# TENDERER’S TECHNICAL OFFER

***N.B. The Key Experts Form, the Statement of Availability Form, the Self-declaration form for Key Experts (relating to public employees) and CVs & Literature are subject to Note 2. Any other components of the technical offer are under Note 3.***

**Where in this tender document a standard, brand or label is quoted, it is to be understood that the Contracting Authority will accept equivalent standards, brands or labels. However, it will be the responsibility of the respective bidders to prove that the standards they quoted are equivalent to the standards requested by the Contracting Authority.**

**A technical offer is to be provided by the Economic Operator in response to the Terms of Reference. The submission shall be in a structured form and is to be in the same sequence as listed hereunder for ease of reference and evaluation.**

**Bidders are requested to adopt proper, specific and detailed correct referencing within the enclosed technical questionnaire. Referring to a whole document without indicating specific articles/pages/section from submitted literature or manuals etc should be avoided as much as possible.**

1. **rationale**

* Any comments on the Terms of Reference of importance for the successful execution of activities, in particular its objectives and expected results, thus demonstrating the degree of understanding of the contract.
* An explanation of the risks and assumptions affecting the execution of the contract.

1. **Strategy**

* An outline of the approach proposed for contract implementation.
* A list of the proposed activities considered to be necessary to achieve the contract objectives.

1. **Timetable of activities**

* The timing, sequence and duration of the proposed activities, taking into account the given timeframes.
* The identification and timing of major milestones in execution of the contract, including an indication of how the achievement of these would be reflected in any reports, particularly those stipulated in the Terms of Reference.

**Questionnaire**

|  |  |
| --- | --- |
| I/We Hereby Confirm That: | Please Tick Accordingly |
| 1. The Perit-in-charge shall be a Warranted Perit, who shall accept responsibility for all consultations relating to the project, from conception to completion and commissioning. The Perit-in-charge will be responsible for the technical design and detailing of the proposal and will also need to submit a Planning Application to the Planning Authority and follow through to obtain a planning permission | \_\_\_\_\_\_ I / We Confirm |
| 1. The Perit-in-charge will need to provide an accurate estimate for the implementation of the approved design, provide a Programme of Works along with the relevant Technical Specifications for a tender Contract. The Perit-in-charge will ultimately be responsible for the technical supervision and co-ordination of the works. He shall also be the Contracting Authorities’ Representative and Project Leader. | \_\_\_\_\_\_ I / We Confirm |
| 1. The primary role of the Warranted Perit shall be to ensure the effective and efficient execution of the works in accordance to the Contract and maintaining a good working relationship with the Contractor and the Supervisor. I/We shall provide the following are the minimum responsibilities: | -----N/A----- |
| a) Detailed Technical Design for the proposed project ERDF.03.237: Towards Tomorrow: Enhancing Services and Enriching Lives at Inspire, Marsascala. This will occur with close collaboration to experts in the design field and a team of collaborators. | \_\_\_\_\_\_ I / We Confirm |
| b) Legally responsible as a Warranted Perit on behalf of the Contracting Authority for the Planning Application and monitoring of said process till valid permit application is obtained and, in due course, should there be the need for any minor amendment or compliance certification. | \_\_\_\_\_\_ I / We Confirm |
| c) Legally responsible as a Warranted Perit on behalf of the Contracting Authority for the technical specifications to be issued in the Tender Contract since the preparation of Tender Contract for the project is included in the scope of this contract. | \_\_\_\_\_\_ I / We Confirm |
| d) Legally responsible as a Warranted Perit on behalf of the Contracting Authority for the civil and structural integrity of the works and to abide by the provisions contained in the Development Permit for the project and the Tender Contract (preparation of Tender Contract for the project not included in the scope of this contract). | \_\_\_\_\_\_ I / We Confirm |
| e) Co-ordinate, liaise and consult with Planning Authority and represent the Contracting Authority in discussions with other relevant authorities with reference to the project in scope. | \_\_\_\_\_\_ I / We Confirm |
| f) The Perit shall be based on-site, as and when required, for the entire duration of the works identified above and coordinate the site operations as well as coordinate meetings with the project stakeholders including external stakeholders. Furthermore, implementation works will continue outside normal working hours and weekends during which the Perit needs to be available to oversee works and any necessary consultation to avoid any unnecessary delays. | \_\_\_\_\_\_ I / We Confirm |
| g) Attend meetings with the Contractor’s Supervisor and Perit and all other project stakeholders. | \_\_\_\_\_\_ I / We Confirm |
| h) Monitor all construction and other related civil and finishing works. | \_\_\_\_\_\_ I / We Confirm |
| i) Work in liaison with the Contractor’s Supervisor and Perit and issue regular site instructions. | \_\_\_\_\_\_ I / We Confirm |
| j) Interpret and update as necessary all drawings and design details issued in Tender Contract and ensure correct and efficient communication with the Contractor’s team as necessary. | \_\_\_\_\_\_ I / We Confirm |
| k) Identify and adopt the particular/relevant specifications in the works as necessary. | \_\_\_\_\_\_ I / We Confirm |
| l) Approve and ensure all technical details, specifications and methodologies presented and implemented by the Contractor are in conformity with the provision of the Tender Contract. | \_\_\_\_\_\_ I / We Confirm |
| m) Approve and ensure effective implementation of the Contractor’s Quality Plan (CQP). Monitor closely the quality of works, through the quality inspections and testing, to ensure compliance to the Contract. | \_\_\_\_\_\_ I / We Confirm |
| n) Ensure that the Contractor sets up and maintains effective quality test, control and assurance systems to demonstrate that materials and works are provided and executed in compliance with specifications. | \_\_\_\_\_\_ I / We Confirm |
| o) Ensure that all the technical duties, records and other similar obligations including reporting are being adhered to. | \_\_\_\_\_\_ I / We Confirm |
| p) Be responsible for resolving any design and technical issues in a timely manner and shall in liaison with the Supervisor seek to resolve same. | \_\_\_\_\_\_ I / We Confirm |
| q) Ensure the timely preparation of any necessary details and updating the drawings during the progress of works. | \_\_\_\_\_\_ I / We Confirm |
| r) Delegate to subordinates as necessary. | \_\_\_\_\_\_ I / We Confirm |
| s) Provide timely reporting on the Project as requested by the Contracting Authority and other authorities including the Planning Authority. Such reporting with any third parties shall be either  a. channelled through the Contracting Authority; or  b. copied to the Contracting Authority as appropriate. | \_\_\_\_\_\_ I / We Confirm |
| t) Be responsible for cost control and ensure that any variations from the Tender Contract are anticipated and referred to the Contracting Authority. | \_\_\_\_\_\_ I / We Confirm |
| u) Carry out all measurement in relation to certification of all civil and finishing works. | \_\_\_\_\_\_ I / We Confirm |
| v) Issue the Provisional Acceptance Certificate and compile Snag Lists in relation to the works. | \_\_\_\_\_\_ I / We Confirm |
| w) Minor Amendment Application and Renewal of Planning Authority Development Permit if necessary. | \_\_\_\_\_\_ I / We Confirm |
| x) Preparation and submission of Compliance Application to obtain a Final Compliance Certificate. | \_\_\_\_\_\_ I / We Confirm |
| y) Compile the Project Completion Report and issue the final acceptance of all the Works/Supplies/Services. | \_\_\_\_\_\_ I / We Confirm |
| z) Be responsible for the period of fifteen years from the date of completion in accordance with the Civil Code of Laws of Malta. | \_\_\_\_\_\_ I / We Confirm |

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| --- |
| QUALITY ASSURANCE SYSTEM/S *(Note 3)* Please provide hereunder details of the quality assurance system(s) which would be available for ensuring the successful completion of the works. Also, please provide (where applicable) an indication of the technicians or technical bodies involved, whether or not belonging directly to the economic operator’s undertaking, especially those responsible for quality control and those upon whom the contractor can call in order to carry out the work. *(to be typewritten)* GENERAL ENVIRONMENTAL PLAN*(Note 3)* The economic operator must adhere to the general obligations in accordance with Article 7 of the General Conditions, including the field of environmental law and attach the General Environmental Plan in accordance with Article 7.1 of the Special Conditions.    The economic operator is to provide a **General Environmental Plan, which** shall include, but not be limited to, the following information:   * A policy statement outlining the Contractor’s commitments and objectives in relation to the environmental issues during the Contract period. * A management organigram identifying the Contractor’s Environmental Site Manager, together with other support environmental staff and a description of their roles and responsibilities in relation to environmental issues. The Contractor shall also submit the Curriculum Vitae of all proposed key environmental staff to the Supervisor for acceptance prior to them taking up their positions. * Demonstration of how the projects environmental requirements, relevant legislation, will be complied with. * A list of the various specialist environmental plans and method statements and a programme for their submission. Specialist environmental documents shall include the:   + - Traffic Works Plan;     - Waste Management Method Statement;     - Noise and Vibration Management Plan;     - Plan for Control of Noise and Vibration;     - Dust and Air Quality Plan;     - Surface and Groundwater Protection Plan;     - Ecological Works Plan;     - Geological Works Plan;     - Agricultural Works Plan; and     - Pollution Incident Control Plan. * The Contractor’s proposal for his own monitoring, internal audits and audits of his sub-contractors and suppliers to ensure compliance. * A schedule of environmental records that the Contractor intends to keep and make available to the Supervisor. * A set of management procedures covering, but not limited to, the following items:   + - Identifying and communicating to all Contractor’s staff and support staff all the relevant environmental legal and regulatory requirements;     - Implementing the environmental requirements of the Contract documents and monitoring, reviewing and reporting on the measures being taken and their effects;     - Reporting and informing the relevant local authorities on environmental issues arising from the Contractor’s activities; and     - Limiting the impact and re-occurrence of environmental pollution incidents.   Unless stated otherwise the **Specialist Environmental Plan** shall address, but not be necessarily be limited to, the following information:   * Relevant statutory and contractual references; * Control procedures and method statements; * Activities to be addressed and programme; * Monitoring, auditing and reporting; and * Training requirements. |

## *KEY EXPERT/S FORM* (Note 2)

Tenderers are to substantiate their claims, in respect to the proposed Key Expert/s, by complying with and submitting the following at tendering stage:

1. relevant up-to-date CVs;
2. duly filled-in *Professionals Declaration form*;
3. any and all, associated requirement/s listed within the *Literature List form*.

As applicable, Key Experts shall submit a filled-in *Statement of Availability* and the *Self-Declaration form* (as applicable and as per forms annexed below).

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Key Expert Role (professional title) | Name and Surname | Nationality | Age | Qualification Title | MQF Level  (or equivalent) | Public Employee?  (choose only one option) | Authorisation to practice profession in Malta |
| KE1 |  |  |  |  |  | ☐ Yes  ☐ No | ☐ Yes  ☐ No |
| KE2 |  |  |  |  |  | ☐ Yes  ☐ No | ☐ Yes  ☐ No |
| KE3 |  |  |  |  |  | ☐ Yes  ☐ No | ☐ Yes  ☐ No |

*It will be accepted that the same proposed expert fulfills more than one role, as long as he/she has the required qualifications and warrant to fulfil that particular role!*

Qualifications required are defined with reference to the Malta Further & Higher Education Authority (MFHEA) (previously known as the Malta Qualifications Council) (<https://mfhea.mt/academic-qualifications/>).

It shall be the Tenderers’ obligation to ascertain that the qualifications possessed by the Key Experts proposed by them are equivalent to the established MQF/EQF Level prior to tender submission. The Evaluation Committee reserves the right to request the determination of the Malta Further & Higher Education Authority (MFHEA) (previously known as Malta Qualifications Council (MQC)) in checking the equivalency of the qualifications, which shall be final. The Malta Qualifications Recognition Information Centre (MQRIC) is the competent body within the Malta Further and Higher Education Authority (MFHEA) (previously known as NCFHE) that recognises qualifications against the Malta Qualifications Framework (MQF)​ and whose portal can be accessed here <https://mfhea.mt/>.

**Key Experts whose qualifications do not meet the minimum requirements in terms of equivalency, or the equivalency of which is dubious or cannot be determined, shall be rejected.**

## *STATEMENT OF AVAILABILITY* (Note 2)

**To Be completed by each individual key expert if required**

**Publication ref: ERDF/01/2025**

I, the undersigned, hereby declare my availability in the above-mentioned tender procedure in case of award. I further declare that I am able and willing to work for the period(s) foreseen for the position, even if there are delays in the conclusion of contract beyond the validity of offers, for which my CV has been included in the event that this tender is successful.

I confirm that during the implementation stage of this contract I will not be engaged in another project in a position which will prevent me from providing the services for which I am being nominated for this tender**.**

Furthermore, should this tenderer be successful, I am fully aware that if I am not available at the expected start date of my services for reasons other than ill-health or *force majeure*, I may be subject to exclusion from other tender procedures and contracts and that the notification of award of contract to the tenderer may be rendered null and void.

**Name and Surname of Key Expert**: ....................................................................

**Signature: ....................................................................  
Name of Tenderer: ....................................................................**

**Date: .....................................................................**

## *PUBLIC EMPLOYEES DECLARATION FORM* (Note 2)

**To Be completed by each individual key expert/Personnel who is employed with the Public administration**

**Publication ref: ERDF/01/2025**

I, the undersigned, hereby declare that I do not have any Conflict of Interest as defined in the **Public Administration Act, Chapter 595 of the Laws of Malta – First Schedule, Code of Ethics, Article 5**.

I also declare that, I am not engaged in another project or in a position which may give rise to a possible private or personal interest sufficient to influence or appear to influence the objective exercise of my duties as public employee.

By making this declaration, I understand that as a public employee I shall avoid any financial or other interest or undertaking, which could directly or indirectly compromise the performance of my duties as public employee.

I am fully aware that the onus to disclose any possible conflict of interest lies solely on me and I shall be responsible to disclose any foreseen conflict of interest to my seniors/head of organization within one week from when the need arises as well as inform the Contractor accordingly.

In addition, as per the requirements of **Article 6.2.3.1 (Private Work) of the Public Service Management Code (PSMC)**, I also declare that the necessary approval from the respective Permanent Secretary or the Chairperson/CEO as the case may be has been sought, thus granting the undersigned permission to engage in business outside my official duties.

Furthermore, I confirm that I shall also abide by the provisions laid down in Article 21 – Ethics Clauses of the General Rules Governing Tendering.

**Name and Surname of Key Expert: ....................................................................**

**Signature: ....................................................................**

**Date: .....................................................................**

## *PROFESSIONALS DECLARATION FORM* (Note 2)

**To Be completed by TENDERERS WHOSE PROPOSED KEY EXPERT/S IS/ARE NOT YET IN POSSESSION OF A FORMAL APPROVAL TO PRACTICE THE RELEVANT PROFESSION IN MALTA.**

I, the undersigned, hereby declare and commit myself to, in case of award, provide the Contracting Authority (CA) with the necessary valid documentation which attests that the proposed Key Expert/s has/have been duly authorised by the relevant official body to operate the requested and indicated profession in Malta. I also confirm that the aforementioned documentation shall be made available to the CA within one (1) month from notification of contract award (letter to successful bidder) date.

In addition to the aforesaid, if the named authorisation is not made available within the stipulated timeframe, the Key Expert/s being proposed shall be substituted without further delay (within 2 working days from notification). The alternative Key Expert proposed shall:

1. **~~for CfTs carrying BPQR award criteria:~~** ~~fulfil or exceed the qualifications of the one proposed at tender submission stage~~;
2. **for CfTs carrying Price/Cost award criteria:** fulfil or exceed the minimum qualifications requested in the relevant Procurement Documents.

**Name of Tenderer: ....................................................................**

**Signature: ....................................................................**

**Date: .....................................................................**