



Clarifications to RFQ / 06 / 2022 – Notarial Services

Dear all,

We had the following clarification questions, and the Bank's replies, which you may wish to be aware of:

Question: Notarial fees are fixed as per the Billing Calculator on the Notaries website. Could you please clarify how the fees are to be quoted, since these are fixed by law?

Reply: The Request for Quotations is intended for Notaries to quote fees which are not covered by the list of statutory notarial fees. In the case where a statutory fee is applicable for a particular service, please state in the RFQ that the statutory fee applies.

Question: We would like more clarification re Notary Support services that is 4.1.1. point ii, in relation to vetting of perfection of collateralisation including registration of deed and of applicable hypothecs.

Reply: This refers to all the vetting required to ensure that collateral/security has been properly constituted and perfected, including verification that the deed constituting the charges has been validly registered and effective registration of collateral/security affecting MDB's interests has been made.

Question: Once a notary is awarded the position, will that notary be able to check the contract details and terms and conditions before accepting the position?

Reply: Once a pool of notaries is set up to carry out the notarial services indicated in RFQ-06-2022, work will be allotted on a rotation basis. Ideally, notaries in the pool are available to provide their services to MDB when requested. Services have to be provided promptly, hence any verification of the contract details, etc. and the reply on availability to perform the task have to be swift since MDB has to operate within tight time frames.

Question: Will the notary chosen be fully employed with the bank or is it on a part time/consultancy basis?

Reply: On a consultancy basis, after signing a letter of engagement.

Question: In the information provided, it is declared that the Bank reserves the right to award this quotation to multiple Economic Operators and that the Bank may create a pool of Economic Operators providing similar services. Can you kindly indicate if the intention is to create a team of notaries/vetting officers?

Reply: As indicated above, there will be a pool of notaries and work will be allotted on a rotation basis.

Question: Can you kindly provide more information as to how the system is intended to work once a notary is awarded the position?

Reply: A letter of engagement to act as consultant is signed with the selected notaries and a rotation system is established. The notary next in line will be requested to perform the services indicated in the RFQ.

Question: Will the notary be able to inform the bank of the amount of work that can be accepted or will he or she be expected to work a number of files per month/year?

Reply: Exceptionally a notary may notify that he/she is not available to perform the task when requested, but as a rule selected notaries are expected to be available.

Regards

**Procurement Section
Malta Development Bank**