



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

Psh. No.200/26

The Review Panel, appointed pursuant to Article 105, 106, and 117 of the Law on Public Procurement of the Republic of Kosovo (Law No. 04/L-042, supplemented and amended by Law 04/L-237, Law 05/L-068, supplemented and amended by Law 05/L-092) composed of Isa Hasani, individual panelist, deciding upon the complaint of the EO “Helius System” Sh.P.K, against the Decision to cancel the procurement procedure regarding the procurement activity “Maintenance and support of the e-asset system” with procurement number 214-25-11241-2-1-1, initiated by the contracting authority (CA) - Ministry of Internal Affairs, on the 29/04/2026 has issued this:

DECISION

1. Approved, as partly grounded the complaint of the EO “Helius System” Sh.P.K with no. 2026/0200, dated 01/04/2026, regarding the procurement activity “Maintenance and support of the e-asset system”, with procurement number 214-25-11241-2-1-1, initiated by the contracting authority - Ministry of Internal Affairs.
2. Remains in force, the Notice on the Decision of the Contracting Authority, - Ministry of Internal Affairs, dated 11.03.2026, for the cancellation of the procurement activity "Maintenance and support of the e-asset system", with procurement number 214-25-11241-2-1-1.
3. Within 10 days, the CA must inform the PRB of all actions taken regarding this procurement activity, otherwise, the PRB has the right to take measures against the CA for non-compliance with the decision as provided for in the provisions of Article 131 of the LPP.
4. Based on Article 31, point 4, of the PRB's Rules of Procedure, the complaining economic operator EO “Helius System” Sh.P.K. shall be refunded the complaint insurance fee in the amount deposited upon filing the complaint. The EO is obliged, in accordance with Article 31, point 6 of the PRB's Rules of Procedure, to submit a request for withdrawal of the complaint insurance fee within sixty (60) days, otherwise the deposit shall be confiscated and these funds shall be transferred to the Budget of the Republic of Kosova.

REASONING

-Procedural facts and circumstances -

On the 15.12.2025, the Ministry of Internal Affairs in the capacity of the Contracting Authority has published the Contract Notice B05 regarding the procurement activity entitled “Maintenance and support of the e-asset system”, with procurement number 214-25-11241-2-1-1. While on 19.03.2026, the CA has published the B58 Notice on the decision of the Contracting Authority where it has cancelled the procurement activity in the absence of responsive bids.

The contracting authority has implemented an open procedure, type of contract: service, estimated value of the contract: €150,000.00.

On the 24.03.2026, EO “Helius System” Sh.P.K has submitted a request for review against the aforementioned decision of the CA. On 26.03.2026, the Contracting Authority rejected as unfounded the request for reconsideration.

On the 01.04.2026, the PRB received the complaint from the EO “Helius System” Sh.P.K with no. 200/2026 related to the activity cited as in point I of the enacting clause with protocol number 0200/2026..

-On the preliminary review phase -

The Procurement Review Body has found that the complaint contains all the elements specified in Article 111 of the LPP and as such has been submitted within the legal deadline in accordance with Article 109 paragraph 1 of the LPP after the preliminary procedure for dispute resolution in the sense of Article 108/A of the LPP, by the economic operator that is an interested party according to Article 4 paragraph 1 subparagraph 26 of the LPP. In this way, the Procurement Review Body has found that it is competent to review this complaint according to Article 105 of the LPP and there is no procedural obstacle to continue with the review of the complaint on its merits.

1. Response to the request for reconsideration:

The Ministry of Internal Affairs-ZPP, after receiving the Request for Reconsideration, has reviewed the validity of all the claims of the complaining party. The Contracting Authority had initiated the procurement procedure entitled: "Maintenance and support of the e-asset system" with Procurement No.: 214-25-11241-2-1-1. In relation to claim 1 deer in 4 of the complaining EO, the Public Procurement Office notes that upon initiation of the procurement procedure, the Requesting Unit submitted a Statement of Funds and Availability of Funds, but before the completion of the evaluation of this activity, circumstances occurred that could not have been foreseen upon initiation of the procedure, in this specific case the planned budget was transferred to another organizational unit, therefore the confirmation of funds for the second time as provided for by the procurement rules was not possible. After the initiation of this procedure, by decision of the Government of the Republic of Kosova with number 02/ 02 dated 20.02.2026 on institutional reorganization, the Ministry was divided, resulting in the creation of new

institutional structures. As a result of this institutional reorganization, the relevant budget has also been divided between the new institutions. Due to this change, the Contracting Authority currently does not have the necessary budgetary funds to carry out this procurement procedure, as the budget planned for this activity has been divided according to the new institutional structure and in the absence of budgetary funds, the CA-MIA cannot reconfirm that the financial information has not changed substantially from that provided for at the beginning of the procedure, as provided for in the legal rules of procurement. Likewise, the requesting unit as the initiator of this activity has passed to the Minister of Digitalization and Public Administration, therefore the Ministry of Internal Affairs as the initial initiating authority, in addition to not having budgetary funds, there is also no need for these services foreseen in this procurement activity (If the Minister of Digitalization and Public Administration, which has the budget for this project, needs such services, it will tender the same activity). Based on these circumstances, the Contracting Authority has canceled the procurement procedure. Regarding the standard letters for elimination, we inform you that despite the cancellation of the procurement procedure for the reasons given above, the CA wanted to inform you that you did not fulfill the requirements of the CA according to the requirements in the tender dossier and that this information would serve you or be taken into account in case the Minister of Digitalization and Public Administration, which has the budget for this project, tenders the same activity.

Complaining claim 2.A — Developer 1: Mr. Xhelal Likaj (XH.L)

The complaining EO in this matter claims that with regard to the disqualification of Developer 1, Mr. Xhelal Likaj (XH.L), the Contracting Authority has acted contrary to the provisions of the LPP, by claiming that Mr. Likaj meets the criterion of 5 years of experience in software development on the .NET platform with SQL Server, based on the period from 2017 to the present, as well as by presenting three similar concrete projects and valid Microsoft certifications.

Complaining claim 2.B — Developer 2: Mr. Marin Çollaku (M.C)

The complaining EO regarding this issue claims that regarding the disqualification of Developer 2, Mr. Marin Çollaku (M.C), the Contracting Authority has acted contrary to the provisions of the LPP, by eliminating him with the reasoning that his diploma in “Economic Informatics” does not meet the DT criterion for “Bachelor of Computer Science or Bachelor of Computer Engineering”, and not taking into account the over 7-year documented experience in software development with .NET and SQL Server, confirmed with concrete national and financial projects.

Complaining claim 2.C — System Analyst: Mr. Gjergji Mulla (G.J.M)

The complaining EO regarding this issue claims that regarding the disqualification of the System Analyst, Mr. Gjergji Mulla (G.J.M), the Contracting Authority has acted contrary to the provisions of the LPP, by arguing that Mr. Mulla has over 25 years of experience in IT, has performed typical functions of a system analyst — such as requirements analysis, functional and technical architecture design — and has participated as Project Manager and System Analyst

simultaneously in concrete national projects developed on the Microsoft platform, confirmed by a reference letter dated 23.01.2026

-Administration and evaluation of evidence -

Based on Article 111 paragraph 5 in connection with Articles 113 and 114 of the LPP, the Review Panel on 02.04.2026 authorized the review expert and the external technical expert to conduct the initial review of the file and claims according to the complaint with no. 0200/2026, while on 14.04.2026 the expertise report was submitted with the following recommendations: Based on the above-mentioned clarifications, the review-technical expert proposes to the review panel that the complaint of the appealing EO be rejected as unfounded and that the decision of the CA remain in force.

In order to fully establish the factual situation, the review panel has administered as evidence the expert report, the opinions of the parties regarding the expert report, the complainant's submissions and documents, the letters and documents of the contracting authority, the relevant documents related to the procurement activity, as well as all evidence proposed by the procedural parties.

3. Regarding the claims of EO "Helius System" Sh.P.K, the review and technical experts, through report no. 0200/2026, have assessed as follows:

The technical expert, after administering the documentation regarding the complaining claims of the complaining EO against the professional criteria (9.1 and 9.2) set out in the DT, considers:

- Finding of the expert for the complaining claim 2.A

Tender Dossier Request (DT)

The technical expert explains that regarding the professional criteria in the DT for the position of Software Developer (3 officials) and Database Developer (2 officials), the following is required:

- University degree as Bachelor of Computer Science or Bachelor of Computer Engineering;

- Minimum 5 years of work experience in software development (programming), with at least three projects of a similar nature developed on the .NET platform with SQL Server;

- Required evidence: Relevant University Diploma (copy), Valid Employment Contract (copy), Reference Letter (copy), CV proving work experience.

The technical expert, analyzing the DT's requirements and the documentation provided by the complaining EO in the tender dossier, states that:

Regarding the Degree

The complaining EO has presented: (i) Bachelor's Degree in Economic Informatics, University of Tirana

/ Faculty of Economics, 2014-2017; and (ii) Master of Science in Computer Science, / Faculty of Informatics, 2018-2020. The MSc in Computer Science clearly exceeds the DT's minimum requirement for a degree — the degree criterion is met.

Regarding the 5-year Experience in .NET + SQL Server

By analyzing the submitted Europass CV, the technical expert ascertains the following career chronology:

From the above analysis, it results that Mr. Likaj's verifiable experience in .NET + SQL Server is ~12 months (07/2017-07/2018), while the minimum requirement of the DT is 5 years.

Shortcoming: ~4years.

The complaining EO argues that "experience starts from 2017 and continues uninterruptedly". The technical expert finds that this argumentation is not valid, since Article 69 of the LPP requires the assessment of technical ability based on the actual fulfillment of experience in the specific field required, not simply the chronological seniority of employment. From the submitted documentation, it clearly results that from 2019 onwards, Mr. Likaj has exercised functions exclusively in the field of cybersecurity, without documenting any parallel or subsequent engagement in software development with .NET+SQL Server.

Regarding the Reference Letter (23.01.2026)

The reference letter issued by Helius Systems titles Mr. Likaj as “Senior Software Developer”, but its content describes him as a frontend developer (React, Vue, TypeScript, accessibility, UI/UX). The listed projects — e-Albania 2.0 (frontend design and implementation, React/TypeScript), Eterna Suite - Albanian Post (frontend work, clean code) and NISA Notary System (UX code refactoring, “Microsoft platform technologies”) — do not confirm specific backend operations on .NET or SQL Server after 2018. The reference to “Microsoft platform” is a broad and undefined term that does not meet the standard of verification required by DT. This creates internal inconsistencies in the EO's documentation: the title of the letter suggests software development, but the content confirms the role as a frontend developer, even though all the experience within the Reference Letter seems to cover only a one (1) year period.

The certifications presented are authentic and verifiable (Microsoft Certification ID: 15053792). However, all were acquired during the period November 2017 - January 2018, simultaneously with the sole job as Software Developer @ Helius Systems. No new certifications related to the .NET platform are present after 2018, a period during which Mr. Likaj's career has completely changed towards cybersecurity. The certifications prove technical competence of that period, but do not replace the DT's requirement for 5 years of continuous work experience according to Article 69 of the LPP.

- Expert's finding for the complaint claim 2.B

Tender Dossier Request (DT)

The technical expert explains that regarding the professional criteria in DT for the position of Software Developer (3 officials) and Database Developer (2 officials), the following is required:

- University Degree as Bachelor of Computer Science or Bachelor of Computer Engineering;
- Minimum 5 years of work experience in software development (programming), at least three projects of a similar nature developed on the .NET platform with SQL Server;
- Required evidence: Diploma (copy), Valid employment contract (copy), Reference letter (copy), CV

The technical expert, analyzing the DT's requests and the documentation provided by the complaining EO in the tender dossier, emphasizes that:

Regarding the Diploma — Technical Analysis of the Academic Program

The complaining EO has presented a Bachelor's Degree in Economic Informatics, issued by the University of Tirana / Faculty of Economics, 2014-2017, and a Master of Science Degree in Information Systems in Economics, also from the Faculty of Economics, 2017-2019. The technical expert finds that the DT criterion requires in-depth technical training in computer science or computer engineering. In the context of Kosovar and regional universities, programs classified as “Bachelor of Computer Science” or “Bachelor of Computer Engineering” — such as Computer and Software Engineering (UP/FIEK), Computer Science and Engineering (UBT), and Computer Science — Software Engineering (AAB) — build the entire curriculum around technical computer disciplines: advanced algorithms, systems and software architecture, software engineering, databases as a dedicated and in-depth module, discrete mathematics and formal logic, networks and protocols, computer security. Non-technical subjects in these programs are minimal and have a complementary character. (<https://aab-edu.net/fakultetet/shkenca-kompjuterike/programet-studimore/shkenca-kompjuterikebsc/qasja:09.04.2026>; <https://www.ubt-uni.net/en/study/bachelor-programs/computer-science-and-engineering/qasja:09.04.2026>; <https://fiek.uni-pr.edu/page.aspx?id=1,45,qasja:09.04.2026>)

The “Economic Informatics” program of the University of Tirana has a profoundly different structure and orientation. According to the official syllabus published by the Faculty of Economics, UT

(<https://feut.edu.al/26-rreth-nesh/dekani>, access: 09.04.2026), the three-year program (180 ECTS total) is built on two equal pillars: the informatics pillar and the economics pillar.

The first pillar is formed by courses such as Algorithmics, C++ Programming, Java Programming, Data Structures, Database Theory, Web Programming and Computer Architecture — courses of a technical nature but structured as basic training rather than as an in-depth specialization. The second pillar — and the largest in terms of total credits — is formed by Marketing, Management, Microeconomics, Macroeconomics, Financial Accounting, and Econometrics, which are not related to the technical background of the software developer. In addition to these two pillars, the program also includes Applied Mathematics and Statistics oriented towards economic analysis — disciplines that are substantially different from the discrete mathematics and formal logic that build the algorithmic foundation in dedicated computer science programs.

The technical expert notes that out of the 180 total credits of the program, computer-technical courses occupy about 46 ECTS credits — that is, about the amount of one full academic year out of the three years of the program. The remaining credits are distributed among economic courses, economic mathematics, foreign languages, additional courses, and the diploma thesis. This structure shows that computer-technical training, although present, is not the core of the program — it is one of the two pillars of an interdisciplinary degree, which aims to train specialists in applied IT in business, not engineers or computer scientists. The official institutional classification reflects this orientation: the degree is issued by the Faculty of Economics, not by a faculty of computer science or engineering, or usually even by the faculty of natural sciences (UT). This classification is not simply administrative — it reflects the decision of the academic institution itself as to what kind of professional the program trains. Consequently, the “Economic Informatics” program, despite the presence of IT courses, does not comply with the academic classification and depth of technical training required by the DT. Diploma criterion: NOT FULFILLED.

Regarding the 5-year Experience in .NET + SQL Server

The technical expert ascertains that Mr. Çollaku is employed full-time as a Software Architect @ Helius Systems from 16.07.2017 to the present — over 7 years and 8 months of uninterrupted continuity. The individual employment contract dated 01/07/2018 confirms the position of “Information Technology Developer” full-time and without a fixed term.

Technologies expressly confirmed in the CV: ASP.NET MVC 5, .NET Core, SOAP Services and REST API, C# (CSLA), SQL Server, Elastic Search, RabbitMQ, Redis, Hangfire. Experience criterion: COMPLETED.

Regarding Projects of a Similar Nature (.NET + SQL Server)

Mr. Çollaku’s CV Çollaku lists eleven concrete projects developed as a Software Architect, with ASP.NET MVC 5, .NET Core and SQL Server as the main technologies. Directly relevant to the nature of the tender e-asset system include: Migration of the Eterna Financiare system from desktop to web (ASP.NET MVC + SQL, more than 15 payment services); Eterna Postal System (ASP.NET MVC + SQL); SLDB Core Banking System and KRK Core Banking System (integrated banking systems in .NET + SQL Server); E-Posta Mobile Application (backend .NET Core + REST API); Eterna Fiscalization Module. The reference letter (23.01.2026) also confirms participation in the National e-Albania Platform, the NISA System and Crimson Albania — Core Banking System — all three with .NET and SQL Server as the main technologies. Project criteria: COMPLETED.

All certifications are verifiable online (username: Marinollaku-9649) and within the validity period. The Azure Developer Associate (AZ-204) certification, earned through the “Developing Solutions for Microsoft Azure” exam, confirms current competence in developing .NET applications on the Microsoft platform — directly relevant to DT. Certification criteria: COMPLETED.

Expert's finding on the complaint claim 2.C

Tender Dossier Request (DT)

The technical expert explains that regarding the professional criteria in the DT for the position of System Analyst

(1 official), the following is required:

- University Degree in Computer Engineering with Telecommunications OR Master of Computer Science OR Master of Computer Engineering;
- Minimum 5 years of work experience as an analyst in at least three projects of a similar nature developed on the Microsoft platform (.NET with SQL Server);
- Evidence: Diploma (copy), Valid employment contract (copy), Reference letter (copy), CV.

The technical expert, analyzing the DT requirements and the documentation provided by the complaining EO in the

tender dossier, also based on the international professional literature on the role of the

System Analyst, emphasizes that:

Regarding the Diploma

The complaining EO has submitted high-level and completely clear academic documentation: (i) Bachelor and Master of Science in Informatics, Faculty of Natural Sciences, UT, 1997-2002; (ii) Second Level Master in Computer Science, Faculty of Natural Sciences, UT, 2003-2006, ICT field, thesis: "Implementation of Network Security through Firewall Appliance Integration"; (iii) PhD in Science, Faculty of Natural Sciences, UT, 2010-2016, ICT field, thesis: "Development of a security plan for the protection of critical/sensitive information and business processes"; and (iv) academic title Prof. Assoc. Dr., University of Tirana, 2016-2022. All diplomas are issued by the Faculty of Natural Sciences dedicated computer technical program, with clear titles "Informatics" and "Computer Science". DT criteria for diploma FULFILLED

The Role of the System Analyst — Conceptual Analysis

The technical expert emphasizes that based on international professional practice and literature on the role of the System Analyst in the context of IT projects, in order to objectively evaluate the documentation presented. The System Analyst is an IT professional who specializes in the analysis, design, and implementation of information systems — serving as the critical link between business objectives and solutions. The main functions of the System Analyst (also called Systems Analyst, Product Analyst, or Functional Analyst) clearly differ from those of the Project Manager: the analyst focuses on business needs, requirements, and solution clarity — while the project manager focuses on planning, coordination, delivery, risk, and resource management. (<https://www.staffing-maker.com/assets/data/blogpage/ba-vs-pm-business-analyst-vs-project-manager-roles-skills-differences-1769204537> access date 10.04.2026)

A System Analyst is a technical person who deals with the existing technical environment of the organization, the technological foundation of the new system, and how both can be integrated into a technical solution. On the other hand, a project manager is concerned with completing the project within the deadline and budget. In some cases, the project manager is often an experienced system analyst who, through training, has acquired specialized knowledge of project management ([https://www.researchgate.net/post/what are integration and differences between system analyst and project manager](https://www.researchgate.net/post/what_are_integration_and_differences_between_system_analyst_and_project_managers) accessed 10.04.2026), these conceptual differences are crucial for evaluating Mr. Mulla's documentation. Regarding Career Chronology — Analysis in relation to the Analyst role

By analyzing the Europass CV presented according to chronological periods, the technical expert finds:

From the complete career chronology it results that no role documented in the CV explicitly names the position “System Analyst” — neither as a formal title, nor as a main function documented for any specific period. Mr. Mulla's career clearly documents three distinct professional profiles: Project Manager, IT Security/Governance

Expert and Academic — all of high professional value, but none of which directly corresponds to the profile required by the DT.

Regarding the Reference Letter and the Claim of the EO

The complaining EO relies mainly on the Reference Letter dated 23.01.2026 issued by Helius Systems, which qualifies Mr. Mulla as “Project Manager and System Analyst” simultaneously.

The technical expert notes two critical aspects regarding this letter:

First — The combination of the titles “Project Manager and System Analyst” in the same reference letter reflects a well-known reality in the IT industry, where especially in medium-sized companies, the same professionals often cover functions from both roles

(https://www.researchgate.net/post/what_are_integration_and_differences_between_system_analysts_and_project_managers, accessed: 09.04.2026). This overlap, although common in practice, does not replace the DT's requirement for 5 years of documented experience as an analyst, not as a project manager.

Second — The reference letter was issued by the same employer that submitted the offer — Helius Systems Ltd. — the complaining organization. The SA functions described in the letter — requirements analysis, architecture design — are functions that Mr. Mulla's academic profile clearly demonstrates; but the lack of documentation of the SA role through an independent work contract or external reference weakens the evidence presented.

Regarding Certifications

Conclusion 2.C: The complaining EO's complaint claim against the CA's decision regarding the disqualification of the System Analyst Mr. Gjergji Mulla IS UNGRANTED

The portfolio of active certifications confirms and strengthens Mr. Mulla's profile as a high-level expert in IT Governance, Risk Management, Audit and Project Management.

However, no active certification is related to the development or technical analysis of .NET + SQL Server applications required by DT. Typical certifications for the System Analyst role include CSAP, CBAP, PMP and Microsoft Azure

(<https://www.springboard.com/blog/software-engineering/become-systems-analyst/>, access:

09.04.2026) — none of these are present. The only Microsoft certification presented

(MCP 2002, Windows 2000) is expired and obtained 23 years prior to the date of the offer. Certifications criteria: NOT MET.

The review expert explains that in addition to the reasons for the elimination of the complaining EO, for which the Technical expert has provided an answer, the contracting authority cancels the procurement activity in its entirety with the following reasoning: The review expert assesses that according to the provisions of Article 62 of the LPP, such a situation is not foreseen in the provisions of Article 62 of the LPP, and consequently the claim of the complaining EO stands.

Findings of the Review Panel -

The Rules of Procedure of the Public Review Body, which is published on the PRB website, with Article 20, paragraph 2 of the Rules, sets out the requirements for the Contracting Authority and the Economic Operator, that all information and notices must be submitted and communicated through the public communication platform, if possible.

Based on the documents of this case, the Panel considers that regarding the issue in the concrete case, there is no need to convene a hearing with the parties, within the meaning of Article 24, paragraph 1 of the PRB Rules of Procedure, taking into account the fact that the claims of the parties and their submissions, the evidence and the report of the review expert provide sufficient data to decide on the merits.

The Review Panel assesses that the Review Expert Report, drafted at the request of the Panel regarding the dispute in this case of public procurement activity, contains the essential elements of such a document as foreseen by the provision of Article 113 in conjunction with Article 114 of the LPP, according to which the expert is required to review all procurement documentation, including all complaint claims and to provide the Panel and all parties to the dispute with an independent and professional assessment of the procurement activity and the validity of the complaint claims.

However, it should be noted that the legal fact that the expert report is not binding on the Review Panel and that each such report is assessed and/or analyzed in the general context of the case files, the alleged facts and other possible evidence, taking into account the nature of the possible violations, the course, nature and purpose of the procurement activity, therefore, the fact that in

which cases and for what, the Panel relies or not, on the expert report and/or any of the recommendations, is a matter of his/her independent and professional judgment, as these responsibilities are addressed in the sense of Article 98, 99 in connection with Article 105 of the Public Procurement Law. According to the above, the review expert has professionally and objectively handled the claims of the complaining economic operator EO "Helius System" Sh.P.K. The argumentation in the review expert's report is quite detailed, understandable and fully based on the relevant documents referring to the procurement activity. The findings in the review expert's report can be confirmed through the tender dossier as well as the documents with which the tenderers have bid. The review expert's report assessed that the claims of the complaining economic operator "Helius System" Sh.P.K. are unfounded.

In the specific case, from the report of the review expert, the evidence presented by the complaining economic operator, the documents of the tender dossier and other evidence of the case, it was found that the complaining claims are unfounded, presented against the decision of the contracting authority, for the procurement activity. Based on the factual situation ascertained above, the Review Panel has partially granted credence to the finding in the report of the review expert, since it is noted that the contracting authority, the Ministry of Internal Affairs, in the justification of the decision to cancel the procurement activity, has emphasized as follows; "After initiating this procedure, by decision of the Government of the Republic of Kosovo with number 02/02 dated 20.02.2026 on institutional reorganization, the ministry was divided, where as a result new institutional structures were created. As a result of this institutional reorganization, the respective budget was also divided between the new institutions. Due to this change, the Contracting Authority currently does not have the necessary budgetary funds to carry out this procurement procedure, as the budget planned for this activity has been divided according to the new institutional structure.

Based on these circumstances and the inability to secure financing for the contract, the Contracting Authority cancels the procurement procedure due to the lack of budgetary funds necessary for its implementation. The review panel, after administering and evaluating the evidence, fully ascertaining the factual situation, relying on the LPP as the applicable material law, after reviewing the complaint claims, taking into account all the case files and the recommendation of the review expert, has found that the complaint of the economic operator should be approved as partially grounded, since the cancellation of the procurement activity, the complaining economic operator has not contributed with any action that would be responsible for the cancellation of the procurement activity and the EO should not be financially damaged in this procurement activity, therefore it returns the complaint fee to the amount paid, contrary to the legal basis for the cancellation of the procurement activity. Consequently, the Review Panel has decided to partially approve the complaint of the EO "HeliusSystem" Sh.P.K, and remains in force, the Notification on the Decision of Contracting Authority, dated 11.03.2026, CA/ Ministry of Internal Affairs, by which it has cancelled the procurement activity, "Maintenance and support of the e-asset system", with procurement number 214-25-11241-2-1-1.

Therefore, referring to Article 104.1 of the LPP, according to which it is required that the review procedure be implemented in a prompt, lawful and effective manner and by also analyzing in its

entirety the documents of this case in the context of this procurement process, the Panel did not consider it necessary to elaborate again in detail and unnecessarily in this case each complaint claim, since the same have been specifically singled out especially in the challenged decision of the contracting authority and have been analyzed and argued without objection by this Panel. Among other things, in the challenged decision of the contracting authority and in the reports of the review expert, fair explanations have been given also in relation to the complaints. The Panel notes that the reasons given in the challenged decision of the contracting authority are professional and argued without objection with material evidence, without the need to describe them again. Therefore, the Panel supports the assessments of the review expert with recommendation, who explained in his expertise report number; 2026/0200, that during the development of this procurement procedure, the contracting authority has implemented the legal provisions of the LPP.

The review panel emphasizes that in accordance with Article 1 and 6 of the LPP, that Contracting Authorities exercise their institutional independence in the public procurement process, however, it remains within the competences and responsibilities of this body to review the complaint claims and legality in the procurement process according to Article 24, paragraph 2 of the LPP cited "The contracting authority is responsible for ensuring that all procurement activities of such contracting authority are executed in full compliance with this law" in relation to Article 59,1 cited "The contracting authority shall establish an Evaluation Commission for the examination, evaluation and comparison of the bids. All members of the Evaluation Commission take full individual responsibility for the evaluation of the bid" The review panel, based on the fact of partial approval of the complaint of EO "Helius System" Sh.P.K, decided to refund the complaint fee in the amount of filed by the complaining economic operator based on Article 31 par. 4 of the PRB Rules of Procedure.

The Review Panel has decided in accordance with the legal competences in the sense of Article 104 paragraph 1 in connection with Article 103, Article 105 and Article 117 of the LPP to implement the procurement review procedure in a prompt, fair, non-discriminatory manner, with the aim of resolving the case legally and effectively. Therefore, the Review Panel based its findings on the relevant provisions of the LPP, which foresee and regulate such situations, which may arise during a procurement activity.

From what was said above, it has been decided as in the provision of this decision.

President of the Review Panel

Mr. Isa Hasani

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 – **HELIUS SYSTEM sh.p.k.;**

1x1 Archive of the PRB