

Tender for the conservation-restoration of the titular painting of the Mosta Basilica

Reference number: PA.5.0103/7.2

Clarification Nos 1

Date: 4th October 2022

Question Nos 1

Reference is made to page 6 and 7 of the tender document, namely the following part:

(C) Technical Specifications

(i)

Tenderer's Technical Offer in response to specifications. (Note 3)

Key Experts Form, the Self-declaration form for Key Experts relating to public employees (where applicable) the CVs, copy of warrant/s and documentation confirming the level of the qualification of the respective key expert must be submitted at tender bis submission stage. (Note 2)

Tenderer's Technical Offer shall constitute the following:

1. KEY EXPERTS:

(ii)

Key expert 1: A qualified lead conservator-restorer

• A qualified and warranted conservator-restorer who will be the lead conservator. The qualification must be at least MQF Level 6 in the conservation and restoration of paintings.

Duties: He/she will be responsible for the works - to oversee and co-ordinate the works with the supervisor of the Contracting Authority in charge of the project. He/ she shall act as a single point contact for the duration of works.

Key expert 2: A supporting qualified conservator-restorer

A supporting qualified and warranted conservator-restorer. The qualification must be at least a degree (MQF Level 6) in the conservation and restoration of paintings.

Duties: He/she will be responsible to support the Lead Conservator-Restorer throughout the works.

Our concern is with Key expert 2, since we do not believe there is the necessity for a warranted conservator for a supporting figure. So much so that in other tenders issued by the foundation of higher value and greater complexity, only one warranted conservator was required. We believe that such a requirement is discriminatory and unlawful as it unjustly restricts competition. We are therefore

requesting that this requirement is removed and replaced by an MQF level of 7(which is a requirement for the application of the warrant) for such a post instead of MQF level 6 (which is what is being asked).

Reply to Question Nos 1

The requirements for Key Expert 2 stand as indicated in the tender document and key expert form. Furthermore the following is being included to the original requirements for Key Expert 2:

In case the proposed key expert is yet to obtain the necessary warrant, the key expert must apply for the said warrant and a copy of the application of the warrant must be submitted in the tender bid. In case of award, the Contractor shall provide the Contracting Authority (CA) with the necessary valid documentation which attests that the proposed Key Expert has obtained the necessary warrant by the relevant official body to operate the requested and indicated profession in Malta. The said documentation must be provided prior to signing of the Contract. The said contract is issued by the Contracting Authority immediately after confirmation of award of the tender. Should the Contractor still not have the said documentation in hand, the Contractor will be asked to replace the key expert with a key expert who is in possession of the necessary warrant and if such a request is not adhered to within 10 calendar days from the notification by the Contracting Authority to replace the Key Expert, the Contracting Authority will withdraw the award of the contract to the said Contractor and award the contract to the second cheapest administratively and technically compliant bidder. The above arrangement only applies for Key Expert 2.

Question Nos 2

With regards to tender PA.5.0103/7.2 - TENDER FOR THE CONSERVATION-RESTORATION OF THE TITULAR PAINTING OF THE MOSTA BASILICA, I would like to kindly ask:

- whether having a secondary key expert i.e. key expert 2 (apart from lead key expert 1) is obligatory;

Reply to Question Nos 2

Yes, the requirement is obligatory as indicated in the tender requirements

Question Nos 3

With regards to tender PA.5.0103/7.2 - TENDER FOR THE CONSERVATION-RESTORATION OF THE TITULAR PAINTING OF THE MOSTA BASILICA, I would like to kindly ask:

- for the valuation of the said titular painting i.e. for insurance purposes.

Reply to Question Nos 3

Kindly note that the value of the insurance requirements is specified in Article 13 of the Special Conditions of the Contract which are located in Section 3 of the tender document.

Question Nos 4

With regards to tender PA.5.0103/7.2 - TENDER FOR THE CONSERVATION-RESTORATION OF THE TITULAR PAINTING OF THE MOSTA BASILICA, I would also like to kindly ask:

- whether expert 1 and expert 2 can be the same person?

Reply to Question Nos 4

Kindly note that the tender requirement is for two key experts and not one.