



Republika e Kosovës
Republika Kosova – Republic of Kosovo
ORGANI SHQYRTUES I PROKURIMIT
TELO ZA RAZMATRANJE NABAVKE
PROCUREMENT REVIEW BODY

Annual Report

2021

Procurement Review Body

February, 2022

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1. EXECUTIVE SUMMARY

Establishment and Challenges for the future of the PRB

This report consists of a total of six main points:

1. EXECUTIVE SUMMARY

2. LEGAL FRAMEWORK / LEGAL BASIS

3. DESCRIPTION OF THE INSTITUTION

4. SCOPE COVERED BY THE PRB INSTITUTION

5. RECOMMENDATIONS / CHALLENGES OF PRB (staff increase, change of law)

6. ACTIVITY FOR THE REPORTING PERIOD

Procurement Review Body functions based on the competencies given to it by PART VIII, of Law no. 04 / L-042 ON PUBLIC PROCUREMENT OF THE REPUBLIC OF KOSOVA, Amended and supplemented by Law no. 04 / L-237, Law no. 05 / L-068 and Law no. 05 / L-092.

The PRB is an independent review body and exercises the authority, competencies, functions and responsibilities defined in this law.

The PRB is an independent body for administrative review. The PRB consists of five (5) members of the Board. For administrative support the PRB is assisted by the Secretariat which is headed by the Head of the Secretariat. No person or public official may exercise or attempt to exert political influence or unlawful influence on the PRB or any of its employees for any decision. The influence will not be considered political or unlawful if it is manifested openly, in accordance with the rules of law and procedure, and in full confidence that it openly advances the complaint or the defense.

The PRB is a public authority and budget organization. The PRB is subject to all applicable provisions, laws and regulations of Kosovo, to the same extent as other public authorities and budget organizations.

Procurement Review Body clarifies that the Assembly of the Republic of Kosovo with decision no. 05-V-261 of the 30 of March 2016, has appointed the Chairman and two members of the Procurement Review Body for a term of five (5) years, as provided by the Law on Public Procurement of the Republic of Kosovo, where the above decision has entered in force on the day of approval by the Assembly. Therefore, taking into account the fact that on 30.03.2021, the board has completed five (5) years from their appointment, the PRB from 30.03.2021 is without a Chairman and without any board member.

Taking into account the fact that at the time of the appointment of the PRB board, according to the above decision, the PRB already had two board members, but only after a few months of the same on 07 July 2017, by decision P.Sh. Nr. 494/17 of the Procurement Review Body, conform article 101 of the Law on Public Procurement no. 04 / L-042, supplemented and amended by Law 04 / L-237, Law 05 / L-068, and Law 05 / L-092 two (2) board members have been suspended as the Assembly of Kosovo has notified the President of the Body Procurement Reviewer that in the Basic Court in Prishtina and after the Procurement Review Body has functioned only with the President and the two members appointed according to the decision no. 05-V-261 dated 30 March 2016.

Procurement Review Body clarifies that according to Article 100 of the Law on Public Procurement of the Republic of Kosovo no. 04 / L-042, supplemented and amended by Law no. 04 / L-237, supplemented and amended by Law no. 05 / L-068, supplemented and amended by Law no. 05 / L-092, the board of the Procurement Review Body shall be composed of five (5) members, who are proposed by the Government of the Republic of Kosovo and appointed by the Assembly of the Republic of Kosovo.

2. LEGAL FRAMEWORK / LEGAL BASIS

Procurement Review Body operates 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 Law no. 04 / L-042 on Public Procurement in the Republic of Kosovo, Law no. 05 / L-068 on Amending and

Supplementing Law no. 04 / L-042 on Public Procurement in the Republic of Kosovo and Law no. 05 / L-092 on Amending and Supplementing Law no. 04 / L-042 on Public Procurement of the Republic of Kosovo, Amended and Supplemented by Law no. 04 / L-237 and with Law no. 05 / L-068, Rules of Procedure of the PRB no. 01/2020, with protocol number 83/2020 Regulation, as well as the secondary public procurement legislation drafted by the Public Procurement Regulatory Commission:

- OPERATING RULES AND OPERATING GUIDE for PUBLIC PROCUREMENT-2019
- • Rules for submitting a request for reviewing at the Contracting Authorities, filing complaints with the PRB and the value of complaint fees;
- Rules for Abnormally Low Tenders

3. DESCRIPTION OF THE INSTITUTION (INSTITUTIONAL ORGANIZATION)

- **Mission/Vision of the Procurement Review Body**
 1. Procurement Review Body in accordance with the PRB Strategic Plan for 2020-2022, has as its primary vision a credible, efficient and effective institution in public procurement matters, and fair and impartial review of complaints, having in 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.
 - With the completion of the board, the PRB will ensure that a unifying decision is made, not deviating from good European practices and for the same cases will decide the same
- 2. In order to achieve the objectives set out in its internal acts, the Procurement Review Body, makes 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 during its time with Board, has also held hearings through the online platform with the parties in procedure.
- Furthermore, the PRB has managed to pay fees for complaints online, thus enabling economic operators to accept online payment fees, rather than being forced to travel from different parts of Kosovo to receive and submit physical payment fees as before.
- Procurement Review Body (PRB) has signed a cooperation agreement 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.
- Furthermore, the PRB has agreements with two donors who support the institution. These donors are:
 - USAID TEAM (Transparent, Effective and Accountable Municipalities), who have supported us in launching the e-Procurement Complaints module. USAID TEAM has also supported the PRB in advancing the website, which has improved the search of the institution's case database, as well as in the live broadcast of online hearings.
 - KSPP (Kosovo Strengthening Public Procurement) project funded by the British Embassy, which supports us in advancing / fully digitizing the e-Procurement

complaining process. This project will also support the PRB in improving / reforming the internal processes of the institution.

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 Kosovo, has the official website “<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 web site also contains electronic versions of all decisions of the Review Panels, conclusions, ordinances, notices, expertise’s reports and other relevant information regarding PRB activities, as well as broadcasting live the hearings for the main review of the complaints.

The PRB, in partnership with the USAID TEAM project, has upgraded the website to enable easier searches of documents on complaints filed and decisions made in relation to them. Also, on our Official Youtube channel you can find all the video sessions held from 2021.

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 language version of Serbian as well as English

4. SCOPE COVERED BY THE PRB INSTITUTION

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

5. Recommendation/challenges of the Institution (increase of staff, changing the law)

Despite the fact that the PRB during 2021, according to the recommendations of the Government has worked with reduced staff due to the pandemic, also given the fact that since April 2021, it has been impossible to take a decision because the PRB has operated without a Board , These circumstances have influenced us not to make much progress in achieving the objectives and increasing the quality of the PRB.

For the PRB it has been a great challenge to function as an institution without its board because according to the Laws on Public Procurement the main work of the PRB, has to do with decision-making regarding the complaints of economic operators for procurement activities conducted by contracting authorities. Since the end of the mandate of the board members, the parties (CA and EO) have not received any decision on all complaints submitted to the PRB.

Given the fact that millions of euros have been blocked to the contracting authorities and many projects have remained unimplemented as a result of the prolongation of the appointment of the board of the PRB, this has affected the blocking of procurement activities in many contracting authorities , as well as all complainants at this stage because the complainants have not received any decision regarding their complaint.

It is worth noting that the non-decision-making by the board on the complaints of the complaining economic operators directly affects the business of the complaining economic operators because all the insurance fees of the complaints submitted by the economic operators at this stage are blocked by the PRB and can not be returned to economic operators without a board decision.

The non-appointment of the PRB board has also affected the delay of procurement procedures for contracts important for the health of citizens and for various contracts for the interest of the contracting authorities, in which case the public interest has been directly violated because the authorities contractors have stumbled on the supply of important medicines to the sick at the health institutions.

The PRB has a similar experience over the years where it remains without a board where all complaints filed in those periods had to be rejected due to exceeding the deadline for decision

making, this will probably happen this year, which is the parties are denied an elementary right to appeal, ie not taking a decision regarding all complaints of EOs, without the fault of the PRB affects the violation of the right of the party to appeal.

The PRB is the only institution where the parties dissatisfied with the decisions of the contracting authorities (economic operators) regarding the development of any procurement activity can complain, it is the only institution where it makes the quickest decision regarding that complaint, therefore the non-functioning of the PRB , in these circumstances leaves room for dissatisfied parties to complain only in court, which we do not really believe that any EO will address the court in such cases because it is well known the fact that the court for how many years could decide on such cases. Therefore, in order to enable the supervision of public money as transparent as possible, it is necessary to form the board of the PRB, so that the interested parties for the development of any procurement activity present irregularities for that activity and the PRB makes a meritorious decision and based on law.

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, Human Resources Office and a Legal Unit.

- **Board**
 - The composition of the board members of the Procurement Review Body is five (5), 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

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 PRB President.

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 the year 2021, the Procurement Review Body has closed the year with the Head of the Complaints Division, the Head of the Internal Division, (1) Chief Financial Officer, one (1) Personnel Manager, seven (7) Review Expert , three (3) Senior Legal Officers, two (2) Information Technology Officers, one (1) Complaints Receipt Officer, one (1) Archive Officer, one (1) Financial Revenue Officer, one (1)) English - Albanian translator and vice versa, one (1) Serbian - Albanian translator and vice versa, one (1) Executive Assistant to Review Panels.

The needs for new employees

- The Procurement Review Body has identified the need for new employees, therefore during 2022, it is expected to fill three (3) vacancies, based on the needs of the institution.
- The Procurement Review Body also needs additional staff in order to reduce the engagement of external experts who receive a significant portion of the PRB's budget.

Number of trainings and training needs

- During 2021, PRB, PRB officials have attended the following trainings:
- Human Resources Audit organized by the Kosova Training Institute - KIPA.

Advanced Public Procurement Training organized by the Kosova Training Institute - KIPA.

- “Administrative Review Procedures and Administration of Office Affairs”, organized by “Prudencia Consulting”, in Durrës – Albania.
- “Contract Management Through E-Procurement”, organized by “Prudencia Consulting”, in Durrës – Albania.

- “Rules for Public Financial Management, Asset Registers and Annual Reporting by Budget Organizations”, organized by “Prudencia Consulting”, në Durrës – Albania.
- Personal data protection training organized by the Agency for Personal Data Protection.

Amendment of the Law on Public Procurement

- 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 Draft 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 in Kosova, and legal handling of complaints in a professional manner and on a legal basis.

6. ACTIVITY FOR THE REPORTING PERIOD

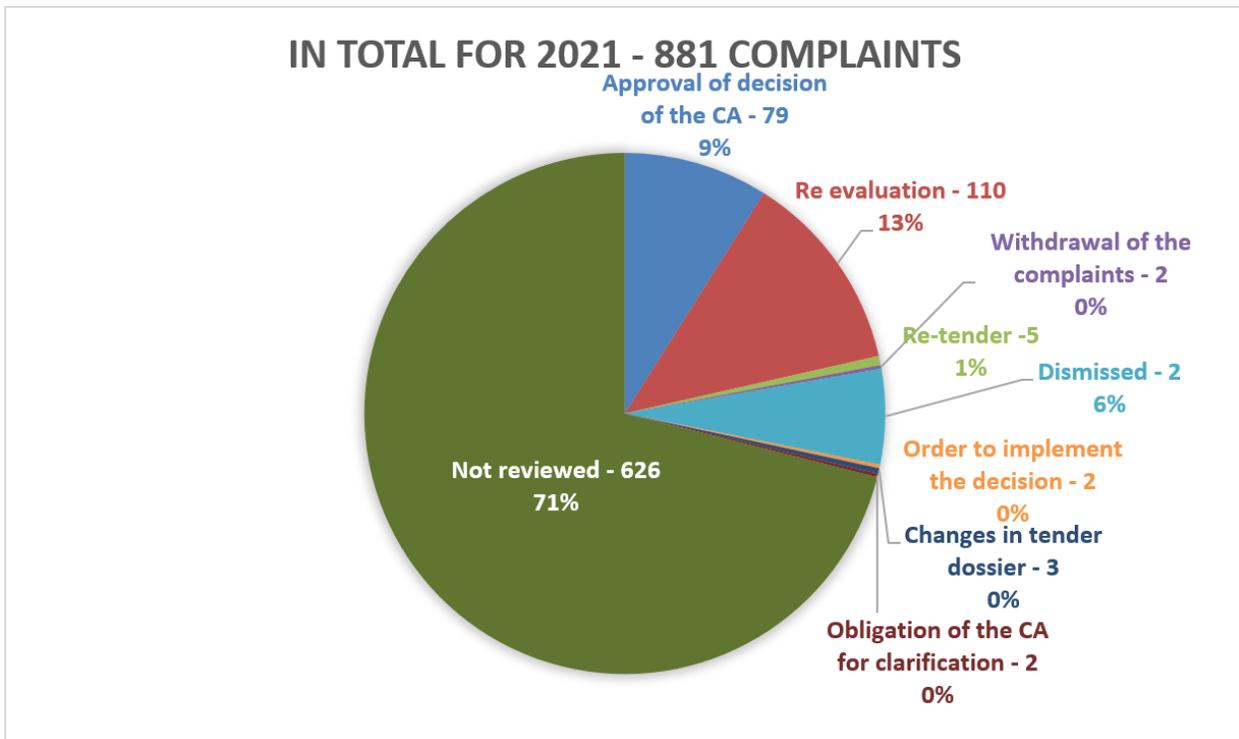
Work during 2021

Procurement Review Body during 2021 received in total **881** complaints. Review panel has taken decisions only for 255 complaints, approved the decisions of the Contracting Authorities, as grounded on **79** cases, finding that the allegations of the complaining parties were not supported by legal arguments to approve their complaints; The Review Panel made a decision to re-evaluate the bids in **110** cases, finding that the evaluation were done a wrong evaluation of the bids by the evaluation commissions, encountering certain violations of the PPL and public procurement rules; Review Panel has decided on cancellation of the procurement activity (Re-tendering) in **5** cases, based on the found violations of the provisions of the LPP, on the irregularities in the tender dossiers, unfair evaluation of the bids or on the development with deficiencies of the procurement procedures; **52** complaints were dismissed for failure to complete them within the legal

time limit in accordance with Articles 111.4 and 118.1 of the LPP; Before being considered by the Review Panel, 2 complaints submitted were withdrawn by complaining economic operators; The review panel during 2021 has issued a total of 2 ordinances, obliging the Contracting authority for additional clarification 2 cases, and changes in tender dossier 3 cases as well

Procurement Review Body clarifies that in the absence of the board there are a total of **626** cases / complaints without decisions of the review panel

- Graphically are presented the number and percentage of complaints received and reviewed by the Procurement Review Body for 2019



- Economic Operators in the course of filing complaints pursuant to article 118 of the LPP, and the Rules for Submitting a Request for Reviewing at the Contracting Authorities, Filing Complaints at the PRB and the Value of the Complaint's fee pursuant to Article 14 have been required to file providing complaints one percent (1%) of the bid's value, but not less than 100 Euro and not more than 5,000 Euro

TABLE OF COMPLAINTS REVIEWED

Contracting Authority	Total of complaints	Approval of the decision of the CA.	Re-evaluation	R-e-tender	Dismissal of the complaint	Withdrawal of complaint	Obligation for CA for clarification	Ordinance	Changes in the Tender dossier
Veterinary and Food Agency	6	1	3		2				
KPA	2	2							
KAPS	2		2						
KMCMA	1	1							
CPA	3		1		1				
KSA	3	1			2				
Kosova Customs	6	3	1		2				
Constitutional Court	1		1						
Iber Lepenci sha	3		3						
KIPH	2	2							
KEC	13	4	6		2	1			
KJC	1		1						
MA of Dragash	1		1						
MA of Drenas	3	1	1		1				
MA of Ferizaj	6	2	3						1
MA of Fushe Kosova	4		4						
MA of Gjakove	14	2	8		2		2		
MA of	2		1		1				

Contracting Authority	Total of complaints	Approval of the decision of the CA.	Re-evaluation	R-e-tender	Dismissal of the complaint	Withdrawal of complaint	Obligation for CA for clarification	Ordinance	Changes in the Tender dossier
Gjilan									
Ma of Graçanica	1				1				
MA of Istog	1	1							
MA of Kaçanik	1				1				
MA of Klina	2		2						
MA of Lipjan	5	3	1		1				
MA of Malisheva	1				1				
MA of Mitrovica	3	1	2						
MA of Obiliq	3	2	1						
MA of Peja	7	5	2						
MA of Prishtina	14	4	4	1	5				
MA of Prizren	17	6	7		3			1	
MA of Rahovec	1				1				
MA of Suhareka	8	2	2	2	2				
MA of Viti	3	1	1		1				
MA of Vushtrri	4		4						
KMDK	1		1						
KOSST	3	2			1				
KPC	1		1						

Contracting Authority	Total of complaints	Approval of the decision of the CA.	Re-evaluation	R-e-tender	Dismissal of the complaint	Withdrawal of complaint	Obligation for CA for clarification	Ordinance	Changes in the Tender dossier
KRM Pastrimi	1		1						
KRU Hidromorava	1		1						
KRU Prishtina	4		1		3				
Assembly of Kosova	1				1				
Ministry of Education	7	2	2	1	1			1	
Ministry of Defense	2		2						
Ministry of Health	11	2	3		4				2
KMM	2	2							
MCYS	7	1	5			1			
MESP dhe I	4		2		2				
MIA	7	3	2	1	1				
MFA dhe J	1				1				
MTI	3	2	1						
Heating center of Gjakova	1		1						
Pallati I Rinise sha	1		1						
Kosova Police	3	2	1						
KCJS	1	1							
UCCK	10	2	4		4				
KCS	1				1				

Contracting Authority	Total of complaints	Approval of the decision of the CA.	Re-evaluation	R-e-tender	Dismissal of the complaint	Withdrawal of complaint	Obligation for CA for clarification	Ordinance	Changes in the Tender dossier
HUCSK	19	9	9		1				
Prizren Hospital	1				1				
Termokosha	7	1	6						
Trepçasha	1				1				
University of Gjakova	1		1						
University of Mitrovica	1	1							
University of Prishtina	7	4	2		1				
Prime Minister's Office	1		1						
Altogether	255	79	110	5	52	2	2	2	3

While from the total number of complaints received, 626 complaints of 2021 remained unreviewed in the absence of the board.

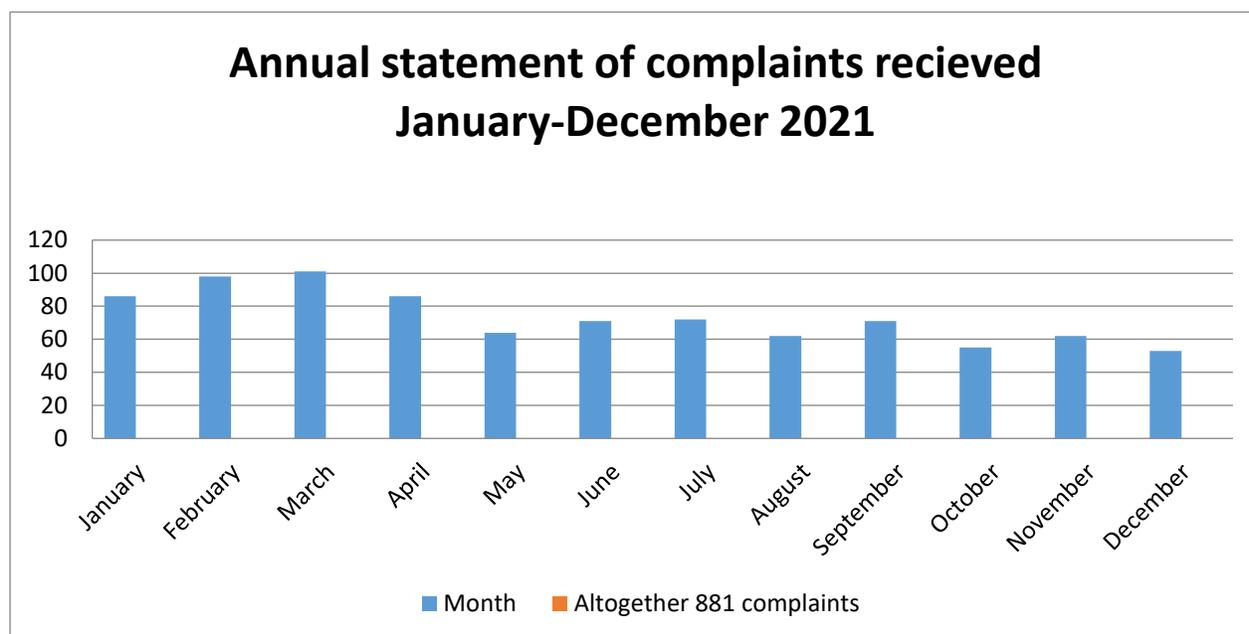
FINES AND COMPLAINTS

- In 2021 the PRB has not collected any fine and has not been fined any Contracting Authority, or Economic Operator
- **Revenues collected from fines imposed on contracting authorities**

The amount of receivables from previous years is 296,000.00 Euro for Contracting Authorities

Division of complaints by calendar months

- During 2021 the number of complaints by calendar months has changed to several months. The largest volume of complaints belongs to the months of January, February, March and April. In statistical form, the table below shows the number of complaints received by months during 2021.



Ordinances issued to the Contracting Authorities

- The LPP clearly states that the decisions of the Procurement Review Body, after reviewing the complaints, are final, but some Contracting Authorities have neglected public procurement procedures, disregarding the decisions of the review panels to re-evaluate the tenders or cancel the tender procurement activities. Such actions of the Contracting Authorities constitute a violation of the LPP 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 2 ordinances to the various Contracting Authorities.

- The following table shows the data regarding the issuance of ordinances to the Contracting Authorities for non-compliance with the decisions of the Review Panels

No.	Contracting authority	Orders issued for non-compliance with the decision of the RP
1	Ministry of Education	1
2	MA of Prizren	1
	Altogether	2

Disqualification of Economic Operators

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.

During 2021 the PRB has received a total of 60 requests for disqualification of operators from various authorities where among these requests are reviewed 6 of them where in 3 cases the request of the contracting authorities was rejected and in 3 cases the request of the authority was approved and economic operators were disqualified, while in the absence of the board, 54 requests submitted by the contracting authorities / CA remained not reviewed.

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

N0	CA	EO	Activity	Date	Period of disqualification	Status
1	MA of Junik	As-Tech shpk	Furnizim me gjenerator per komunen e Junikut Ritender	15.02 until 14.08.2021	6 months	completed
2	HUCSK	Interlab shpk	Furnizim me material medicinal nga LE per nevojat e SHSKUK-se	01.02.2021 until 31.01.2022	12 months	completed
3	UP	Yba shpk & Brothers Group & Basri Sopiani	Drenazhimi, kanalizimi, ujesjellesi ne Filologji FSHMN Filozofik L1,2	15.02 until 15.08.2021	6 months	completed

Data from the Courts

- During 2021, the Procurement Review Body had a total of eighty-five (85) representations at the Basic Court in Prishtina, the Department for Administrative Affairs, the Basic Court in Prishtina, the Department for Economic Affairs.
 - During 2021, the Procurement Review Body has responded to lawsuits, in total, forty-eight (48) times in conformity with decisions on response to lawsuits filed by competent courts.
 - During 2021, the Basic Court in Prishtina rejected in fifteen (15) cases the claims of the claimants against the decisions of the Procurement Review Body, while approving the claims in six (6) cases, has rejected as inadmissible the lawsuit in three (3) cases, while two (2) plaintiffs have withdrawn from the lawsuits filed during this year.
 - The plaintiffs / economic operators have filed seventeen (17) appeals with the Court of Appeal against the decisions of the Basic Court, while the PRB has filed nine (9) appeals to the Court of Appeals.
 - In eight (8) cases the appeals of the plaintiffs / economic operators were rejected as ungrounded by the Court of Appeals. In two (2) cases, the Court of Appeals approved the appeal of the plaintiffs / economic operators as grounded, while in one (1) case it rejected the appeal as inadmissible. Furthermore, in two (2) cases the Court rejected the complaint of the Procurement Review Body as ungrounded
41. Concerning the proposals of the claimants / economic operators to postpone the execution of the decisions of the Procurement Review Body, the courts in seven (7) cases rejected

the proposals of the plaintiffs to postpone the execution of the decision of the Procurement Review Body while in two (2) case approved the proposal.

FINDINGS OF THE GENERAL AUDITOR'S OFFICE

- All recommendations made by the Office of the Auditor General, for the findings for 2020, have been fulfilled by the PRB, while for 2021, the Auditor General has not yet issued an official report on any findings.