later than one month from expiry of the allocated time frames. Therefore, by end of July, the DoC is expecting to receive the submittance for period January till June, whereas, by end of January, the DoC is to be in receipt of the list for period July till December.

Enclosed with this circular, this Office is providing templates for the submittance of a list of Tenders, Quotations, Direct Orders and Variations, whose aim is to guide and facilitate the compilation of the biannual returns. It is recommended that each Contracting Authority makes use of these templates, thus, standardising the publication of the said list of awarded contracts.

The aim of this circular is to strengthen transparency and good governance, the pillars of the Public Procurement administrative procedures. To this effect, the submittance of the said returns to this Office is crucial for the monitoring function of the DoC, which is obliged to compile a procurement statistical report and present it to the European Commission.

This office is hereby notifying all Contracting Authorities that failure to adhere to the above will constitute a breach of the Public Procurement Regulations.

Anthony Cachia
Director General (Contracts)