



**QUOTATION NUMBER: ERA\_QT04/2018**

**REQUEST FOR QUOTATIONS FOR THE FIRST LEVEL CONTROL FUNCTION IN CONNECTION WITH THE ITALO-MALTESE HARMONIZATION FOR A GOOD ENVIRONMENTAL STATUS: ‘SEA-FLOOR INTEGRITY AND INTERACTIONS WITH INVASIVE SPECIES TO PRESERVE THE MARINE ECOSYSTEM FUNCTIONING’ (HARMONY) PROJECT UNDER THE INTERREG V-A ITALIA-MALTA PROGRAMME**

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**Date Issued: Friday 4<sup>th</sup> May 2018**

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**Closing Date: Friday 25<sup>th</sup> May 2018 by 12:00 P.M**

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**Environment and Resources Authority  
Hexagon House, Spencer Hill, Marsa  
Contact Number: 22923500  
Email Address: [procurement.era@era.org.mt](mailto:procurement.era@era.org.mt)**



Interreg Italia-Malta Programme 2014-2020  
Project part-financed by the European Union  
European Regional Development Fund  
Co-financing rate: 75% European Union funds; 25%  
National funds



## **Section 1: Specifications**

### **1.0 General Background**

The Environment and Resources Authority is requesting quotations for the provision of services pertaining to first level control in connection with the HARMONY project, which is financed under the Interreg V-A Italia-Malta Programme.

The expenditure may be financed by the European Union under the project in caption. Such expenditure may therefore be claimed under the respective project provided that such costs are provided for and included in the project Application Form.

The selection of the successful bidder will take place in line with the Public Procurement Regulations (LN 352 of 2016) and any of its subsequent amendments. The Authority shall determine the award of this Request for Quotations (RfQ) on the basis of the lowest priced offer compliant with the requested specifications.

### **2.0 Specifications**

Further to the selection of the HARMONY project for funding under the Interreg V-A Italia-Malta Programme, the Environment and Resources Authority requires the services of a controller who shall carry out the verification of the expenditure incurred under the project in caption (first level control). Such verification, which shall involve a 100% check of the expenditure incurred under the project, shall follow the guidelines stipulated in the Programme manual<sup>1</sup> and is to submit a control certificate and report as per attached (refer to Annex 1). In addition, interested bidders should note that at least one (1) physical on-the-spot check per project partner is obligatory. During this on-the-spot check, which should be held during the project's lifetime, the respective deliverables ought to be checked, as well as it is to be ensured that the working documents are properly documented and accessible.

The requirements of the selected controller, delineated further below, should be clearly indicated as satisfied by means of Curriculum Vitae (based on Europass format<sup>2</sup>) and a covering letter.

#### Qualifications

The Controller must be registered in the list of Maltese Registered list of Auditors<sup>3</sup>. Interested audit firms may also submit a bid, however in such cases, the CVs of the controller/s that shall be working on the claims should be attached to the respective bid and should also be included in the list of Maltese Registered Auditors<sup>4</sup>.

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<sup>1</sup> FLC verification might be online depending on respective Programme.

<sup>2</sup> The template may be accessed from the following link:

<https://europass.cedefop.europa.eu/en/documents/curriculum-vitae/templates-instructions>

<sup>3</sup> The list may be accessed from the following link:

<https://secure3.gov.mt/accountancyboard/Registers/RegisteredAuditors.aspx>

<sup>4</sup> <https://secure3.gov.mt/accountancyboard/Registers/RegisteredAuditFirmsPrincipals.aspx>

### Independence from the project

The selected Controller should be totally independent from the project and therefore s/he should be independent from the project operational activities and finances. In order to satisfy this requirement, the Controller must not be involved in any way in the implementation of a project which shall eventually be controlled by him/her under the framework of this contract.

### Sufficient knowledge of the English language

Given that English is one of the official languages of the Interreg V-A Italia-Malta Programme, the selected controller should have sufficient knowledge of the English language enabling him/her to perform the first level controls adequately.

### Sufficient knowledge of the relevant EU regulations, Programme and National rules

The Controller should have sufficient knowledge of the relevant EU regulations as well as the regulations set out on a Programme level. Knowledge of national rules, which include public procurement rules, state aid regulations and VAT legislation, is also required.

### Training

The Funds and Programmes Division (FPD) intends to organise information-sessions in which the financial eligibility rules pertaining to the relevant Programme will be explained.

The Controllers are expected to attend any training events/meetings organised by the Programme and/or FPD as well as to keep abreast of any updates of programme manuals, procurement regulations, guidance notes, circulars and other relevant documentation.

Moreover the Controller would have to attend any bilateral and/or other meetings called by the FPD.

### Timeframes

The Environment and Resources Authority invites applications from registered accounting/audit firms interested in being appointed as Controller/s to conduct a first level control function in connection with the HARMONY project for a period of two (2) years until the project end date in August 2020.

The selected Controller shall be expected to work according and within the timeframes set on a Programme level<sup>5</sup>. It is important to note that should any deadline be missed, funds may be lost. Therefore the controller might be required to work under tight schedules in order to meet the respective deadlines.

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<sup>5</sup> Refer to the respective Programme Manual for further details in this regard.

The Authority reserves the right to renew the Contract through written notification on all or some of the services rendered as necessary for the smooth running of the project, and after having obtained the necessary authorisations.

The Authority may also immediately, without prejudice to any other rights and remedies under this Request for Quotations, terminate all or any part of the Contract by notifying the selected Contractor in writing.

### **3.0 Approbation**

Further to the selection of the controller by means of this RfQ, the FPD within the Ministry for European Affairs and the Implementation of the Electoral Manifesto, as the national coordinator of Territorial Cooperation Programmes and the ENI CBC Med Programme, shall designate the first level control function, pertaining to the relevant project, to such Controller through the award of a certificate. It is only after receiving this certificate that the Controller can start fulfilling the first level control function within the framework of the project, and the first expenditure can be reported and certified.

### **4.0 Submission and Contact Details**

Interested service providers are to fill in and submit Section 2 of this RfQ. All prices must quote VAT separately and in full. For payment purposes, invoices and receipts should be issued accordingly.

Clarifications and further information are to be sought online through the E-PPS website [www.etenders.gov.mt](http://www.etenders.gov.mt) by not later than **Tuesday 15<sup>th</sup> May 2018 by 12:00 P.M.**

Quotations are to be submitted by **Friday 25<sup>th</sup> May 2018 at noon** through the E-PPS website [www.etenders.gov.mt](http://www.etenders.gov.mt)

Quotations submitted by other means shall not be considered for evaluation. Late quotations shall be rejected and shall not be considered for evaluation. No liability shall be accepted for rejection of late quotations.

**Section 2: To be filled in by interested bidders**

**Quotation date:** \_\_\_\_\_

**Suppliers/Contractor's details**

Company's / Controller's Name:	
Contact Person's Name and Surname:	
Company's / Controller's Address:	
Telephone Number:	
Mobile Number:	
Fax Number:	
E-mail address:	

**Specifications (as per Section 2 of this RfQ)**

**Price of first level control (in Euro) as per above requirements and specifications:**

<b>Net:</b>	€
<b>Vat (specify rate):</b> %	€
<b>Total:</b>	€

**Company Rubber Stamp:**

**Signature:** \_\_\_\_\_

**Name and Surname:** \_\_\_\_\_

## Specifications and Conditions

<u>Mandatory (Minimum) Requirements</u>	<u>Bidder's Response</u> <u>(Confirm</u> <u>Yes/No/Remarks)</u>
The bidder is independent and declares that he/she has never been involved in any way with the project operational activities and finances.	
The bidder is a Registered Auditor or Audit Firm with the Accountancy Board within the Ministry of Finance <a href="https://secure3.gov.mt/accountancyboard/Registers/RegisteredAuditors.aspx">https://secure3.gov.mt/accountancyboard/Registers/RegisteredAuditors.aspx</a>	
A copy of the respective CPA warrant/s of the key employee/s conducting the first level control function.	
The bidder confirms that the first level control function will be conducted in accordance with International Financial Reporting Standards (IFRSs) and IFAC Code of Ethics.	

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## Bidder's Declaration

(To be completed and signed by the bidder and submitted with the quotation)

I/We, the undersigned, hereby declare that:

1. I/We have examined and accept in full and in its entirety, the content of this Request for Quotations **ERA\_QT04/2018** of May 2018 (including subsequent clarifications issued by ERA). We hereby accept the contents thereto in their entirety, without reservation or restriction. We also understand that any disagreement, contradiction, alteration or deviation shall lead to our quotation offer not being considered any further.
2. I/We offer to execute, in accordance with the terms of the Request for Quotations and the conditions and time limits laid down, the supplies and/or services as set out in the Request for Quotations within the time-frames submitted in this Request for Quotations.
3. I/We declare that none of the grounds listed in Part VI: Exclusion and Blacklisting of Economic Operators of the Public Procurement Regulations 2016 (L.N. 352 of 2016) apply to us.
4. I/We acknowledge that ERA may request us to submit signed certification from the competent authorities that none of the criteria listed in Part VI: Exclusion and Blacklisting of Economic Operators of the Public Procurement Regulations (L.N. 352 of 2016) apply to us and where applicable confirm the same for each member of the joint venture or consortium and/or subcontractor. We will be guided by the information published by the European Commission specifying the competent authorities within each Member States which can certify whether a bidder is in line with Part VI: Exclusion and Blacklisting of Economic Operators and available through the following link <http://ec.europa.eu/markt/ecertis/login.do>. I/We accept that I/we shall be excluded from the award of this Request for Quotations if the compliance certificates are not submitted upon the request by ERA and by the indicated dates.
5. I/We will inform ERA immediately if there is any change in the above circumstances at any stage during the delivery of the products and maintenance period. We also fully recognise and accept that any false, inaccurate or incomplete information deliberately provided in this application may result in our exclusion from this and other contracts funded by the Environment & Resources Authority.
6. I/We note that ERA is not bound to proceed with this Request for Quotations and that it reserves the right to cancel or award any part of this Request for Quotations. It will incur no liability towards me/us should it do so.
7. I/We, the undersigned, have availed myself/ourselves of the General Conditions for Service Contracts which are available on the Department of Contracts website ([http://contracts.gov.mt/en/Resources/Documents/Historic%20Files/General%20Conditions%20for%20Services%20Contracts%20\(1.05\).pdf](http://contracts.gov.mt/en/Resources/Documents/Historic%20Files/General%20Conditions%20for%20Services%20Contracts%20(1.05).pdf)), and have read and accepted in full and without reservation the conditions outlined therein, and are therefore waiving any standard terms and conditions which I/we may have.

Name and Surname: .....

ID / Passport Number: .....

Signature of bidder: .....

**Statement on Conditions of Employment**

Bidders are to ensure that self-employed personnel are not engaged on this contract.  
Non-compliance will invalidate the contract.

It is hereby declared that all employees engaged on this contract shall enjoy working conditions such as wages, salaries, vacation and sick leave, maternity and parental leave as provided for in the relative Employment Legislation. Furthermore, we shall comply with Chapter 424 of the Laws of Malta (Occupational Health and Safety Authority Act) as well as any other national legislation, regulations, standards and/or codes of practice or any amendment thereto in effect during the execution of the contract.

In the event that it is proved otherwise during the execution of the contract it is hereby being consented that the contract is terminated with immediate effect and that no claim for damages or compensation be raised by us.

**Signature:** .....  
*(the person or persons authorised to sign on behalf of the bidder)*

**Date:** .....



## **Blacklisting and Exclusion Declaration**

I hereby declare that I do not fall under any of the grounds listed under Part VI of LN352/2016.

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**Signature**

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**Name of Company**

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**Date**

## **SECTION 2 – EXTRACTS FROM THE PUBLIC PROCUREMENT REGULATIONS**

### Part IX of the Public Procurement Regulations

#### Appeals from decisions taken after the closing date for the submissions of an offer

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 request 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 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 request 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 Request 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 request for tenders is being cancelled after the lapse of the publication period, and by a precise statement of the exact standstill period.

273. The objection shall only be valid if accompanied by a deposit equivalent to 0.50 per cent of the estimated value set by the contracting authority of the whole tender or if the tender is divided into lots according to the estimated value of the tender set by the contracting authority for each lot submitted by the tenderer, provided that in no case shall the deposit be less than four hundred euro (€400) or more than fifty thousand euro (€50,000) which may be refunded as the Public Contracts Review Board may decide in its decision.

274. The Secretary of the Public Contracts Review Board shall immediately notify the Director, the Ministerial Procurement Unit and, or the contracting authority, as the case may be, that an objection had been filed with his authority thereby immediately suspending the award procedure.

275. The Department of Contracts, the Ministerial Procurement Unit or the contracting authority involved, as the case may be, shall be precluded from concluding the contract during the period of ten calendar days allowed for the submission of appeals. The award process shall be completely suspended if an appeal is eventually submitted.

276. The procedure to be followed in submitting and determining appeals as well as the conditions under which such appeals may be filed shall be the following:

(a) any decision by the General Contracts Committee, the Ministerial Procurement Unit or the Special Contracts Committee or by the contracting authority, shall be made public by affixing it to the notice-board of the Department of Contracts, the Ministerial Procurement Unit or of the office of the contracting authority, as the case may be, or by uploading it on government's e-procurement platform prior to the award of the contract if the Request for tenders is administered by the Department of Contracts;

(b) the appeal of the complainant shall also be affixed to the notice-board of the Public Contracts Review Board and shall be communicated by fax or by other electronic means to all participating tenderers;

(c) the contracting authority and any interested party may, within ten calendar days from the day on which the appeal is affixed to the notice board of the Review Board and uploaded where applicable on the government's e-procurement platform, file a written reply to the appeal. These replies shall also be affixed to the notice board of the Review Board and where applicable they shall also be uploaded on the government's eProcurement platform;

(d) the authority responsible for the tendering process shall within ten days forward to the chairman of the Public Contracts Review Board all documentation pertaining to the request for tenders in question including files and tenders submitted;

(e) the secretary of the Review Board shall inform all the participants of the request for tenders, the Department of Contracts, the Ministerial Procurement Unit and the contracting authority of the date or dates, as the case may be, when the appeal will be heard;

(f) when the oral hearing is concluded, the Public Contracts Review Board, if it does not deliver the decision on the same day, shall reserve decision for the earliest possible date to be fixed for the purpose, but not later than six weeks from the day of the oral hearing:

Provided that for serious and justified reasons expressed in writing by means of an order notified to all the parties, the Public Contracts Review Board may postpone the judgment for a later period;

(g) the secretary of the Review Board shall keep a record of the grounds of each adjournment and of everything done in each sitting;

(h) after evaluating all the evidence and after considering all submissions put forward by the parties, the Public Contracts Review Board shall decide whether to accede or reject the appeal or even cancel the call if it appears to it that this is best in the circumstances of the case.

