

L.N. 28 of 2000

**LOCAL COUNCILS ACT, 1993
(ACT NO. XV OF 1993)**

Local Councils (Procedures) (Amendments) Regulations, 2000

IN exercise of the powers conferred by subsection (3) of section 72 of the Local Councils Act, 1993, the Minister for Justice and Local Government with the concurrence of the Minister of Finance has made the following regulations: —

1. (1) The title of these regulations is the Local Councils (Procedures) (Amendment) Regulations, 2000, and they shall be read and construed as one with the Local Council (Procedures) Regulations, 1996, hereinafter referred to as “the principal regulations”.

Citation and
commencement.

L.N. 180 of 1996.

(2) These regulations shall come into force one month after their publication in the Gazette.

2. In regulation 2 of the principal regulations for the words “in the Schedule hereto.” there shall be substituted the words “in the First Schedule hereto as may be amended in accordance with the provisions of any subsequent schedule hereto.”.

Amends regulation
2 of the principal
regulations.

3. The Schedule to the principal regulations shall be renamed “First Schedule” and immediately at the end thereof there shall be added the following new Second Schedule: —

Adds Second
Schedule to the
principal
regulations.

"SECOND SCHEDULE

The Procedures specified in the First Column of the Schedule shall have effect subject to the amendments specified in the Second Column thereof.

FIRST COLUMN PROCEDURES	SECOND COLUMN EXTEND OF AMENDMENT														
L.C.P. 1/96 – Local Councils (Financial) Procedures, 1996.	1. P1.09 shall be amended as follows:														
	(a) in item e.01, for the words "Lm100" there shall be substituted the words "Lm500"; and														
	(b) in item e.02, for the words "Lm100" and "Lm1000" there shall be substituted the words "Lm500" and "Lm2,000" respectively;														
	(c) in item e.03" for the words "Lm1000" there shall be substituted the words "Lm2000".														
L.C.P. 3/96 – Local Councils (Tendering) Procedures, 1996.	2. In item c.09 of P1.14, immediately after the words "must be deposited daily" there shall be added the words "or not less than twice a week".														
	1. In P3.03, a, for the words from "The Secretary" to "of the tender submitted." there shall be substituted the following: —														
	"The Secretary is to ensure that bid bonds submitted by Tenderers are in conformity with the following table:														
	<table> <tr> <th>Estimate Value of Contract</th><th>Bidbond requested</th></tr> <tr> <td>Up to Lm2,000</td><td>Nil</td></tr> <tr> <td>from Lm2,001 to Lm5,000</td><td>Lm200</td></tr> <tr> <td>from Lm5,001 to Lm15,000 ...</td><td>Lm500</td></tr> <tr> <td>from Lm15,001 to Lm25,000 .</td><td>Lm1,000</td></tr> <tr> <td>from Lm25,001 to Lm50,000 .</td><td>Lm2,000</td></tr> <tr> <td>Lm50,001 and over</td><td>Lm2,500."</td></tr> </table>	Estimate Value of Contract	Bidbond requested	Up to Lm2,000	Nil	from Lm2,001 to Lm5,000	Lm200	from Lm5,001 to Lm15,000 ...	Lm500	from Lm15,001 to Lm25,000 .	Lm1,000	from Lm25,001 to Lm50,000 .	Lm2,000	Lm50,001 and over	Lm2,500."
Estimate Value of Contract	Bidbond requested														
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from Lm25,001 to Lm50,000 .	Lm2,000														
Lm50,001 and over	Lm2,500."														
	2. Immediately at the end of Appendix P3.V, there shall be added the following: —														

“BID BOND – SPECIAL CONDITIONS

This Tender must be accompanied by a valid and original Bid Bond issued by a Maltese Bank to the amount of _____ Malta lira (Lm _____) in the form of the attached specimen Bid-Bond. This Bid Bond must be valid for a period of _____ calendar months from the date set for submission of tenders. This Bid Bond is intended as a pledge that the Tenderer will enter into a contract with the Local Council on the terms stated in his Tender and will furnish a Performance Bond (as per specimen attached to the Tender Documents) covering the faithful performance of the Contract and the payment of all obligations arising hereunder. The Bid Bond shall be forfeited if the Tenderer withdraws his tender before the stipulated period of _____ months or if Tenderer fails to provide the Performance Bond within seven (7) days of the receipt of the Letter of Acceptance.

The Local Council shall have the right to retain the Bid Bond of Tenderers until, either (a) the Contract has been placed and Performance Bond has been furnished, or (b) the specified time has elapsed so that Tenders may be withdrawn, or (c) Tenders have been rejected.

Offers which on the closing time and date fixed for the submission of the Tender are not accompanied by the mandatory Bid Bond, will be disqualified.”.

3. Appendix P3.1X, A (Services), clause 47 shall be amended as follows:

(a) in the third paragraph thereof, immediately after the words “performance of the service.” there shall be added the following sentence:–

“Where the Local Council requires an increase in the service which varies the Contract Sum by more than 20%, the Local Council shall either definitely terminate the contract awarded to the Contractor and issue a fresh call for

tenders, or shall only issue a call for tenders for that part of the variation, provided that if the part of variation is less than Lm2000 or 5% of the financial ordinary allocation, the limitations for direct orders or quotations shall apply.”; and

(b) in the fourth paragraph thereof, the words from “When the method variation” to the words “performance of the service.” shall be deleted.