

## Call for tenders' details

Title: Provision of Event Organisation Services for Administrative and Operational Meetings and Events Organised in the Maltese Islands

Start date: 25/02/2022

Time limit for receipt of tenders: 14/04/2022

Contracting authority: European Union Agency for Asylum (EUAA)

Status: Closed

## Call for tenders question list

**Call for tenders questions summary**

#	Submission date	Publication date	Question subject	Question	Answer
1	02/03/2022 09:54	02/03/2022 11:50	Request for additional information regarding point 3.2.1. Legal and regulatory capacity of the Tender Specifications Part 1: Administrative Specifications	<p>Having in mind that the tenderer is published under an open procedure and the provisions laid down in point 2.2. Rules on access to procurement: who may submit a tender, of the Tender Specifications Part 1: Administrative Specifications; could you please provided additional information regarding the stipulated request under point 3.2.1. Legal and regulatory capacity: - "...These shall include the Certificate of Company Registration and the Malta Tourism Authority license/receipt as Destination Management Company as per Chapter 409 Malta Travel and Tourism Services Act indicating clearly the period of validity." Does this request mean that all tenders (foreign and domestic) should possess the requested license/receipt as Destination Management Company issued by the Malta Tourism Authority in order to be in compliance with the legal and regulatory capacity criteria?</p>	<p><b>02/03/2022</b> All tenderers must prove that they have legal capacity to perform the contract and the regulatory capacity to pursue the professional activity necessary to carry out the service subject to this call for tenders as specified in Section 3.2.1. Legal and regulatory capacity of the Tender specifications Part 1 Administrative specifications. In that regard, please note that only the entity performing the required services is required to have the relevant legal and regulatory capacity. As specified in the specific section "In case of grouping or subcontracting only the entity member subject of this call for tenders will be required to have the relevant legal and regulatory capacity for the specific service they intend to perform."</p>

**Call for tenders questions summary**

#	Submission date	Publication date	Question subject	Question	Answer
2	02/03/2022 13:10	04/03/2022 11:21	Request for additional information regarding point 3.2.1. Legal and regulatory capacity of the Tender Specifications Part 1: Administrative Specifications	<p>Dear procurement team, Thank you for the prompt reaction on our previous question regarding the 3.2.1. Legal and regulatory capacity. Since the provided explanation is conditioned and applies only for joint offers and/or includes engagement subcontractors, could you please further clarify does a company established outside of Malta, without official office in Malta, needs to obtain "...the Malta Tourism Authority license/receipt as Destination Management Company as per Chapter 409 Malta Travel and Tourism Services Act indicating clearly the period of validity.", in addition to their respective national trade registration, in order to submit an offer, without a group member and subcontractor included in the offer? Or does the national trade registration (proof of enrolment) will suffice as evidence for the legal and regulatory capacity of the company?</p>	<p><b>04/03/2022</b> No, the national trade registration (proof of enrolment) does not suffice as evidence for the legal and regulatory capacity of the company. All tenderers must prove that they have legal capacity to perform the contract and the regulatory capacity to pursue the professional activity necessary to carry out the service subject to this call for tenders. In accordance with the applicable legal framework in Malta (place of performance of the services) this includes a Malta Tourism Authority license/receipt as Destination Management Company as per Chapter 409 Malta Travel and Tourism Services Act. Please read carefully Section 3.2.1. Legal and regulatory capacity of the Tender specifications Part 1 Administrative specifications.</p>

**Call for tenders questions summary**

#	Submission date	Publication date	Question subject	Question	Answer
3	04/03/2022 12:38	08/03/2022 11:47	Request for information regarding the open procurement procedure to conclude a single framework contract	Referring to the provided answer to question #2, could you please inform us how is this call for tenders an open procedure, as defined in section 2.1 of the Tender specification - Part 1: Administrative Specifications, if only the legal entities with license/receipt as Destination Management Company from the Malta Tourism Authority, as per Chapter 409 Malta Travel and Tourism Services Act, which is a national license/receipt; can apply to this call for tenders?	<b>08/03/2022</b> An 'open procedure' entails a procedure whereby any economic operator who is interested may submit a tender - which is the case in the procedure at hand. This is without prejudice however to the application of selection criteria (including, inter alia, the legal and regulatory capacity of the tenderer). The subject of this call for tender is the Provision of Event Organisation Services for Administrative and Operational Meetings and Events organised in the Maltese islands. Possession of a valid license/receipt as Destination Management Company is a requirement stemming from Maltese national law. It is the tenderer's responsibility to ensure its compliance with applicable rules and regulations at all times. For the purpose of avoiding any ambiguity, the aforementioned valid license/receipt as Destination Management Company must have been issued by the competent authority by the deadline for receipt of tenders.

## Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
4	04/03/2022 12:39	08/03/2022 11:48	Legal and regulatory capacity	Referring to the provided answer to question #2, could you please inform us what is the timeframe and what are the costs for obtaining a license/receipt as Destination Management Company from the Malta Tourism Authority, as per Chapter 409 Malta Travel and Tourism Services Act for a foreign legal entity (if possible) and will the EUAA as a contracting authority, assist the potential tenderers in this procedure?	<b>08/03/2022</b> Such information can be sought by all (potential) tenders from the Malta Tourism Authority. The EUAA, as the contracting authority, is neither involved in these matters, nor can it assist in the process of obtaining the license in subject.
5	04/03/2022 12:41	08/03/2022 11:53	Request for information regarding the legal and regulatory capacity	Referring to the provided answer to question #2, could you please confirm that even in case of a consortium, ALL TENDERERS must prove that they have legal capacity to perform the contract and the regulatory capacity to pursue the professional activity necessary to carry out the service subject to this call for tenders. In accordance with the applicable legal framework in Malta (place of performance of the services) THIS INCLUDES a Malta Tourism Authority license/receipt as Destination Management Company as per Chapter 409 Malta Travel and Tourism Services Act.	<b>08/03/2022</b> Please refer to answer no. 1 and the relevant section of the of the Tender specifications Part 1 Administrative specifications. As specified in Section 3.2.1. Legal and regulatory capacity of the Tender specifications Part 1 Administrative Specifications: "In case of grouping or subcontracting only the entity member subject of this call for tenders will be required to have the relevant legal and regulatory capacity for the specific service they intend to perform."

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
6	07/03/2022 17:58	08/03/2022 11:56	Richiesta di chiarimento relativa alla CAPACITA' GIURIDICA E NORMATIVA per la partecipazione all'appalto	IT Ai fini della partecipazione all'appalto, qualora il soggetto contraente non disponesse della licenza necessaria per la gestione di servizi d'organizzazione di eventi a Malta, è possibile soddisfare tale requisito facendo affidamento a una licenza in possesso da un soggetto subappaltante? EN Subject: Request for clarification on the legal and regulatory capacity for participation to the procurement procedure. Description: For the purposes of participation in the procurement procedure, where the contracting entity does not have the necessary licence to operate services if events are organised in Malta, can this requirement be met by relying on a licence held by a subcontractor?	<b>08/03/2022</b> IT Sì, si rimanda alla risposta alla domanda n. 5. EN Yes, please refer to answer to question no. 5.

## Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
7	15/03/2022 13:42	16/03/2022 13:23	Time limit for receipt of tenders or requests to participate	<p>Please be informed that we have contacted MTA and the first condition for obtaining a DMC license is: - "One must maintain a presence and residence in Malta and we are allowing a Web Based operation (the licence may be registered on the residential address)." This condition, clearly puts foreign economic operators in disadvantage and even eliminates them from competition for this call for tenders and for this issue the General Court of the European Union has been informed. In addition to the condition above and the financial costs for interested parties for this call for tenders, the timeframe for receiving a DMC license is at least 6 weeks for foreign economic operators. Therefore, we request that the deadline for submission of offers is appropriately postponed, at least until 29.04.2022.</p>	<p><b>16/03/2022</b> Possession of a DMC license is a requirement stemming from national law. Please note that a corrigendum will be published in due course and the deadline for submission of tenders will be extended.</p>

---

## Call for tenders questions summary

---

#	Submission date	Publication date	Question subject	Question	Answer
8	30/03/2022 19:02	01/04/2022 10:21	Technical and professional capacity	According to criterion T1, the tenderer must prove its experience providing references for at least 10 events from the last 3 years. Considering that 2 out of the last 3 years were "covid years" and it has been possible to organize a very limited number of in-person events due to the pandemic, we are asking the possibility to consider the last 3 years before the pandemic (i.e. 2017, 2018 and 2019). This could be important to allow the largest number of competitors to cover especially category 2 (events with more than 100 participants in Malta and/or in the Maltese Islands).	<b>01/04/2022</b> The requirement is in line with Section 20.2 of Annex I of the EU Financial Regulation. Therefore, you are allowed to submit all 10 references from the three years preceding the submission deadline.

Generated on the 10/08/2024 18:37:37 - Generation time 7 ms