

## **PUBLIC CONTRACTS REVIEW BOARD**

### **Case 1367– MEDE/MPU/MCAST/007/2019 – Tender for the Supply, Delivery and Installation of Energy Efficient Air Conditioning Units to various MCAST Sites (MCAST T. 16/19)**

The publication date of the tender was the 6<sup>th</sup> May 2019 whilst the closing date was the 27<sup>th</sup> May 2019. The estimated value of the tender (exclusive of VAT) was € 50,639.83.

On the 13<sup>th</sup> September 2019 Cassar Air Conditioning Systems Ltd filed an appeal against the Malta College of Arts Science and Technology (MCAST) as the Contracting Authority on the grounds that their bid was rejected as it was technically non-compliant. A deposit of € 400 was paid.

There were six (6) bidders.

On 15<sup>th</sup> October 2019 the Public Contracts Review Board composed of Dr Anthony Cassar as Chairman, Dr Charles Cassar and Mr. Richard Matrenza as members convened a public hearing to discuss the objections.

The attendance for this public hearing was as follows:

#### **Appellants – Cassar Air Conditioning Systems Ltd**

Not represented

#### **Contracting Authority – Malta College of Arts Science and Technology**

Dr Robert Gauci Maistre

Legal Representative

Ms Jane Schembri

Representative

Dr Anthony Cassar, Chairman of the Public Contracts Review Board, welcomed the attendees and invited submissions.

Dr Robert Gauci Maistre Legal Representative of MCAST declared that the tender process is being withdrawn given that the technical parameters of the project have been fundamentally altered.

A letter to this effect was tabled (Doc 1).

The Chairman took note of the above declaration, thanked the party present for attendance and declared the hearing closed.

End of Minutes

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## **Decision**

**This Board,**

**Having taken notice of the declaration by the Contracting Authority resolved:**

- i) That it will not consider the appeal any further,**
  
- ii) that it will refund the deposit to the Appellant.**

Dr Anthony Cassar  
Chairman

Dr Charles Cassar  
Member

Mr Richard A. Matrenza  
Member

*17 October 2019*