



Medics@Work

5, Alhambra Flats, Flat 1, Tower Road,
Sliema, SLM 1609

Ministerial Procurement Unit (MPU)

Great Siege Road,

Floriana

Dear Sir,

*J. Scantons,
Public Contracts Review Board,
P*

Re: REFERENCE NUMBER: MEDE/MPU/JOBS+/007/2019

THE PROVISION OF MEDICAL SERVICES FOR JOBSPLUS CLIENTS IN MALTA AND GOZO

I refer to your mail dated 29.12.2019, I would like to appeal from the decision taken.

The appeal is based on articles 9 titled Criteria for award. This specifically states that the contract will be awarded to the tenderer submitting the cheapest priced offer satisfying the administrative and technical criteria.

Medics@Work has submitted the cheapest priced offer and satisfies the administrative and technical criteria. If the tendered raised any doubts of these criteria, Clause 7, and the notes to Clause 7, where

Paragraph 1: gives ample opportunity to the tenderer "to request clarification within 5 working days from notification."

Paragraph 2: A) provides for "Tenderers will be requested to either clarify/rectify any incorrect and/or incomplete documentation, and/or submit any missing documents within five (5) working days from notification"

It must be clarified that the decision has been taken on the hourly rate quoted. It is accepted practice that in an hour, allowing for [preparation and conclusion time, a medical board sees 2 clients, while in a two hour session, while the preparation time and conclusion time stay the same, a medical board sees five to six clients. This in fact would be the cheaper offer.

As the request for medical service extended from 0 to 2880 hours, this would imply that the service required would be of between 0 and 19 hours a week. This makes the request for medical service essentially of sessions of at least two hours.

Hence, in my humble opinion, the awarding body is incorrect in its decision.

Yours Sincerely,

Dr. Joseph Portelli Demajo MD FMCFD MRCGP (UK)

Director: Medics@Work

Medics@Work

2.

Referral notes:

SECTION 1 – INSTRUCTIONS TO TENDERERS

Notes to Clause 7:

1. Tenderers will be requested to clarify/rectify, within five (5) working days from notification, the tender guarantee only in the following four circumstances: incorrect validity date, and/or incorrect value, and/or incorrect addressee and incorrect name of the bidder. Rectification in respect of the Tender Guarantee (Bid Bond) is free of charge.

2. A) Tenderers will be requested to either clarify/rectify any incorrect and/or incomplete documentation, and/or submit any missing documents within five (5) working days from notification. B) Tenderers will be requested to rectify/submit only missing documents within five (5) working days from notification. No changes to the information provided in the Literature submitted will be allowed. Literature submitted shall be rectifiable only in respect of any missing information i.e. documentation. All Rectifications are free of charge.

3. No rectification shall be allowed. Only clarifications on the submitted information may be requested.

Clause 9.

9. Criteria for Award 9.1 The sole award criterion will be the price. The contract will be awarded to the tenderer submitting the cheapest priced offer satisfying the administrative and technical criteria.

270. Where the estimated value of the public contract meets or exceeds five thousand euro (€5,000) any tenderer or candidate concerned, or any person, having or having had an interest or who has been harmed or risks being harmed by an alleged infringement or by any decision taken including a proposed award in obtaining a contract, a rejection of a tender or a cancellation of a call for tender after the lapse of the publication period, may file an appeal by means of an objection before the Public Contracts Review Board, which shall contain in a very clear manner the reasons for their complaints.

271. The objection shall be filed within ten (10) calendar days following the date on which the contracting authority or the authority responsible for the tendering process has by fax or other electronic means sent its proposed award decision or the rejection of a tender or the cancellation of the call for tenders after the lapse of the publication period.

272. The communication to each tenderer or candidate concerned of the proposed award or of the cancellation of the call for tenders shall be accompanied by a summary of the relevant reasons relating to the rejection of the tender as set out in regulation 242 or the reasons why the call for tenders is being cancelled after the lapse of the publication period, and by a precise statement of the exact standstill period.


06/01/2020



LOMBARD
Lombard Bank Malta p.l.c.

Balzan

05 050

Date: 06/01/2020

Printex Limited, Malta

Pay Public Contracts Review Board or Order € 675 —

as bank account

€uro

MEDICS@WORK

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Public Contracts Review Board

Temporary Receipt

Date: 6th January 2020

Received from MEDICS@WORK the sum of € 675.—

in respect of Tender MEDE/MPU/JOB5+/007/2019

Cheque No: Lombard 119

Validity of receipt is subject to bank clearance, when payment is made by cheque

Signature