



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

Psh. No.140/26

Based on Article 105, points 1 and 2 and Article 109, paragraph 2 of the Law on Public Procurement of Kosova No. 04/L-042, supplemented and amended by Law 04/L-237, supplemented and amended by Law 05/L-068, supplemented and amended by Law 05/L-092, after reviewing the complaint of the Economic Operator (EO) “NIKA Pro-ing” SH.P.K. regarding the procurement activity “Re-adaptation of spaces in government buildings” with procurement number: 214-25-3033-5-1-1, initiated by the contracting authority (CA) - Ministry of Internal Affairs, Head of the Procurement Review Body Mr. Ardian Behra, on the 18/03/2026 has issued this:

DECISION

I. Dismissed as out not allowed, complaint of “NIKA Pro-ing” LLC..with protocol no. 2026/0140, dated 06/03/2026, this complaint was filed for the procurement activity “Re-adaptation of spaces in government buildings, with procurement number: 214-25-3033-5-1-1, initiated by the contracting authority (CA) - Ministry of Internal Affairs.

II. Allowed, contracting authority - Ministry of Internal Affairs, to continue further with the procurement activity “Re-adaptation of spaces in government buildings, with procurement number: 214-25-3033-5-1-1, regarding this complaint, if there is no other complaint regarding this procurement activity.

REASONING

-Procedural facts and circumstances -

The Procurement Review Body in the electronic e-procurement system on 06.03.2026, in the complaints section, has received a complaint from the EO “NIKA Pro-ing” SH.P.K. for the procurement activity with Re-adaptations of spaces in government buildings with procurement number: 214-25- 3033-5-1-1, initiated by the Ministry of Internal Affairs in the capacity of the contracting authority.

The Complaints Office, after receiving the complaint, during the verification whether the complaint has been submitted according to the rules and legal provisions, has found that the complainant for the complaint in question has not made the payment as required by point 10 paragraph 1 of article 111 of the LPP and article 69 of Regulation No. 001/2022 on Public Procurement.

Given the fact that the complainant did not attach the bank confirmation for the fee to the above-mentioned complaint, even though the Complaints Office on 06.03.2026 notified the complainant EO via email that after examining the documents you have attached to the PRB platform, it has determined that you have not made the payment as provided for in paragraph 2 of article 69 of public procurement regulation 001/2022. we quote article 69.2 “In accordance with article 118 of the LPP, all complainants must pay a complaint fee to the PRB. a. Whenever the complaint is related to the decision to award a contract, the amount of the complaint fee is equal to one percent (1%) of the bid value, but not less than 200 Euros and not more than 10,000 Euros”. therefore please provide us with the remaining deadline to provide us with proof of payment, otherwise the complaint will be rejected. To which the complaining EO “NIKA Pro-ing” SH.P.K. has not responded to the e-mail sent.

From the evidence presented, it is assessed that the complaint submitted by EO “NIKA Pro-ing” SH.P.K. dated 06.03.2026 (protocol 0140/2026), for the procurement activity entitled Re-adaptation of spaces in government buildings with procurement number: 214-25-3033-5-1-1, initiated by the contracting authority (CA) Ministry of Internal Affairs, is considered incomplete because the complainant has not deposited the security fee for his complaint as required in point 10, paragraph 1 of article 111 of the LPP in connection with article 118 of the LPP.

Therefore, the procedure for reviewing this complaint ends at this stage by dismissing it as inadmissible - incomplete because this complaint does not meet the conditions to proceed further as required by the aforementioned legal provisions.

The contracting authority - the Ministry of Internal Affairs is allowed to continue with the procurement activity Re-adaptation of spaces in government buildings, with procurement number: 214-25-3033-5-1-1, regarding this complaint, if there is no other complaint for this procurement activity. However, the PRB informs the CA that in every activity it must act in accordance with the legal provisions and authorizations as provided for in Article 1, 6, 7, 27, 28, 59, 60 of the LPP.

The Head of the Secretariat of the PRB, based on what was said above, decided as in the provision of this decision.

Head of the Secretariat

Mr. Ardian Behra

Legal advice:

An appeal is not allowed against this decision, but the dissatisfied party can appeal to the Commercial Court, to the Department for Administrative Affairs for annulment of the decision within 30 days from the date of acceptance of the decision.

Decision to be submitted to:

1x1 CA – **MINISTRY OF INTERNAL AFFAIRS;**

1x1 EO – **NIKA PrO- Ing SH.P.K.;**

1x1 Archive of the PRB