

**Works tender for the conservation - restoration within the Collegiate Church of St Paul's Shipwreck in Valletta**

Reference number: **PA5.0103/20.2**

**Clarification Nos 1**

Date: 9<sup>th</sup> March 2023

**Clarification Point Nos 1**

Reference is made to Article 7.B of the Instructions to Tenderers which refers to the exclusion and selection criteria.

Bidders are kindly requested to fill in and submit the European Single Procurement Document (ESPD) that is being attached to this clarification note. The ESPD is to be filled in instead of the exclusion form and the selection criteria declaration form which were issued in the original tender package.

Article 7.b now reads as follows:

**(B) Exclusion (including Blacklisting) and Selection Criteria – information to be submitted through the completion of the following declaration forms:**

The Exclusion (including Blacklisting) criteria are to be completed by the Economic Operator in the ESPD (Tender response format) under Part III titled 'Exclusion Grounds' which includes the following:

- A. Grounds relating to Criminal Convictions
  - B. Grounds relating to the payment of taxes or social security contributions
  - C. Ground relating to insolvency, conflicts of interests or professional misconduct
  - D. Purely national exclusion grounds
- (i) Declaration concerning exclusion grounds

(ii) Declaration concerning *Selection Criteria*

**Information to be submitted through the European Single Procurement Document (ESPD).** <sup>(Note 2A)</sup>

- (a) Data Concerning the economic operator to be submitted by filling Part II of the European Single Procurement Document (ESPD). Part II (2A.1 till 2A.13.1) of the ESPD seeks background information about the economic operator.
- (b) Part II A Reference 2A.14 till 2A.16.6 need only be filled in if the procurement is Reserved. <sup>(Note 2A)</sup> (Not applicable for this tender)
- (c) Part II A Reference 2A.17 till 2A.17.3 need only be filled in when the economic operator is part of a group, consortium, joint venture or similar. **Furthermore in the case of a Joint Venture/Consortium or group of economic operators the tender must include a preliminary agreement or letter of intent stating that all partners assume joint and several liability for the execution of the contract, that the lead partner is authorised to bind, and receive instructions for and on behalf of, all partners, individually and collectively.** <sup>(Note 2A)</sup>
- (d) Part II A Reference 2A.18 need only be filled where the tender is divided into lots. <sup>(Note 2A)</sup> (Not applicable for this tender)
- (e) Data concerning exclusion grounds to be submitted by filling Part III of the European Single Procurement Document (ESPD). <sup>(Note 2A)</sup>
- (f) Economic Operators must declare that they meet the minimum criteria established hereunder by filling Part IV of the European Single Procurement Document (ESPD). If no Selection Criteria is requested by the Contracting Authority, the relevant part of the ESPD is to be left blank. <sup>(Note 2A)</sup>

**(g) Technical and Professional Ability** <sup>(Note 2A)</sup>

**i) Technical facilities and measures for ensuring quality:**

The Economic operator shall provide details of relevant tools, vehicles, plant or technical equipment available in relation to this procurement exercise. The bidder shall provide details of the facilities available to undertake steel work, erection, fabrication and welding including details of the fabrication facilities and plant. This information shall be included in the Selection Criteria Declaration Form in Question Reference number 9 under the Technical and Professional Ability Section. <sup>(Note 2A)</sup>

**ii) Subcontracting Proportion:**

The Economic operator is to provide data concerning subcontractors and the percentage of works to be subcontracted through the information included in the ESPD. <sup>(Note 2A)</sup>

Any subcontractor proposed must fill in the Exclusion and Blacklisting Criteria of the ESPD. Any subcontractor proposed and disclosed at this stage shall be evaluated in line with the Exclusion and Blacklisting Criteria as per these Instructions to Tenderers. Furthermore, if the subcontractor is relied upon by the bidder to meet the standards established in the selection criteria, such reliance will be evaluated to verify its correctness and whether in effect these criteria are satisfied.

It is being understood that if the information being requested regarding sub-contracting is left empty, it will be assumed that no sub-contracting will take place (0% subcontracting).

**(h) Quality Assurance Schemes and Environmental Management Standards** <sup>(Note 2A)</sup>

*It is the Economic Operator's responsibility to ensure that the correct information is reflected in the ESPD tender response format for the above criteria.*