



**Paul Bugeja** B. Sc. (Hons), Dip. (Acc), FIA, AMITE, CPA, MTR  
*Certified Public Accountant  
Auditor and Tax Consultant*

## Tender Evaluation Report

### **Kunsill Lokali Rabat Malta**

#### **Tender Details: RLC/T/152/15 – Provision of Professional Services of an Architect to Council and Contract Manager**

##### **1. Brief Description of the Contract**

The Rabat Local Council had issued a tender for the provision of professional services of an Architect to Council and Contract Manager. The duties under the responsibility of the said Architect are listed in the tender document on page 4 under the sub heading "*05. Nature of Works*". Some of the duties listed under this heading where that the Council Architect has the duty:

- 1) To prepare the tender documents including the Bill of Quantities;
- 2) Manage and supervise the contracts;
- 3) Prepare the designs, plans, drawings and applications;
- 4) Certify the works;
- 5) Carry out follow up action with Government Departments, other parastatal Bodies and private contractors in connection with works undertaken within the locality, irrespective of whether the Council is directly involved or not;
- 6) Attend for meetings.

##### **2. Details of Invitation**

**Tender invitation method:** Open tender.

**Tender invitation date:** Issuance of tender advert in the Government Gazette on 21 July 2015 (Issue number 19,455) and on The Malta Independent issued on Wednesday 22 July 2015

**Tender Closing date:** Friday 21st August 2015



**Paul Bugeja** B. Scy (Hons), Dip. Tax, FCA, ABTE, CPA, MIM  
*Certified Public Accountant*  
*Auditor and Tax Consultant*

### 3. Tenders Received

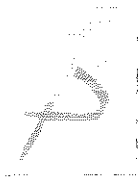
Number of tenders received: One tender received till the closing date

Details of tenders received:

Tenderers	Tendered Sums
Med Design Associates Ltd	<p>1.4% Management fee as a per percentage of works being managed as specified in nature of Works items (a) to (v)</p> <p>Apart from the management fee mentioned above, the tenderer listed additional rates if extra provision of services is required and these are charged on an hourly rate basis. These are as follows:</p> <p>Senior Architect - €15.00 per hour Architect - € 12.00 per hour Chief Draft Person - €10.00 per hour Draft Person - €7.50 per hour</p> <p>It was also noted that the fees above excludes the 1% management fee charged to the contractor to the tariff K for periti services. The fee quoted to the Rabat Local Council does not take into consideration the contractor's measurement fees.</p>

### 4. Compliance with Tender Specifications

- a) The Tenderer provided the tender document which was confirmed that the document was bought from the Offices of the Local Council as a receipt issued by the Rabat Local Council on 23 July 2015 having reference number 29205 was attached with the tender document.



- b) The Form of Tender for Goods and Services , the Tendere Details, the Declaration of Non-Involvement, the Declaration of Understanding and the Non-Collusive Tendering Certificate were fully endorsed and presented with the tender document.
- c) The Tenderer provided the Rabat Local Council with a bank Guarantee No 2015/38 for the amount of €465.87 which was issued by the Lombard Bank on 5th August 2015 (which was within the time period of the closing date of the tender). The validity of the above mentioned guarantee was extended for a further period till 21st October 2016.
- d) The Tenderer also provided with reference letters issued by third parties and these were as follows:

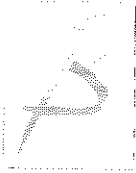
Tumas Group – letter dated 11th March 2009  
Raymond Vella & Co Ltd – letter dated 26th July 2013  
Kunsill Lokali Luqa – letter dated 5th February 2010  
Kunsill Lokali Haz-Zebbug – letter dated 21st August 2009  
Kunsill Lokali Rabat – letter dated 16th March 2009  
Kunsill Lokali Marsaskala – letter dated 13th August 2009  
Kunsill Lokali Santa Lucija – letter dated 13th August 2009

#### 5. Strengths and Weaknesses of the Tenderers

As indicated in Section 3 above, the Rabat Local Council received only one submission of a tenderer manily Med Design Associates. After analysing the tender document and the scope of nature of works as listed in the tender document, it emerged that the tenderer submitted a one management fee of 1.4%. From analysis performed it, seems that this rate is in line with rates being submitted by the profession but the weaknesses that emerged are that since in the nature of works there are a number of duties listed which might rise the issue of what rate to be charged and used. In fact, I had instructed the Council Secretary to issues a letter to the tenderer to inform us with the tariff rates for the items listed in the "Nature of Works". This letter was dated on 22nd October 2015.

The Tenderer has submitted his reply back on 26th October 2015 stating that "*With reference to your letter dated 22nd October 2015 relative to the tender issued by your goodselfes for the provision of services of architect and contract manager to the local council I confirm that the fee quoted in our tender of 1.4% of the value of works being managed is the management fee as specified in Nature of works items (a) to (v).*"

The concerns from my end are whether the said management fee will be applied by the Tenderer if the Rabat Local Council will reccomend the Architect to attend for a meeting with the authorities for a project which is not being carried out by the Rabat Local Council.



**Paul Bugeja** B.Sc. (Hons) Dip. (TAX), FIA, AMPT, CPA, ATTAC  
*Certified Public Accountant,  
Auditor and Tax Consultant*

## **6. Performance Records of the Lowest Tenderer**

From some research carried out by myself, it emerged that the tenderer was involved in number of capital projects, one of which the Rabat Local Council was involved into. Here I am referring to the project of Triq Santa Rita and Misrah San Pawl.

It emerged that no particular issues had arisen in the various projects for which the tenderer was involved. Moreover, in accordance with the Court of Justice website, it resulted that there are no pending cases or introduced cases with the said tenderer.

## **7. Recommendations**

The only tender submitted is by Med Design Associates Ltd. It is recommended that since the Tenderer confirmed that the percentage of 1.4 % is being applied on all nature of works as described in the tender document from (a) to (v) as listed in page 4 of the said tender document, the Rabat Local Council has to take note that all fees are to be charged by the Architect at the rate of 1.4%.

## **8. Avoiding Conflict of Interest**

This is to confirm that the persons involved in preparing the tender documents and assessing tenders have declared that they have no conflict of interests with the tenderers.

**Paul Bugeja**

Certified Public Accountant

23 November 2015