



ANNUAL REPORT

2020

PROCUREMENT REVIEW BODY

February, 2021

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EXECUTIVE SUMMARY

- Procurement Review Body during 2020 has amended and supplemented the Rules of Procedure, which is already published on the website of the Procurement Review Body where according to the law and based on which the work of the PRB is taking place.

- Procurement Review Body also during 2020 was faced with problems in full membership of the Board, which at the same time plays the role of a review panel for reviewing complaints filed by economic operators regarding tendering activities. The PRB Board during this year has conducted work in the absence of two members.

- Procurement Review Body during 2020 has published all procurement activities which have been reviewed through complaints. This was achieved through the launch of the new official website, where, among other things, the hearings held at the Procurement Review Body are broadcast live on the website.
- During 2020, the Procurement Review Body has reviewed a total of **1184** complaints filed by economic operators against decisions of contracting authorities regarding tender activities.

LEGAL BASIS

- **Existing legal basis**
- Procurement Review Body exercises its activity in accordance with Law no. 04 / L-042 on Public Procurement in the Republic of Kosovo, Law no. 04 / L-237 on Amending and Supplementing the Law no. 04 / L-042 on Public Procurement in the Republic of Kosovo, Law no. 05 / L-068 on Amending and Supplementing the Law no. 04 / L-042 on Public Procurement in the Republic of Kosovo and Law no. 05 / L-092 on Amending and Supplementing the Law no. 04 / L-042 on Public Procurement of the Republic of Kosovo, as amended by Law no. 04 / L-237 and Law no. 05 / L-068, and Regulation no. 01/2017 of the Procurement Review Body, as well as secondary public procurement legislation drafted by the Public Procurement Regulatory Commission.
- **Legal difficulties encountered by the Procurement Review Body in fulfilling its mission**
- The lack of selection of board members has caused an overload in the work of the PRB but given the number of complaints received and those completed by

the end of the year, we can say that the situation is being well managed by current Board members of the PRB.

- During 2020 the Procurement Review Body was confronted in its work with the Covid 19 pandemic, just as all public and international institutions were confronted. The absence of two Board members and the work during the pandemic have been a major difficulty for the Procurement Review Body.
- The Procurement Review Body has, over the years, highlighted the small number of internal staff, especially reviewing experts, thus forcing it to engage a large number of external experts to review complaints received as in 2019 have increased. For this reason, the PRB considers that it is necessary that the budget allocated to the PRB as a budget organization be increased in order to meet the needs for the engagement of external professional and technical review experts, to increase the number of training of current staff and the staff are newly hired, and additional positions approved in proportion to the number of complaints received.
- **Improving the legal basis**
- Procurement Review Body at the end of 2019 had initiated an amendment / supplement the internal rules of procedure, in which case the recommendations of Mr. Steen Bruun-Nielsen- expert engaged by the TIM project for PRB have been identified and the suggested models for act-expertise and decision of review panels, have been included as internal acts of the Procurement Review Body. The regulation initiated during 2019 at the beginning of 2020 have been finalized. Procurement Review Body, during 2020 has worked with the new rules of procedure which of course has influenced the quality work of staff and review experts.
- Also, the Procurement Review Body is part of the working group for legal changes which are planned to be made in the field of public procurement initiated in January 2019 by the Ministry of Finance. The Working Group established by all relevant institutions of 23 members, are working on the Drafting of the new Law on Public Procurement.
- Public Procurement Review Body, has its member part of the group through which it is working in the part for the PRB always keeping in mind

the importance that the PRB has for the overall strengthening of the public procurement system of Kosovo, and legal handling of complaints in a professional manner and on a legal basis.

DESCRIPTION OF THE INSTITUTION

- **Mission / Vision of the Procurement Review Body**
- Procurement Review Body in accordance with the PRB Strategic Plan for 2018-2020, has as its primary vision a credible, efficient and effective institution in public procurement matters, and fair and impartial review of complaints. , having regard to the best practices of the European Union and its legislation on public procurement, and the provision of protection to domestic and foreign economic operators regarding eventual violations committed by contracting authorities.
- In line with the primary vision, the Procurement Review Body shall also promote transparency, facilitate access to public documents, and enhance professional capacity, as well as co-operate with relevant national and international actors.
- In order to achieve the objectives set out in its internal acts, the Procurement Review Body, at the end of 2019, began the live broadcast of hearings held with economic operators and contracting authorities, and all stakeholders. By presenting live hearings on the PRB website the PRB is achieving what it has always intended to achieve, transparency in relation to stakeholders and the general population. Increasing the transparency of economic operators through the promotion of the web site for quick access and information to interested parties is one of the key goals for the PRB.
- • As the whole world is faced with the situation with pandemics and the gathering of many people in a closed environment is dangerous, the PRB

during this time is holding hearings through the online platform with all parties in the proceedings.

- During 2020, the PRB has benefited from the project of the British Embassy in Pristina: "Strengthening the Public Procurement System in Kosova" and which project started at the end of October and will support the PRB in the next 3 years, to assisted with professional consultancy in the most fair and reasonable systematization of the PRB, and the legal treatment of complaints in the Drafting of new Law on Public Procurement.
- Procurement Review Body (PRB) has signed a memorandum of cooperation with the Public Procurement Regulatory Commission (PPRC). The purpose of this agreement is to define the general principles of cooperation in the field of public procurement, to advance joint efforts for an efficient, effective and transparent process in the field of public procurement.
- Procurement Review Body and the Public Procurement Regulatory Commission, as two responsible institutions, important in the field of public procurement, through this agreement are provided for the exchange of information, holding regular joint meetings to address specific procurement issues , to ensure the coordination of actions as well as the drafting of policies in order to improve the best procurement practices.

- **Website**

- The Procurement Review Body, with the aim of enhancing transparency in front of all parties involved in procurement activities and transparency towards the citizen of Kosova, has the official website "[https: /oshp.rks-gov.net](https://oshp.rks-gov.net)", starting with publication of the complaining claims of the economic operators who claim to have been violated by the contracting authorities, decisions of the review panel in each case. The website also contains electronic versions of all decisions of the Review Panels, conclusions, orders, notices, expertise, reports and other important information related to the activities of the PRB, as well as the live broadcast of hearings for the main review of complaints.

All the video sessions held from 2020 can be found on our Official Youtube channel.

Also the website of the Review Body is visited by the countries of the region but also by almost all countries of the world, this website contains the Serbian and English language versions.

- **Powers of the Procurement Review Body under Public Procurement Law**

- The Procurement Review Body has a number of powers specified in Section IX, article 105 of Public Procurement Law no. 04 / L-042, which powers are specified as follows:

- To review complaints from interested parties related to alleged violations of the Public Procurement Law.
- To give order to any person, enterprise or public authority requesting from one person enterprise or such authority to submit, carry, present and/or enable access to data, information, documents and/or other items of movable and/or immovable property so that the review panel considered as important for decision making in a procurement procedures.
- To issue an order to any person to attend the procurement review procedure and to give testimony related to any matter asked by the Review Panel considered relevant related to the subject matter of this procedure;
- Issue an order to avoid or suspend the award of a public contract if the public contract has not yet been signed by the contracting parties;
- Order the contracting authority to suspend or terminate the implementation of the procurement activity, or order the contracting authority to enforce the contracting authority's decision regarding the procurement activity;
- To order the contracting authority to compensate the complainant;

- Order the contracting authority to correct the alleged violation and / or prevent further damage to the complainant and / or any other interested party ;
- Order the contracting authority to avoid discriminatory technical, economic and / or financial specifications of the selection, requirements and / or criteria included in the notice, invitation, tender dossier and / or other contract documents related to the procurement activity;
- Issue orders compelling officials to enforce a PRB decision and / or order;
- Issue orders to render a public contract entered into as ineffective if the conditions set forth by public procurement law are fulfilled;
- Impose penalties on the contracting authority if the latter continues the implementation of the contract despite the fact that the PRB has declared the public contract without legal effect; and
- Other competencies defined by public procurement law and related laws

INSTITUTIONAL ORGANIZATION

- **Organization, activity, personnel and salary level**
- Procurement Review Body in accordance with the Law no. 05 / L-092 amending and supplementing Law no. 04 / -042 on Public Procurement of the Republic of Kosovo, as amended by Law no. 04 / L-237 and Law no. 05 / L-068, is represented by the President, who is responsible for the management and organization of the work of the Procurement Review Body, as well as responsible for the day-to-day administration of the activity of the Procurement Review Body. For a specific area, the President of the Procurement Review Body may delegate his functions and responsibilities to any other member of the Procurement Review Body. In the absence of the President, the powers and functions of the President shall be exercised by the oldest member of the Procurement Review Body.

- The President of the Procurement Review Body is at the same time a member of the Board. The Board is supported by the Secretariat, which is headed by the Head of the Secretariat of the Procurement Review Body for the management of day-to-day affairs.
- Within the Secretariat, in accordance with the Regulation of the Procurement Review Body, there is an Internal Division, a Complaint's Review Division, and a Legal Unit.

- **Board**

- The composition of the members of the Board of the Procurement Review Body shall be five (5). However, as of 07 July 2017, by decision P.SH. Nr. 494/17 of the Procurement Review Body, pursuant to article 101 of the Law on Public Procurement no. 04 / L-042, as amended by Law 04 / L-237, Law 05 / L-068, and Law 05 / L-092 two (2) board members have been suspended after the Kosova Assembly notified the President of the Procurement Review Body that the Basic Court in Prishtina has file a lawsuit. As of July 06, 2017, the PRB has been working with only three Board members and the two former members have now expired. At the beginning of 2019, the Government of Kosova announced the competition for filling two vacancies on the Board, and at the end of 2020, sent to the Assembly the list of candidates who met the conditions of the competition, but due to political changes and the dissolution of the Assembly of the Republic of Kosova, the proposals have not been reviewed by the Assembly.
- The mandate of the board members is five (5) years. The term of the current members expires on March 30, 2021. With the expiration of the mandate of the current members, the PRB will remain without a board.
- The Board of Procurement Review Body is the decision-making body regarding the review of complaints lodged by economic operators. They conduct their work through review panels, whereby through hearings, whether closed, they decide on the merits of the complaints of economic operators.

- **Secretariat**

- The Secretariat is headed by the Head of the Secretariat, the responsible body for providing administrative support to the Board of Procurement Review Body, managing day-to-day affairs, and developing recruitment policies for civil servants and the engagement of outside experts. professional and technical, depending on the needs of the institution together with the President of the PRB.

- **Human resources**

- The Procurement Review Body has the Human Resources Office as a separate unit within the Secretariat of the Procurement Review Body, responsible for the implementation of labor legislation, and employment policies with respect to employees in the Procurement Review Body.
 - **Number of employees**

 - For 2020, the Procurement Review Body has closed the year with the Head of the office for receiving complaints, Head of the internal Department three (3) Senior Legal Officials, one (1) Revenue Official, and one (1) Receiving Complaint's Official; one (1) Information Technology Official; one (1) Archives Official; one (1) Chief Finance Official, one (1) Senior Linguistic Official; one (1) Personnel Manager; nine (9) Review Experts.

 - **The Needs for young workers**
 - Procurement Review Body has identified the need for new staff and therefore during 2020 has recruited three (3) review experts and two (2) senior legal officers, while during the next year is preparing procedures to recruit review experts and an administrative assistant.

 - The Procurement Review Body also needs additional staff in order to reduce the engagement of external experts, who receive a significant part of the PRB budget.

 - **Number of trainings and training needs**

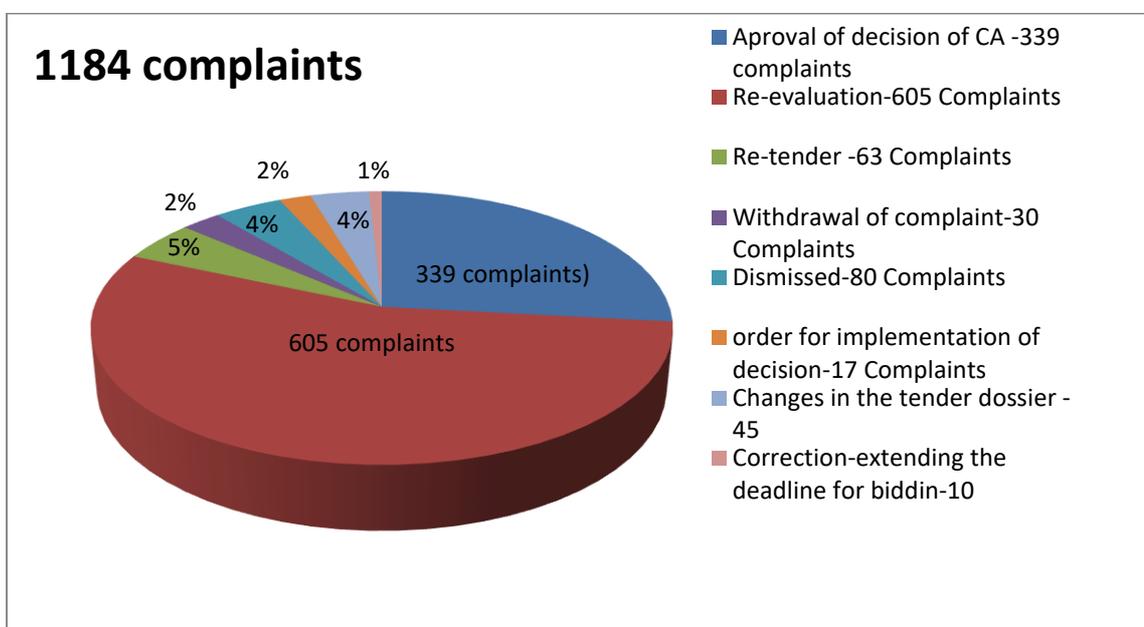
- During 2020, the PRB through its authorized persons, the Secretary of the PRB, the Head of the grievance review department, the head of the internal unit, the human resources officer, three (3) review experts, the revenue officer, the official for receiving complaints, translation officer, IT official attended the Advanced Training on Public Procurement organized by the Kosovo Training Institute - KIPA.
- Also certified in the Basic Professional Training for Procurement are two (2) review experts hired during 2020 and two (2) senior legal officers who are also hired during 2019.
- It is worth emphasizing the fact that the PRB needs staff training in various areas related to public procurement, which can be said that during 2020 these trainings were few due to limited budget, which for this the need to increase the budget dedicated to the fiscal year is also foreseen.

WORK DURING 2020

- Review panel during 2020 has reviewed **1184** complaints in total. Review panel approved the decisions of the contracting authorities, as based on **339** cases, finding that the claims of the complaining parties were not based on legal arguments to approve their complaints; Review panel has decided for **re-evaluation** of the bids in **605** cases, ascertaining that the wrong evaluation of the bids has been done by the evaluation commissions, encountering certain violations of the LPP and the rules of public procurement; Review panel has decided for cancellation of the procurement activity (Re-tendering) in **63** cases, based on the ascertained violations of the provisions of the LPP, for irregularities in the tender dossiers, incorrect evaluation of the bids or for development with shortcomings. procurement procedures; **80** complaints were rejected due to their incompleteness within the legal deadline in accordance with articles 111.4 and 118.1 of the PPL; Prior to the review by the Review Panel, **25** submitted complaints were withdrawn by the complaining economic operators; Review panel

during 2020, has issued a total of 17 orders, extension of the deadline for bidding 10 cases and amendment to the tender dossier **45** cases.

- Economic Operators in the case of filing complaints pursuant to Article 118 of the PPL, and Rules for filing a request for reconsideration with the contracting authorities, filing complaints with the PRB and the value of complaints fees pursuant to Article 14 have been obliged to deposit insurance of complaints one percent (1%) of the value of the bid, but not less than 100 Euros and not more than 5,000 Euros.
- Graphically are presented the number and percentage of complaints received and reviewed by the Procurement Review Body for 2019.



No	Contracting authority	Received complaints	Appro. Iof decision of CA	Re evaluation	Re tender	Withdrawal of complaint	Dismisses complaint	Order for implementation of decision of RP	Changes in the tender dossier	Corrections-extending the deadline for bidding
1	Prime Minister's Office	1		1						
2	Assembly of RK	1	1							
3	Ministry of Health	28	6	9	7		6			

4	Ministry of Defense	14	6	7			1			
5	MAFRD	4		3		1				
6	MCYS	12	5	5	1		1			
7	Ministry of Infrastructure	31	9	18			3			1
8	Ministry of Internal Affairs	16	2	7	1		3		3	
9	Ministry of Public Administration	8	3	5						
10	Ministry of Education	20	5	10		1	4			
11	Ministry of Finance	2		1	1					
12	MLSW	4		1	2		1			
13	MED	3	2	1						
14	MED	1		1						
15	MESP	14	7	7						

No	Contracting authority	Received complaints	Appro. of decision of CA	Re evaluation	Re tender	Withdrawal of complaint	Dismisses complaint	Order for implementation of decision of RP	Changes in the tender dossier	Corrections-extending the deadline for bidding
16	University Hasan Prishtina	28	5	11	4	1	2	4	1	
17	Ministry of Returns and Communities	4		3			1			
18	Office of the President	3	1	1			1			
19	Kosova Police	20	6	11		1	2			

		a	së	m		Anke.		vend. PSH-së	Tenderit	e afatiti për ofertim
31	MA Novobërdë	1								1
32	MA Kaçanik	10	1	9						
33	MA Shtime	4	1	2	1					
34	MA Viti	7	2	1	1		1		2	
35	MA Dragash	9	3	5	1					
36	MA Graçanicë	5	3	2						
37	MA Ferizaj	35	7	21	2		4		1	
38	MA Obiliq	9	2	5			1	1		
39	MA Deçan	9	3	5			1			
40	MA Klinë	25	3	18		1	3			
41	MA Fushë Kosovë	5	1	4						
42	MA Vushtrri	18	7	11						
43	MA Kamenicë	5	4	1						
44	MA Leposaviq	4	2				2		1	
45	MA North Mitrovica	3		1	2					

Nr	Autoriteti Kontarktues	Ankesa të pranuar a	Aprov. i vend. të AK- së	Ri vlerësi m	Ri tenderim	Tërheqj e e Anke.	Flakje e Ankesës	Urdhër për Zbatim të vend. PSH-së	Ndryshim në Dosje të Tenderit	Përmirë sim- Zgajtje e afatiti për ofertim
46	MA Podujevë	7	2	1		1	3			

47	MA Malishevë	20	5	6	3	3	2	1		
48	MA Gjilan	24	5	18	1					
49	MA Shtërpçë	5	3	2						
50	MA Istog	9	2	5			2			
51	MA Suharekë	33	10	22					1	
52	MA Junik	5	1	2				2		
53	MA Pejë	16	2	14						
54	MA Rahovec	10	4	5	1					
55	MA Mamushë	5	1	2	1		1			
56	MA Partesh	1			1					
57	MA Hani i Elezit	3	2				1			
58	MA Klokot	1		1						
59	Kosova Customs	5	2	1		1	1			
60	QKTGJ	1							1	

Nr	Autoriteti Kontartkues	Ankesa të pranuar	Aprov. i vend. të AK-së	Ri vlerësim	Ri tenderim	Tërheqje e Anke.	Flakje e Ankesës	Urdhër për Zbatim të vend. PSH-së	Ndryshim në Dosje të Tenderit	Përmirësim Zgajtje e afatit për ofertim
61	KUR Gjakova	3	2	1						
62	Kosova Post	1	1							
63	KRM Pastrimi	11	3	2			3		2	1
64	AKP	3		2	1					

65	Trepça	6	4	1		1				
66	Prosecutorial Council	6	2	1	1		1			1
67	KAPS	5	3	1					1	
68	Multifunctional Center ShA	1	1							
69	Kosovo Correctional Service	9	5	4						
70	Constitutional Court	2	1		1					
71	Kosova Judicial Council	9	2	5	1	1				
72	Iber Lepenci sha	5		2	1		1		1	
73	NEC	1	1							
74	TAK	1	1							
75	ANSA	2	1	1						

Nr	Autoriteti Kontartkues	Ankesa të pranuar a	Aprov. i vend. të AK-së	Ri vlerësim	Ri tenderim	Tërheqje e Anke.	Flakje e Ankesës	Urdhër për Zbatim të vend. PSH-së	Ndryshim në Dosje të Tenderit	Përmirësim-Zgajtje e afatit për ofertim
76	Emergency Management Agency	6	3	1			1	1		
77	KADK	12	3	7					2	
78	MMCK	15	8	4					2	1
79	KOSTT sh.a.	13	5	7					1	
80	AKKVP	4	1	1	1		1			
81	University of Gjakoves	10	1	7			2			
82	National Audit Office	5	2	2		1				
83	Univ.Kadri	5	2	2					1	

	Zeka									
84	Prizren Regional Hospital	5	2	2			1			
85	Ferizaj Hospital	4	1	1	2					
86	Univ. Haxhi Zeka-Pejë	7	3	4						
87	KRU Hidromorav	2		2						
88	Gjilan Hospital	6	2	3			1			
89	Ekoregjioni sha	2	1	1						
90	KUR Prishtina	15	6	7	1	1				

Nr	Autoriteti Kontartkues	Ankesa të pranuar a	Aprov. i vend. të AK-së	Ri vlerësim	Ri tenderim	Tërheqje e Anke.	Flakje e Ankesës	Urdhër për Zbatim të vend. PSH-së	Ndryshim në Dosje të Tenderit	Përmirësim-Zgajtje e afatit për ofertim
91	KUR Mitrovica	2	1	1						
92	University Ukshin Hoti Prizren	3	1	1	1					
93	Veterinary and Food Agency	4			3	1				
94	AMKMK	2		1		1				
95	KRU Hidrodrini	1	1							
96	KRM Çabrati	1		1						
97	Student Center	8	1	4	2				1	
98	KRM Gjakova	1		1						
99	NPL Pallati I Rinisë	3		3						

100	IMPK	6		5	1					
101	KRM Ambienti	1	1							
102	Trafiku Urban	2	1		1					
103	CDI	1	1							
104	Sport Marketing sha	1		1						
105	Hortikultura sha	1	1							

Nr	Autoriteti Kontartkues	Ankesa të pranuar a	Aprov. i vend. të AK-së	Ri vlerësim	Ri tenderim	Tërheqje e Anke.	Flakje e Ankesës	Urdhër për Zbatim të vend. PSH-së	Ndryshim në Dosje të Tenderit	Përmirësim-Zgajtje e afatit për ofertim
106	Peja Hospital	3	1	1			1			
107	ASHAK	4		1	1		1			1
108	Termokos sh.a.	14	3	11						
109	NPL Pastrimi	1	1							
110	KRM Uniteti sh.a.	3		2				1		
111	QKMF Prishtina	1	1							
112	IKSHP	2	1	1						
113	Gjakova Hospital	3		2				1		
114	Trainko sha	1	1							
115	KEDS	1				1				
116	NPL Prishtina Parking	1							1	
117	Directorate for Agriculture and Rural	2					2			

	Development MA of Prizren									
118	NPB	7	3	4						
	In total	1184	339	605	63	25	80	17	45	10

FINES AND COMPLAINTS

- During 2020, the PRB has imposed three fines for non-compliance with the decisions of the review panels, one against CA-MA Mamusha in the amount of 5,000.00 €, one against CA-MPA in the amount of 5,000.00 € and one against the MoH in the amount of 10,000.00 €.

Table of fines-2019

Contracting authority	Decision of the RP	Date of decision	Amount of Fine
MA of Mamusha	57/20	11.03.2020	5,000.00 €
MAP	122,127/20	18.03.2020	5,000.00 €
MH	442/20	04.09.2020	10,000.00 €
		total	20,000.00 €

- **Revenues collected from fines imposed on contracting authorities**
- During 2020, the PRB through the enforcement procedure has collected two fines imposed on contracting authorities for non-compliance with the decisions of the PRB and one on the University Clinical Hospital Service of Kosovo according to the decision Eg. no. 134, 137, 138/16 - 25,000.00 € and one to the Municipality of Dragash according to the decision Eg. no. 50 / 17- 5,000.00 €. These revenues go to the Treasury department after the debt and execution costs have been realized.
- Also, the PRB is conducting execution procedure against six (6) other institutions for fines imposed during previous years for non-compliance with the decisions of the review panels of the PRB.

- **Division of complaints by calendar months**

- During 2020, the number of complaints by calendar months, has changed in several months. The largest volume of complaints belongs to the months of October, November and December. In statistical form, the table below presents the number of complaints received by months during 2020.

- **Orders Issued to Contracting Authorities**

- With the PPL, it is clearly defined that the decisions of the Procurement Review Body, after reviewing the complaints, are final, but some Contracting Authorities have neglected the public procurement procedures, not respecting the decisions of the review panels for re-evaluation of bids or cancellation of procurement activities. Such actions of the Contracting Authorities constitute violations of the PPL, and at the same time have a negative effect on the rational use of public funds.
- Due to non-compliance with the previous decisions of the Review Panels, the PRB has issued a total of 20 ordinances to various contracting authorities.
- **The table below presents the data regarding the issuance of orders to the Contracting Authorities, for non-compliance with the decisions of the Review Panels.**

No	Contracting authority	Ordinances
1	MA Prizren	3
2	AME	1
3	CPA	1
4	KEC	1
5	Gjakove Hospital	1
6	MA Junik	2
7	MA Prishtine	1
8	KRM Uniteti sh.a.	1
9	MA Obiliq	1
10	University Hasan Prishtina	4

11	MA Malisheve	1
	Total	17

- ### Disqualification of Economic Operators

41. PRB is competent for disqualification of economic operators pursuant to Article 99.2 of the LPP. The following is a table with the data, requirements of the contracting authorities and decisions of the PRB regarding these requirements.

Table of requests for the disqualification of Economic Operators and decisions of the PRB

DISQUALIFICATION OF ECONOMIC OPERATORS

The PRB is competent for disqualification of economic operators in accordance with article 99.2 of the LPP. The following is a table with data, requests of contracting authorities and decisions of the PRB regarding these requests

Nr	AK	Economic operator	Title of the activity	Decision of the PRB
<u>54/20</u>	<u>Kosova Police</u>	<u>OE-AutoKosova shpk</u>	<u>Furnizim me vegla pune dhe paisje te punes per servisimin e flotes operative si dhe furnizim me paisje per automjete RT 1-2</u>	the request of the CA for disqualification is rejected
<u>86/20</u>	<u>MA Prishtine</u>	<u>Vlera shpk Shtime</u>	<u>DDD I institucioneve arsimore</u>	the request of the CA for disqualification is

				rejected
<u>126/20</u>	<u>Kosova Police</u>	<u>Ballkan Petrol</u>	<u>Furnizim me vajra</u>	the request of the CA for disqualification is rejected
<u>144/20</u>	<u>MA Skenderaj</u>	<u>Qendrim Gashi B I</u>	<u>Renovimi I ambulances se mjekesise familjare AMF Polac</u>	the request of the CA for disqualification is rejected
<u>145/20</u>	<u>MA Skenderaj</u>	<u>Tosi-V shpk</u>	<u>Renovimi dhe vendosja e dyerve levizese elektrike ne QKMF Komuna e Skenderajt</u>	the request of the CA for disqualification is rejected
<u>154/20</u>	<u>MA Gjakove</u>	<u>D& T Group shpk</u>	<u>Mirembajtja e autorrugeve L-1</u>	the request of the CA for disqualification is rejected
170/20	<u>CPA</u>	<u>Grup OE-sh Letra Com shpk.. Arbnora Zabeli Aliu</u>	<u>Furnizim me material zyrtar L-7</u>	the request of the CA for disqualification is rejected
<u>172/20</u>	<u>UPZ</u>	<u>Gruo OE-sh DSH Amtelecommunication & Meriton Tershnjaku B.I- Dragash</u>	<u>Furnizimi , montimi dhe funksionalizimi me paisje dhe materiale percjellese te sistemit te vijueshmerise ne pune per stafin e UPZ-se</u>	<u>Disqualified EO for 1 year (03.09.2020 until 02.03.2021)</u>
<u>174/20</u>	<u>MA Drenas</u>	<u>OE- Commando shpk</u>	<u>Sigurimi fizik I tre objekteve - Gjimnazit "Skenderbeu"SHMP te Teknikes, "Fehmi Lladrovci" dhe objektit te Komunes</u>	the request of the CA for disqualification is rejected
<u>190/20</u>	<u>MA gjakove</u>	<u>D& T Group shpk</u>	<u>Furnizime me aparatura mjekesore dhe jomjekesore</u>	the request of the CA for disqualification is rejected
<u>238/20</u>	<u>KK Skenderaj</u>	<u>N& N R* Rukolli shpk</u>	<u>Asfaltimi I rruges Kuqice-Ternaftc</u>	<u>Disqualified EO R& Rukolli shpk for 6 months from</u>

				09.12.2020-08.06.2021
248/20	KEK	Cleantech group shpk	Furnizim me maska higjienike dhe dezinfektues alkool 70%	Disqualified EO Clean tech Group shpk F. Kosove for 6 months
389/20	KK Skenderaj	NN R & Rukolli shpk	Asfaltimi I rruges ne Izbice, fazak	Disqualified EO & Rukolli shpk for 6 months from 09.12.2020-08.06.2021
393/20	KK Skenderaj	Mediatech +E83:R85& print shpk	Furnizim me IT- per zyren e informimit te KK Skenderaj	the request of the CA for disqualification is rejected
499/20	KK Viti	Bujar Shabani B.I ,, NTSH Bageri	Asfaltimi I rrugeve ne fshatin Smire , Kolisht dhe Terpeze	the request of the CA for disqualification is rejected
523/20	Hani I Elezit	NTP Vlora	Furnizim me mjete mbrojtese higjienike (Maska mbrojtese, dezinfektues etj)	Disqualified EO for 03.09.2020 until 02.03.2021
535/20	KK Mamushe	NTSH Koslabor	Furnizim me paisje specifike mjekesore per QMF ne Mamushe	the request of the CA for disqualification is rejected
539/20	MI	RSM Company	Shenhezimi horizontal dhe vertikal I rrugeve ne territorin e KK Fushe Kosoves//Sinjalizimi dhe mirembajtja e paisjeve ne rruget Nac. Dhe rajonale te RKS-se	refuzohet kerkesa e AK-se per dikualifikim
542/20	KK Rahovec	EING Com & Intrast shpk	Ndertimi I semaforeve te rinj	refuzohet kerkesa e AK-se per dikualifikim
596/20	UPz	SFK SHPK &Delta Security shpk	sigurimi fizik I objekteve te Universitetit	diskualifikohet OE prej dt.18.12.2020 deri me 17.03.2021
643/20	Termokos sh a	First solution LLC	Furnizim me kompjutera dhe printera	refuzohet kerkesa e AK-se per dikualifikim
658-20	SHKK	Osa termosistem shpk	Furnizim me paisje per njesine ekonomike	dikualifikohet OE dt.18.12.2020-17.03.2021

700/20	K-Hani I Elezit	Engineering -Viti	Ndertimi I shtepise se kultures , Faza e dyte	dikualifikohet OE Bereqeti dt.18.12.2020-17.03.2021
705/20	MI	Sallahu SHPK	Ndertimi I ures ne rrugen nacionale N9, segmenti Peje-Kuqishte, lokacioni Drelaj	refuzohet kerkesa e AK-se per dikualifikim
763/20	KK SKenderaj	Ditrade shpk, Bereqeti Ing shpk	Furnizim me material ndertimor per familjet ne nevoje	dikualifikohet OE Bereqeti dt.18.12.2020-17.06.2020
973/20	Policia e Kosoves	2 tech	Mirembajtja e pikave te antenave	Aprovohet kerkesa per diskualifikim prej dt.22.01.2021 deri me 21.07.2021
982/20	KK Prizren	EuroGroup	Renovimi rehabilitimi I objekteve te banimit kolektiv	Aprovohet kerkesa per diskualifikim prej dt.18.12.202 deri me 17.06.2021

- ### Courts Records

- During 2020, the Procurement Review Body has responded to lawsuits, in total, nineteen (19) times in accordance with the rulings for response to lawsuits submitted by the competent courts.

- During 2020, the Basic Court in Prishtina has rejected in twenty six (26) cases the claims of the plaintiffs filed against the decisions of the Procurement Review Body, while it has approved the lawsuits in five (5) cases, while one (1) plaintiff is withdrawn from the lawsuit filed during this year.

- Claimants / economic operators have filed eleven (11) appeals to the Court of Appeals against the decisions of the Basic Court, while the PRB has filed nine (9) appeals to the Court of Appeals as well.
- The PRB has submitted one (1) Audit to the Supreme Court, while it has responded to one (1) Audit also during this year.

FINANCIAL REPORT 2020

Vula pranuese e Njesisë për
Propozime dhe Parashtresa

Procurement Review Body

- Financial Report for 2020-

Budget Organization Code: 240

Contact information:

Main Administrative Official Blerim Dina, Tel 038/212-360, E-mail: blerim.dina@rks-gov.net

Main Financial Official Agim Sheqiri, tel 038/121-142 e-maili agim.sheqiri@rks-gov.net

Data: 18.02.2020

1) Entry: (Please provide a summary of key developments in your organization's budget in textual form.

Do not exceed the space provided below!)

The budget of the Procurement Review Body (PRB) is separated from the General Fund, respectively from the Kosova Budget.

The annual budget of the PRB according to the Law on Budget of 2020 in total was 402,177 € Euro, and from this amount we have a division according to the following categories:

- Wages and salaries were divided into 267,722.00 € while 201,512.80 € were allocated and spent.
- Goods and Services according to the Budget Law for 2020 have been planned 129,355.00 Euros, but with the budget review 92,886.61 Euros have been allocated and due to the obligations the PRB at the end of 2020 has requested additional funds and the Government of Kosova according to decision no. . 09/50 has allocated an amount of 55,000.00 and the final annual budget for this category was 147,886.61 Euro while the annual budget spent for this category was 133,183.32 Euro

From the total amount of the budget for salaries and wages, funds in the amount of 201,512.80 € were spent, while the amount of other funds was not spent because not all staff positions were filled.

The board has functioned with two members less and 2 other positions have not been filled with civilian staff.

The category for salaries is allocated on the basis of monthly salaries for the number of employees, while the category for goods and services is allocated according to cash flow forecasts.

2) Summary of Revenue and Special Expenditure Categories:

(Please briefly outline the main changes in terms of estimated and actual values for each category. Do not exceed the space provided below)

a) revenue:

According to article 118 of the Law on Public Procurement of the Republic of Kosova no. 04 / L-042 as amended by Law no. 04 / L-237, Law no. 05 / L-068 and Law no. 05 / L-092. The Procurement Review Body shall generate revenue from fines imposed on Contracting Authorities for failure to comply with the PRB decisions, which shall be deposited directly into the Kosova Budget, and shall at the same time generate revenue from deposits related to the complaints reviewed a decision on confiscation is made by the Review Panels.

In 2020, a fine was imposed for the Ministry of Public Administration in the amount of 5,000.00 Euros which was paid, a fine for the Municipality of Prizren in the amount of 10,000.0 Euros, and a fine for the Municipality of Mamusha 5,000.00 € which were not collected.

Revenues from fines are revenues from the University of Prishtina in the amount of 15,116.62 Euros and revenues from fines from MPA collected in the amount of 5,000.00 €

PRB in 2020 has received 1184 complaints and the amount of deposits received is 2,504,940.98 €. Revenues from deposits received as a result of confiscation decisions in 2020 are 15,431.28 €. The amount of funds which remain uncollected according to the economic code 50107 from previous years reaches 296,000.00 Euro.

b) Wages and Salaries:

(Please attach your organization chart as annex to this financial report and complete the supplementary table regarding the payment structure in item 4 g) of this report)

PRB has a total of 30 positions permitted by the Budget Law for 2019, of which 25 are civil servants, while 5 are Board members, who are nominated by the Government of Kosova and appointed by the Assembly of Kosova, where in the year 2020 The Board has functioned with 3 members

For the number of employees in the PRB, according to the 2020 Budget Law, the allocated funds were 271,263.93 €, while the total payment for this category is 201,512.80 €, and the planned amount could not be spent because there were two vacancies for Board members and 2 other positions with civil servants.

Additional takes the IT official while the rest is paid according to the coefficient set.

According to the 2020 Budget Law, 30 positions are allowed and at the end of the year there were 4 positions, starting with two board members and 2 other with civil servants, and this has affected the budget for the category of wages and salaries. it is spent at 75% of that planned and allowed, and it should be noted that in this category funds are allocated only for the monthly amount spent (for the number of positions filled).

c) Goods and Services:

In the category of Goods and Services the planned annual budget was 129,355.00 € while it was spent in the amount of 133,183.32 €.

According to government decision no. 09/50 dated 21/12/20 funds were allocated in the category of goods and services in the amount of 55,000.00.

Expenditures relate to the supply of office supplies, fuel supply, security services, facility maintenance, as well as contractual and intellectual expenses which exceed the planned expenses for 2020, as well as intellectual services (consulting) which refer to external professional and technical experts.

The allocation according to the decision of the Government in the amount of 55,000.00 €, is the difference between the initial and the final budget

During 2020 some moves have been made in some economic codes because spending has been higher than planned.

Furthermore, you refer to the table of expenditures, based on which the expenditures will be presented according to the structure and economic codes.

d) Utilities:

In this category we have fixed telephony expenses totaling 1,139.07 Euro, while there were no other expenses for this category .

In 2020 and the allocated budget was 1,586.32 €while the planned one was 5,100.00 €

Other expenses related to utilities are covered by the Ministry of Public Administration, as the PRB has a limited budget for these expenditures..

e) Capital Investments:

PRB has no capital investment

f) Subsidies and Transfers:

PRB does not have separate funds for subsidies and transfers

3) summary:

(Please summarize concluding remarks on your institution's budget or views on future developments)

The total planned budget for Goods, Services and Wages was 402,177.00 Euro out of which 350,985.73 were allocated and 335, 835.19 Euro were spent and the percentage between the budget spent in relation to the allocated budget is 95.6 %.

The total outstanding liabilities for 2020 were 8,130.00 € and mainly these liabilities fall under economic code 13440 - intellectual services (technical and professional experts), and code 13460 contracting services which take part contract on services and are paid simultaneously by this code also liabilities relate to withholding tax and contributions related to payments made to staff contracted on services.

During 2020 there were 46 officials external technical and professional experts and there interns.

Signature of Organization Leader

4.b). expenses:

(please fill in the table with the required information.)

Economic Code	Economic Category	Budget and Expenses 2018			Annual Budget with Budget Law (2020))	Budget with review 2020 (if there were any changes)	The final budget 2019	Expenses until December 31 2020	Commitments by December 31 2020	Committed budget (ně %))	Budget spent (ně %))
		Budget (2019)	Expenses (2019)	% e Expenses							
1	2	3			4	5	6	7	8	9	10
11000	Wages and Salaries	178,307.85	178,307.85	100%	267,772.00		201,512.80	201,512.80	201,512.80	100%	100
13000	Goods and Services	145,009.00	131,764.15	90%	129,355.00	92,886.61	147,886.61	133,183.32	133,183.32	100%	0.90
13200	Utilities Expenses	5,100.00	1,329.53	26%	5,100.00		1,586.00	1,139.07	1,139.07	100%	26.06
30000	Capital Investments										
21000	Subsidies and Transfers										
	in total	314,878.60	310,987.3	98%	402,177.00	92,886.61	350,985.73	335,835.19	335,835.19		95.6

Goods and Services

4.c) DETAILS OF EXPENDITURE BY ECONOMIC CODES

		Budget 2019			Budget 2020		
13000	Goods and Services Name of economic category	Planning (2019)	Expenses (2019)	% of expenses	planning (2020)	Expenses in (2020)	% of expenses
	In total Goods and Services	114,355.00	131,764.15	115.00	129,355.00	133,183.32	1.03

1310	TRAVEL COSTS (SUBTOTAL)	10,500.00	804.50	0.08	9,826.11	550.00	0.06
13130	Expenses of official travel within the country	500.00	-	0.0	500.00	-	0.0
13131	The per-day of official travel within the country						
13132	Accommodation during official travel within the country						
13133	Other official travel expenses within the country						
13140	Official travel expenses abroad						
13141	The per day of official travel	5,000.00	622.10	12.44	1,000.00	-	-

	abroad						
13142	Accommodation during official travel abroad	4,000.00	-		3,326.11	550.00	0.16
13143	Other official travel expenses abroad	1,000.00	182.40	18.24	5,000.00	-	-

1330	TELECOMMUNICATION SERVICES (SUBTOTAL)	6,950.00	4,255.53	61.23	6,950.00	6,705.21	0.96
13310	Internet spending	150.00	374.81	249.87	150.00	430.57	2.87
13320	Mobile phone costs	6,800.00	3,880.00	57.05	6,800.00	6,271.24	0.92
13330	Postage costs						
13340	The costs of using optical cable						

1340	COSTS FOR SERVICES	66,300.00	109,854.88	165.69	77,973.89	101,321.20	1.30
13410	Education and training services	15,000.00	2,200.00	14.66	17,000.00		
13420	Representation and advocacy services						
13430	Various health services	300.00	45.00	15.00	300.00	-	-
13440	Various intellectual and advisory services	30,000.00	52,037.32	173.45	39,673.89	71,564.57	1.80
13450	Printing services - not marketing						
13460	Other Contracting Services	21,000.00	55,121.26	262.48	21,000.00	29,774.63	1.42

13470	Technical Services		451.300	451.30	-		
13480	Membership Costs						

1350	PURCHASE OF FURNITURE AND EQUIPMENT (LESS THAN 1000 EURO)	6,643.00	2,275.00	34.24	12,643.00	7,135.20	0.56
13501	Mobile (less than 1000 euros)	2,643.00	-	-	5,643.0	1,360.00	0.24
13502	Phones (less than 1000 euros)	1,000.00	-	-	1,000.00	-	-
13503	Computers (less than 1000 euros)	2,500.00	2,275.00	91.00	5,500.00	5,508.80	1.00
13504	Information Technology Hardware (less than 1000 Euros)						
13505	Photocopiers (less than 1000 euros)						
13506	Special medical equipment (less than 1000 euros)						
13507	Police service equipment (less than 1000 euros)						
13508	Traffic equipment (less than 1000 euros)						
13509	Other equipment (less than 1000 euros)				500.00	266.40	0.53
13510	Purchase of books and artwork						

1360	OTHER PURCHASES - GOODS AND SERVICES	5,562.00	1,633.30	29.36	5,562.00	1,793.58	0.32
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13610	Office supplies	4,562.00	1,242.70	27.24	4,562.00	1,298.38	0.28
13620	Food and beverage supplies (not official lunches)	1,000.00	390.00	39.00	1,000.00	439.40	43.90
13630	Medical supplies						
13640	Cleaning supplies						
13650	Supply of clothing						
13660	Accommodation						
13670	Ammunition and firearms						
13680	Security tickets (banners)						
13681	seals						

1370	DERIVATIVES AND FUEL	4,000.00	1,853.00	71.00	4,000.00	3,376.00	0.84
13710	oil						
13720	District heating oil						
13730	Heating oil						
13740	mazut						
13750	coal						
13760	wood						
13770	Derivatives for generator						
13780	Fuel for cars	4,000.00	1,853.00	46.43	4,000.00	3,376.00	0.84

1380	AVANS ACCOUNTS	3,780.30	3,780.30	100	950.00	9500	100
13810	Petty cash advance (p.cash)	2,975.80	2,975.80	100	950.00	939.90	99.00
13820	Advance for official trips	804.50	804.50	100			
13821	Avans						
13830	Advances for goods and services						
13850	Advance for embassies						

1390	FINANCIAL SERVICES						
13911	Banking Provision-Central Bank						
13912	Bank Provision-Raiffeisen Bank						
13913	Bank Provision-Procredit Bank						
13915	Bank Provision-Private Business Bank						
13916	Bank Provision-Economic Bank						
13917	Bank Provision-NLB Bank Prishtina						
13918	Miscellaneous Tariff Provision						
13940	KPA-Banking Provision						

1395	REGISTRATION AND INSURANCE SERVICES	1,100.00	584.64	53.14	1,100.00	600.54	0.54
13950	Vehicle registration	600.00	230.00	38.33	600.00	210.00	0.35
13951	Vehicle insurance	500.00	354.64	70.92	500.00	390.57	0.78
13952	Municipal vehicle registration tax						
13953	Insurance of buildings and other						

1400	MAINTENANCE	3,000.00	884.59	29.48	1,000.00	700.76	0.71
14010	Maintenance and repair of vehicles	1,000.00	17.60	1.76	600.00	573.00	0.95
14020	Maintenance of buildings	500.00	-	-			
14021	Maintenance of residential buildings						
14022	Maintenance of business administrative buildings						
14023	Maintenance of schools						
14024	Maintenance of health facilities						
14030	Maintenance of auto roads						
14031	Maintenance of regional auto roads						
14032	Maintenance of local auto roads						
14040	Information Technology Maintenance	1,500.00	866.99	57.59	400.00	132.76	0.33

14050	Maintenance of furniture and equipment						
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1410	LEASE	7,000.00	5,979.00	85.41	7,000.00	9,504.00	1.35
14110	Rent for buildings						
14120	Land Rental						
14130	Equipment Rental						
14140	Rent for machinery	7,000.00	5,979.00	85.41	7,000.00	9,504.00	1.35
14150	Rent for other space uses						

1420	MARKETING COSTS	300.00	520.00	173.33	300.00	520.00	173.33
14210	Advertising and contests	300.00	520.00	173.33	300.00	-	-
14220	Publications of notices						
14230	Expenditure on public information						

1430	REPRESENTATION COSTS	3,000.00	3,118.80	103.96	3,000.00	1,491.00	0.49
14310	Official lunches	3,000.00	3,118.80	103.96	3,000.00	1,491.00	0.49

1440	COSTS - COURT DECISIONS						
14410	Costs-decisions of the courts						

1700	DEBT SERVICE						
17000	Payment of government debt						

4.d).

UTILITY COSTS

DETAILS BY ECONOMIC CODES

		Budget 2019			Budget 2020		
1320	Utilities Expenses Name of economic category	Planning (2019)	Expenses (2019)	% of expenses	Planning (2020)	Expenses (2020)	% of expenses
	Total Utilities	5,100.00	1,329.53	26.07	5,100.00	1,139.07	0.22
1320	UTILITY COSTS	5,100.00	1,329.53	26.07	5,100.00	1,139.07	0.22
13210	Current	2,600.00	-	-	2,600.00	-	-
13220	water						
13230	waste						
13240	Central heating						
13250	Telephone costs	2,500.00	1,329.53	53.18	2,500.00	1,139.07	0.22

4.e) CAPITAL INVESTMENTS: EXPENDITURE DETAILS BY ECONOMIC CODES

		Budget 2019			Budget 2020			
3000	CAPITAL INVESTMENTS Name of economic categor	Planning (2019)	Expenses (2019)	% of expenses	Planning (2020)	expenses (2020)	Commitments until 31.12.2020	% of expenses
Total Capital Investments								

3110	BUILDINGS							
31110	Residential buildings							
31120	Business administrative buildings							
31121	Educational facilities							
31122	Health facilities							
31123	Cultural objects							
31124	Sports facilities							
31125	Memorial Facilities							

3120	ROAD CONSTRUCTION							
31210	Construction of highways							

31220	Regional road construction							
31230	Construction of local roads							
31240	sidewalks							
31250	sewage							
31260	Water							
31270	Investment Maintenance							

3150	ELECTRICAL SUPPLIES, GENERATION							
31510	Power supply generation and transmission							

3160	EQUIPMENT (SIST. VALUE OVER 1000 EUR)							
31600	Information Technology Equipment (over 1000 Euros)							
31610	Information Technology Equipment							
31620	furniture							
31630	Phones							
31640	computer							
31650	Photocopiers							
31660	Special Medical Equipment							
31670	Police Service Equipment							
31680	Souftver							

31690	Other equipment							
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3170	TRANSPORTATION VEHICLES							
31700	Official car							
31701	Trucks							
31702	Jeeps and vanes							
31703	First aid vehicles							
31704	Police service vehicles							
31705	engines							
31706	Other transport vehicles							

3180	MACHINERY							
31800	Machinery							

3190	OTHER CAPITAL							
31900	Other Capital							
31910	Avans for investments							

3210	LAND							
32100	Land							

3220	REAL ESTATES							
32200	Real estate							

3310	TRANSFER CAPITAL-ENTITY							
33100	Trans.cap.- publik entities							

4.f) SUBSIDIES AND TRANSFERS: EXPENDITURE DETAILS BY ECONOMIC CODES

		Budget 2018			Budget 2019		
21000	Subsidies and Transfers Name of economic category	Planning (2018)	Expenses (2018)	% of expenses	Planning (2019)	Expenses (2019)	% of expenses
	Total subsidies and transfers						

2100	SUBSIDIES						
21110	Subsidies for Public Ethnicities						
21120	Subsidies for Public Ethnicities						
21200	Subsidies for Non-Public Ethnicities						

2200	TRANSFERS						
22100	Transfers to other governments						

22110	Unops-administration project- Kosovo Property Agency						
22200	Payments to individual beneficiaries						
22210	Basic pensions						
22220	Pensions for people with disabilities						
22230	Social assistance pensions						
22235	KPC Pensions						
22240	Pensions-Category I						
22250	Pensions-Category II						
22260	Payments for war invalids						
22270	Payments for civilian invalids						
22280	Payments to the families of the war dead						
22300	Payment-court decisions						

4.g) Personnel and salary structure in 2019:

(Please fill in the table with the required data and attach the organigram of your institution with this financial report)

level	Positions approved by the 2019 Budget Law	Positions filled 2019	Approved budget approved by the Budget Law on Wages and Salaries 2019	Budget spent on salaries as of December 31, 2019	Total Extra Payments 2019	Total number of employees receiving additional payments 2019	a) Working hours (full time / part time), and b) Specify the type of additional payment for 2019
1	2	3	4	5	6	7	8
Board Level	5	3	74,730.55	48,227.00			
Level of senior management	1	1	16,063.80	15,395.00			
Management level	5	5	32,620.13	31,980.00			
Professional level	10	5	82,085.98	42,957.23			
Support level	9	5	62,271.54	45,410.80	4,800.00	2	Information Technology Additions
Total	30	19	267,772.00	201,512.80	4,800.00		

Please attach the Organizational Chart of your organization.