

Objection re  
**TENDER FOR SUPPLY, Delivery of pipe Locators to the Water Services Corporation**  
**Reasoned Letter**

Reference Number | WSC/T/39/2021



**To :** Public Contracts Review Board, Notre Dame Ditch, Floriana

**Applicant:** T.M.I. Ltd. , 18A, Valletta Road, Attard

**Contracting authority:** WSC, Triq Hal Qormi, Hal luqa

The rejection letter claimed that our offer was administratively non compliant since the ISO 9001 2015 certificate presented did not cover “ manufacture functions” as requested by the instructions to Tenderers, Clause 5 B (ii) .

For the record we are offering pipe locators from Vivax Metrotech which is a U.S. corporation with a global sales network, European Sales and Service Centre in Germany and factory in China amongst others. The WSC is already in possession of equipment from Vivax Metrotech which was procured via public procurement .

We have submitted the requested ISO 9001:2015 certificate for the production plant and this was issued by SGS (UK) with number CN 07/00475. The veracity and the scope of this certificate can be verified with SGS (UK) themselves or through their website. This certificate covers Vivax Metrotech for the “design and assembly” .

The WSC adjudication board chose to discard the submitted certificate as it did not contain ad verbatim the word “manufacture” and considered that “assembly” is not equivalent to manufacture . This interpretation is erroneous. The WSC is itself ISO 9001 2015 certified and could have easily consulted their quality champion to verify such definitions and interpretation.

We have consulted quality experts from Vivax Metrotech, SGS (UK) , local quality experts who certify companies with ISO 9001 and we have been informed that the terms assemble, manufacture and produce are used interchangeably to cover the same process.

The definition of assembly is:

- An assembly line is a production process whereby the manufacture of a good is a sequence of steps completed in a pre-defined sequence.

If by manufacture, the WSC is expecting that the pipe locator manufacturer produces everything in house, this is unreasonable and unrealistic to say the least. Today no manufacturer produces everything in house. For example, mobile phone manufacturers have myriads of external suppliers which supply screens, printed circuit boards , plastic casing , touch pad buttons, screws, chips . It is through the quality system that the quality of supplies and suppliers chosen is controlled and guaranteed. The same applies for Vivax Metrotech. They design the product through their R&D department and then they buy the plastic casing, the screen, the PCB, the batteries, the casing and

assemble/manufacture/produce the final product under the ISO 9001 regime they are certified for. It is not realistic to expect Vivax to produce their own screws, the batteries, plastic parts in house.

Thus whilst reserving the right to provide more supporting documentation in support of our claims, we ask the PCRB to reverse the rejection of our bid in re instate our offer in the evaluation process.



Ing. Stephen Buttigieg  
21<sup>st</sup> October 2021



**Ing. Stephen Buttigieg**

**T.M.I. Ltd.**

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