CIRCULAR 05/2024



MTCA PUBLISHES REVISED TENDER ON PROPERTY VALUE REVIEWS ENDORSED BY KTP

01 AUGUST 2024

In 2022, the Council of the Kamra tal-Periti was alerted to a tender published by the former Commissioner for Revenue (CFR), now renamed Malta Tax & Customs Administration (MTCA) calling for periti to draw up property valuations at a capped rate of €25 excluding VAT.

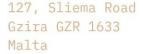
The Council had immediately <u>issued a directive instructing periti not to submit bids for this tender</u> due to its "unacceptable terms, which undermine the scope of the due diligence and research necessary for the preparation of a valuation report, as well as underestimate the associated liabilities".

Urgent meetings were held with the Commissioner for Revenue and Director of Property Tax to discuss the way forward. Given that the tender could not be amended following its publication, an agreement was reached such that following its closing date, the CFR would republish the tender with fresh terms in agreement with the Council of the Kamra, including considerably improved financial terms that reflect the dignity and respect we should all expect for our profession.

The above background history was explained <u>in a circular published soon after</u>. A meeting was also held with a number of periti who had already been giving similar services to the CFR for a number of years through which the National Audit Office declared to be non-conformant with the public procurement regulations. They were also kept regularly informed of meetings and communications exchanged between the Council and the CFR, and were in agreement with our approach.

Regretfully, a number of periti, indeed the same periti who were being kept continuously informed about the ongoing negotiations, chose to outmanoeuvre the Council to try to gain an advantage over ethical and responsible members of the profession who chose to diligently follow the directive and await the outcome of the negotiations the Council was conducting. This resulted in a wholly unnecessary two-year delay during which members of the profession could have benefitted from the improved terms eventually negotiated, which we are happy to announce below.

Indeed, rather than the measly and demeaning sum of €25 excl. VAT per report, as a result of our negotiations successful bidders will be earning €50 excl. VAT per report for all properties



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having a contract value of less than €1 million, and €150 excl. VAT per report for all properties having a contract value of €1 million or more.

The Council considers this a suitable compromise, considering also that the use of the term "valuation" has been dropped from the tender document in favour of the term "review". This shift in terminology is felt to more appropriately reflect the actual exercise to be performed by periti who successfully bid for the new tender.

The tender published by the MTCA via the Department of Contracts is linked below:

<u>CfT: CT2136/2024 - Framework Agreement for the Provision of Professional Services of Periti to provide reviews of Properties to the Malta Tax and Customs Administration (MTCA)</u>

The Council looks forward to building further on the positive relationship established with the MTCA, and remains committed to representing the interests of the profession at all times to the best of its abilities.

Perit Andre Pizzuto

President