Call for Quotations - Provision of Legal Services

Ref: CFQ/FES/001/2022

The Foundation for Educational Services (FES) is requesting quotations for the provision of Legal Services particularly in connection with various administrative and employment and industrial relations matters. The services will also cover other general legal advice.

Interested applicants are invited to submit their quotation for the provision of these services. The term ‘Proposer’ shall be construed to mean the person/s or organisation submitting proposal to the FES.

1. Background

1.1 The FES is a public entity within the Ministry for Education. It facilitates the link between formal and informal teaching on a national level by providing a range of innovative educational initiatives.

2. The Deliverables

2.1 The Appointee would be responsible for the provision of legal advice on various matters. These include but are not limited to the following:

- representing the FES in Court proceedings;
- requesting POMA documentation from Court;
- providing advice in relation to care and custody cases;
- providing advice in relation to data protection matters;
- providing advice in relation to employment and industrial relation matters;
- providing interpretation of legal documentation;
- writing legal letters;
- reviewing documentation from a legal perspective before making this public;
- any other advice related to the FES services as the need arises.

2.2 In order to carry out the above tasks, the Appointee will have to liaise with the Ministry for Education and other stakeholders depending on the case.

3. Eligibility Criteria

3.1 The Appointee must be either

3.1.1 A person/s

a) in possession of a Doctorate of Law (LL.D) or comparable qualification at MQF level 7;
b) in possession of a warrant to exercise the profession of Advocate or Notary Public in Malta.

Qualifications at a level higher than that specified above will be accepted for eligibility purposes. Previous experience in human resources and employment and industrial relations matters would be given preference.

Or

3.1.2 An organisation which can appoint person/s as representatives and for which it would be directly responsible, meeting the above requirements listed in 3.1.1.

4. Contents and Submission of the Quotation

4.1 The documentation to be submitted by the Proposer:

4.1.1 Person/s

a) detailed CV (with copies of certifications outlined in 3.1.1);
b) evidence of previous experience if applicable.

4.1.2 Organisation

a) general description of the services offered;
b) credentials;
c) outline of the organigram;
d) detailed CV of the person that will be appointed as the representative of the organisation, including copies of certification outlined in 3.1.1.

4.1.3 Quotation is to be submitted based on a rate per hour basis. Rate is to be exclusive of VAT.

4.2 The quotation submitted is to be signed by the authorised signatory of the Proposer.

4.3 All information requested in this document must be provided. If any section is not deemed to be applicable, the Proposer shall indicate it accordingly. This without prejudice to the right of FES to disqualify any person/s or organisation that do not provide the complete information as requested.

4.4 The proposal must be drawn up in English.

4.5 The quotation must be submitted by not later than Friday 21st January 2022. FES may invite Proposers to supplement or clarify documents they submit.

4.6 Late submissions will not be considered.

4.7 Proposers are to submit via email to: procurement.fes@gov.mt. All submissions will be acknowledged.

6. General Information

6.1 All information provided by the Proposer will be treated as strictly confidential.

6.2 FES shall not be responsible for the payment of any expenses incurred by any person/s or organisation in the preparation and submission of this proposal.

6.3 Acceptance/non-acceptance of proposals will be advised as soon as possible.

6.4 FES is not bound to accept the service offered by any Proposer and reserves the right to reject any or all proposals, even the cheaper option.

6.5 Contract will be awarded and shall be valid for a period of one (1) year or by when the threshold of €5,000 excl. VAT is reached.

6.6 Any communication requesting further information on the required services to be provided or on the proposal itself shall be made in writing via email no later than three days before the closing date stipulated above and forwarded to procurement.fes@gov.mt.

6.7 FES shall answer all queries in writing.

Sejħa għal Kwotazzjonijiet – Għoti ta’ Servizzi Legali

Ref: CFQ/FES/001/2022

Il-Fondazzjoni għal Servizzi Edukattivi (FES) qed titlob kwotazzjonijiet għall-għoti ta’ Servizzi Legali, partikolarment b’konnessjoni ma’ kwistjonijiet amministrattivi u ma’ xogħol u relazzjonijiet industrijali. Dan is-servizz ser ikun qed ikopri wkoll pariri legali oħra b’mod ġenerali.

Applikanti interessati huma mistednin jissottomettu l-kwotazzjoni tagħhom għall-għoti ta’ dan is-servizz. It-terminu ‘Sottomittent’ ifisser il-persuna/i jew organizzazzjoni li qed tissottometti l-proposta lill-FES.

1. Sfond

1.1 L-FES hija entità pubblika fi ħdan il-Ministeru għall-Edukazzjoni. Hija tiffaċilita l-konnessjoni bejn it-tagħlim formali u informali fuq bażi nazzjonali permezz ta’ firxa wiesgħa ta’ inizjattivi edukattivi.

2. Servizz Mitlub

2.1 L-applikant magħżul ser ikun responsabbli għall-għoti ta’ pariri legali b’konnessjoni ma’ diversi oqsma li jinkludu, iżda mhux biss, dan li ġej:

- Jirrappreżenta lill-FES waqt proċeduri fil-Qorti;
- Jitlob dokumentazzjoni relatati mal-POMA mill-Qorti;
- Pariri dwar każijiet relatati ma’ kura u kustodja;
- Pariri dwar protezzjoni tad-data;
- Pariri dwar każijiet ta’ impjieg u relazzjonijiet industrijali;
- Interpretazzjoni ta’ dokumenti legali;
- Kitba ta’ ittri legali;
- Pariri dwar dokumentazzjoni mill-aspett legali qabel din tiġi ppubblikata;
- Pariri oħrajn relatati mal-ħidma tal-FES skont il-ħtieġa.

3. Kriterji u Eliġibbiltà

3.1 L-applikant għandu jkun:

3.1.1 Persuna/i:

a) fil-pussess ta' Dottorat fil-Liġi (LL.D) jew kwalifika oħra komparabbli ma' Livell 7 skont il-Qafas Malti għall-Kwalifiki;
b) fil-pussess ta' warrant li jeżerċita l-professjoni ta' Avukat jew Nutar Pubbliku f'Malta.

Kwalifiki f'livelli ogħla minn dawk speċifikati hawn fuq ser ikunu aċċettati fuq bażi ta' eliġibbiltà. Esperjenza fil-qasam tar-riżorsi umani, xogħol u relazzjonijiet industrijali jingħataw preferenza.

Jew

3.1.2 Organizzazzjoni li tkun tista' tapponta persuna/i bħala rappreżentanti tagħha, li għalihom tkun direttament responsabbli, u li jilħqu l-kriterji mitluba f'sezzjoni 3.1.1.

4. Kontenut u Sottomissjoni tal-Kwotazzjoni

4.1 Dokumentazzjoni li għandha tiġi sottomessa:

4.1.1 Persuna/i

a) CV dettaljat (b'kopji tal-kwalifiki msemmija f'sezzjoni 3.1.1)
b) evidenza ta' esperjenza oħra, jekk applikabbli.

4.1.2 Organizzazzjoni

a) deskrizzjoni ġenerika tas-servizzi offruti;
b) kredenzjali;
c) organigramma;
d) CV dettaljat tal-persuna li ser tkun appuntata bħala r-rappreżentant tal-organizzazzjoni, inkluż kopji tal-kwalifiki imsemmija f'sezzjoni 3.1.1).

4.1.3 Kwotazzjonijiet għandhom jiġu sottomessi fuq bażi ta' rata fis-siegħa. Ir-rata għandha teskludi l-VAT.

4.2 Il-kwotazzjoni sottomessa għandha tkun iffirmata mill-firmatarju awtorizzat tas-sottomittent.

4.3 L-informazzjoni kollha mitluba f'dan id-dokument għandha tiġi provduta. F'każ li jkun hemm sezzjonijiet li jkunu meqjusa bħala mhux applikabbli, is-sottomittent għandu jimmarka dan. Il-FES iżżomm id-dritt li tiskwalifika kwalunkwe persuna/i jew organizzazzjoni jekk ma tingħatax l-informazzjoni kollha kif mitlub.

4.4 Il-proposta għandha tinkiteb bl-Ingliż.

4.5 Il-kwotazzjoni għandha tintbagħat sa mhux aktar tard mil-Ġimgħa 21 ta' Jannar 2022. L-FES tista' titlob kjarifiki dwar id-dokumenti sottomessi.

4.6 Sottomissjonijiet li jintbagħtu tard mhux ser ikunu aċċettati.

4.7 Is-sottomittenti għandhom jibagħtu l-proposti permezz ta' email fuq procurement.fes@gov.mt. Is-sottomissjonijiet kollha ser ikunu rikonoxxuti.

6. Informazzjoni Ġenerali

6.1 L-informazzjoni kollha provduta mis-sottomittent ser tkun strettament kunfidenzjali.

6.2 Il-FES mhix responsabbli għal kwalunkwe spejjeż marbuta mal-preparazzjoni jew sottomissjoni ta' din il-proposta.

6.3 L-għoti/rifjut tal-proposti ser ikun komunikat mill-aktar fis possibli.

6.4 Il-FES mhix marbuta li taċċetta servizz offrut minn kwalunkwe sottomittent u tirriserva d-dritt li tirrifjuta kwalunkwe jew il-proposti kollha, anke l-irħas għażla.

6.5 Ser jingħata kuntratt li jkun validu għal perjodu ta' sena jew sakemm jintlaħaq l-ammont massimu ta' €5,000 VAT eskluż.

6.6 Kwalunkwe komunikazzjoni li titlob aktar informazzjoni dwar is-servizz meħtieġ jew dwar din is-sejħa għandha tkun bil-miktub permezz ta' email fuq procurement.fes@gov.mt, mhux aktar tard minn tliet ijiem mill-għeluq tas-sejħa kif stipulat aktar 'il fuq.

6.7 Il-FES ser tkun qed twieġeb il-mistoqsijiet kollha bil-miktub.