



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

Psh. No.132-136-141-144/26

The Review Panel, appointed by the Acting President of the PRB, 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 Batisha Ibrahim-Chairperson, Isa Hasani and Kimete Gashi-Brajshori-Members of the Review Panel, deciding upon the complaint of the EO Hasan Gjesha B.I., RUNWAY SH.P.K., Fitim R.Bilalli B.I., PI ER TECHNICAL Kft Branch in Kosova, against the Decision to award a contract or a design competition, regarding the procurement activity “Retender - Supply of tactical vests - SUFSK 1001 for the needs of the KSF” with procurement number 217-25-5993-1-1-1, initiated by the contracting authority (CA) - MINISTRY OF DEFENSE on the 24/04/2026 has issued this:

### **DECISION**

1. Approved, as partly grounded the complaint of the EO Hasan Gjesha B.I., with no. 2026/0132, dated 05.03.2026, EO Fitim R. Bilalli B.I., with no. 2026/0141 dated 07.03.2026, EO RUNWAY SH.P.K., with no. 2026/0136, dated 06.03.2026, as well as the complaint of EO PI ER TECHNICAL Kft Branch in Kosova, with no. 2026/0144 dated 09.03.2026.
2. Cancelled, B58 Notice on the decision of the Contracting Authority, regarding the procurement procedure entitled: Retender - Supply of tactical vest - SUFSK 1001 for the needs of the KSF" with procurement number 217-25-5993-1-1-1, initiated by the contracting authority (CA) - MINISTRY OF DEFENCE, while the case is returned to Re-evaluation.
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. The funds deposited in the name of the tariff fee for filing the complaint are returned to the account of the Economic Operator Hasan Gjesha B.I., EO RUNWAY SH.P.K., Fitim R. Bilalli B.I. as well as EO PI ER TECHNICAL Kft Branch in Kosova.

## REASONING

### ***-Procedural facts and circumstances -***

On the 08.07.2025, the Ministry of Defense, in the capacity of the Contracting Authority, has published the Notice for the contract regarding the procurement activity entitled "Retender - Supply of tactical vests - SUFSK 1001 for the needs of the KSF" with procurement no.: "217-25-5993-1-1-1".

While on the 20.02.2026 the CA has published B58 Notice on the decision of the Contracting Authority where EO SSI LOG L.L.C. has been recommended for the contract.

The contracting authority has implemented an open procedure, type of contract: work, estimated value of the contract: ]470,000.00.€.

On the 25.02.2026, EO Hasan Gjesha B.I., EO Fitim R. Bilalli B.I., EO PI ER TECHNICAL Kft Branch in Kosova, and EO RUNWAY SH.P.K., on 24.02.2026, have submitted a request for review against the above-mentioned decision of the CA. On 27.02.2026, the CA has rejected the requests for review of the Economic Operators.

On the 05.03.2026, the PRB has received the complaints from EO Hasan Gjesha B.I., with no. 2026/0132 the complaint of EO RUNWAY SH.P.K., with no. 2026/0136 dated 06.03.2026, the complaint of EO Fitim R. Bilalli B.I., with no. 2026/0141 dated 07.03.2026 and has rejected the complaint of EO PI ER TECHNICAL Kft Branch in Kosovo., dated 09.03.2026 regarding the activity "Retender - Supply of tactical vests - SUFSK 1001 for the needs of the KSF" with procurement no.: "217-25-5993-1-1-1".

### ***-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.

Taking into account the fact that both complaints are related to the same procurement activity, respectively to the notification of the same decision of the Contracting Authority regarding this procurement activity, it has been decided that complaint no. 0132/2026, complaint no. 0136/2026, complaint no. 0141/2026 and complaint no. 0144/2026 shall be joined and treated as a unified case within the meaning of Article 16 paragraph 1 of Regulation no. 01/2020 on the Work of the Procurement Review Body.

The claims of the complaining economic operator Hasan Gjesha B.I., for complaint no. 2026/0132 are presented as follows:

#### 8. Detailed statement of facts and arguments

Describe the factual circumstances that constitute the presumption of violation of the provisions of the LPP. Provide a clear and detailed statement of the facts and arguments that support each basis of your complaint.

On the 03.12.2025 we submitted the bid for this procurement activity, in accordance with all the conditions and criteria of the tender dossier.

On the 20.02.2026 we received the Standard Letter for Unsuccessful Tenderers and Notification of the Decision of the CA for recommendation with contract for the Economic Operator (EO) SSI LOG L.L.C. 810848765.

On the 23.02.2026, we were granted access to the official documentation and after reviewing the Offer of the EO recommended for contract, based on the documentation, comparing it with the requirements in the tender dossier and the contract notice, we have concluded that the Evaluation Commission has illegally recommended an irresponsible GOE as the winner with the following violations:

##### Claim No.1:

According to the Contract Notice (CNN) and Tender Documents (TD) - Section II. Tender Data Sheet (TDS), Technical and professional capacity, "Requirement 9 The economic operator must provide evidence that it has successfully completed (i.e. not in progress) contracts of the same or similar nature during the last 3 (three) years (from the date of publication of the contract notice), with a value of not less than; €500,000.00", Required documentary evidence: "Evidence 9. The EO must provide evidence a). List of contracts completed during the last three years (from the date of publication of this contract notice) signed and stamped by the EO. b). References or technical acceptance sheets in copies signed and stamped by the relevant Authority which must indicate the procurement or contract number, the contract value, the date of signing the contract, and the place of implementation. Note No contract will to be calculated if no positive reference or reports of receipts of supplies are attached if it was made for a public or private authority in Kosovo or in another country, receipts or references (in the references the value should be specified) issued by such authority must be submitted for proof. For references from private institutions, the original bank statement from the bank for the reference value presented must be proven. If the Economic Operator meets the requirement with only one or two years, it means that the EO has met the minimum requirement set out in the tender documents, a necessary and mandatory condition for qualification", the EO proposed for the contract has submitted the following evidence that it has concluded contracts of the nature of the contract:

The EO has submitted the "List of Contracts and References" worth 839,867.00 euros, some of which

of these references are not of the nature of the contract at all, such as:

- "Supply iPhone 16 Pro Max 256 GB - ICASS" worth 23,322.00 euros;
- "Supply and printing service of materials for Voting Outside Kosovo" worth 116,500.00 euros;
- "Supply with IPAD Apple 11" worth 920.00 euros;
- "Supply with Smart TV 65" worth 198,564.30 euros;
- "Supply with SMART TV" worth 880.00;
- "Supply with school lockers for Municipality of Prishtine" worth 81,200.00 euros;
- "Supply with Home Furniture" worth 92,520.00 euros;
- "Supply with archive file shelves - rotative" worth 39,100.00 euros;
- "Supply with fibreglass KIOSK" worth 32,000.00.
- "Supply with smart phone Samsung A71" worth 62,000.00 euros.
- Etc.etc.

Also, the EO proposed for the contract has proven that it has completed these references of the nature of the contract:

1. "Supply of blankets and covers for the needs of the KSF" from the Ministry of Defense, with procurement number 217-19-1796-1-1-1, with a value of 129,065.82 euros;
2. "Supply and assembly of metal lockers for schools of the Municipality of Prishtina", Reference from the company TIC LOG SHPK, with a value of 75,048.00 euros;
3. "Supply of items for newborn children" from the Municipality of Kamenica, with procurement number KM653-23-9605-1-2-1, with a value of 78,256.00 euros;
4. "Supply and delivery of Nonfood items (Clothes and Hygiene)" by IOM, with procurement number IOM/ITB/2022/007, with a value of 367,335.00 euros;
5. "Supply with field equipment" by the Ministry of Defense, with procurement number 217-19-2509-1-1-1, with a value of 90,000.00 euros;

The total value of these proven references according to the EO proposed for the contract amounts to 793,704.82 euros.

Review of submitted references:

1. Reference "Supply of blankets and covers for the needs of the KSF" from the Ministry of Defense, with procurement number 217-19-1796-1-1-1, worth 129,065.82 euros; the signed contract of this reference is from the date of signing 27.06.2019 with a term of 36 months which expires on 27.06.2022 which does not meet the criterion of the last 3 (three) years (from the date of publication of the contract notice), date of notification: 27.11.2025 three years before 26.11.2022;

2. Reference "Supply and assembly of metal lockers for schools of the Municipality of Prishtina", Reference from the company TIC LOG SHPK, with a value of 75,048.00 euros - is not a contract of the same or similar nature, also this reference has not fulfilled the required documentary evidence according to the criterion "For references from private institutions, the original bank statement must be proven by the bank for the presented reference value".

3. Reference "Supply with items for newborn children" from the Municipality of Kamenica, with procurement number KM653-23-9605-1-2-1, with a value of 78,256.00 euros - does not meet the criterion because it is not of the same or similar nature of the contract. In the scope of this Contract there are items that have nothing to do with the nature of the contract such as: socks, bibs, silicone aprons, thermometers, bottle cleaning brushes, brushes, scissors, glass bottles, aspirators, dummy nipples, spoons, bowls, lotions, shampoos, etc. etc.

4. Reference "Supply and delivery of Nonfood items (Clothes and Hygiene)" from IOM, with procurement number IOM/ITB/2022/007, with a value of 367,335.00 euros; does not meet the criterion because the time of implementation of this contract is from 6 April 2022 to 31 December 2022 and a part of this reference is not of the same or similar nature as the contract because it also possesses hygiene material.

5. Reference "Supply with field equipment" from the Ministry of Defense, with procurement number 217- 19-2509-1-1-1, with a value of 90,000.00 euros is dated 24.01.2022 which does not meet the criterion of the last 3 (three) years (from the date of publication of the contract notice); Based on these evidences of references submitted by the EO recommended for contract, it does not meet the criteria of contracts of the same or similar nature during the last 3 (three) years (from the date of publication of the contract notice), not less than; €500,000.00. EVIDENCE ATTACHED.

According to Annex 1 MANDATORY TECHNICAL SPECIFICATIONS in the tender dossier, the completion of the Technical Specifications for tactical vest (SUFSK 1001), • Required Material Performance and Testing Standards: Color Fastness to Light - ISO 105-B04 - Must comply with standard. In order to fulfill this criterion, the EO recommended for the contract has provided Test Report - Report No.:

ZFLJ08003060A, for Color Fastness to Light it has used Test method: ISO 105 B02. The main difference between ISO 105-B02 and ISO 105-B04 lies in the type of light exposure that is tested for the color fastness of textiles.

The ISO 105-B02 standard

? What does it test?

\* Color fastness to artificial light

\* Is a Xenon arc lamp used to simulate sunlight

? Where is it used?

\* For textile products exposed indoors or outdoors

\* Clothing, curtains, upholstery, decorative materials, etc.

? How is it rated?

\* Comparison with Blue Wool Standards (1-8)

\* 1 = very poor

\* 8 = very high lightfastness

ISO 105-B04 Standard

? What does it test?

- Color fastness to artificial weathering, including:

\* Xenon light

\* Humidity

\* Water (rain simulation)

\* Temperature

? Where is it used?

\* Textiles for outdoor use

\* Awnings, garden furniture covers, automotive materials, etc.

? How is it assessed?

\* Gray Scale is used for color change

\* Or Blue Wool Standards (depending on the application)

Based on these, ISO Standard 105-B02 = tests only light, ISO Standard 105- B04 = tests full atmospheric conditions. Based on these, the EO recommended for the contract has tested the material according to ISO Standard 105 B02 which is not the same as the one required by the criterion. This criterion is not met by the EO recommended for the contract. ATTACHED EVIDENCE

Conclusion

By declaring the winner of the EO who is unsuitable and irresponsible, the CA has rightfully rejected the EO recommended for the contract, while it has discriminated against us and directly harmed us. The CA for this procurement activity: the examination, evaluation and comparison of tenders has not been carried out in accordance with Article 59 of the LPP and at the same time has not respected Article 60 of the LPP, the main criterion for awarding the contract was the tender of. Based on all the facts mentioned above, we request the CA to reconsider the decision once again because it is contrary to the provisions 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 (Consolidated Version), specifically:

Article 7 - Equality of Treatment/Non-Discrimination (LPP)

Article 59 - Examination, Evaluation and Comparison of Tenders (LPP)

Article 60 - Contract Award Criteria (LPP)

Our claim is based on evidence and facts that can be easily verified, evidence that we have highlighted above, therefore we request that NOTICE OF THE DECISION OF THE CONTRACTING AUTHORITY -B 58 of this tender be canceled and our request for re-evaluation of the tender be approved, and after a correct evaluation, WE be declared the winner of the tender in question

The CA's response to the request for review for EO Hasan Gjesha B.I.,

Your claims do not stand, the evaluation commission, equally referring to and respecting the LPP, Article 59 of the LPP - Examination, evaluation and comparison of tenders.

The Commission has acted in accordance with the LPP and the FTD criteria.

The CA has examined, evaluated and compared the offers equally, and the evaluation of the tenders has been carried out in full compliance with the Law No. 04/L-042 on Public Procurement of the Republic of Kosovo, amended and supplemented by Law No. 04/L-237, Law No. 05/L-068 and Law No. 05/L-092, as well as with the requirements set out in the tender dossier and the contract notice, as well as the criteria for awarding the contract.

The Contracting Authority - Ministry of Defense, based on the findings mentioned above for the procurement activity "Retender - Supply of tactical vest - SUFSK 1001 for the needs of the KSF", procurement no.: 217-25-5993-1-1-1 and no. internal 217/25/023/111, has fully respected the provisions of the legislation in force, Law no. 04/L-042 on Public Procurement of the Republic of Kosovo, amended and supplemented by Law no. 04/L-237, Law no. 05/L-068 and Law no. 05/L-092, as well as the secondary legislation in force, therefore the notification on the decision of the Contracting Authority dated 20.02.2026 remains in force.

The claims of the complaining economic operator RUNWAY SH.P.K., for the complaint with no. 2026/0132 are presented as follows:

Dissatisfied with the notification dated 20.02.2026 on the Decision of the Contracting Authority (CA) MINISTRY OF DEFENCE regarding the procurement activity: Retender - Supply of tactical vest -SUFSK 1001 for the needs of the KSF with procurement no.: 217-25-5993-1-1-1 and No. internal: 21700/25/023/111 within the legal deadline in accordance with Article 108/A Preliminary Resolution of Disputes, before the Contracting Authority MINISTRY OF DEFENCE we as a company have filed a REQUEST FOR REVIEW but the CA has not taken into account any of our claims.

Based on Article 105 of the LPP we have exercised the right to file a complaint against the MINISTRY OF DEFENCE because it has illegally recommended for a

contract in this procurement activity in violation of Article 59 and in violation of Article 9.1&9.2 of the tender dossier where we consider that they have intentionally recommended an irresponsible EO just because it was the lowest price.

We explain in detail:

#### Claim 1.1

The Contracting Authority, Ministry of Defense, on 20.02.2026 has published Notice B58, through which it has recommended the Economic Operator SSI LOG L.L.C. for contract award.

However, the recommended EO is considered irresponsible, as it has not fulfilled the evaluation criteria specified in the Tender Dossier, specifically Request no. 15, which provides that:

The Economic Operator must submit certificates from an accredited laboratory for the products offered, according to the requirements of the Tender Dossier.

The recommended EO has submitted a test report, which is not issued by an accredited laboratory, but by a testing services company, namely United Testing Services

(Jiangsu) Co., Ltd. This company has not proven to be an accredited laboratory, as required in the Tender Dossier criteria.

Also, point 15 of the Tender Dossier requires that the laboratory be accredited, while the recommended EO has not submitted any laboratory accreditation certificate.

From the verification made on the official website of the company United Testing Services (Jiangsu) Co., Ltd,

there is no published:

No valid ISO/IEC 17025:2017 (or 2018) accreditation certificate, in the form of an official document.

No “Scope of Accreditation” document, which is the official document that specifies the standards and methods for which the laboratory is authorized to perform testing.

Also, there is no clear public list that proves that this laboratory is accredited for the following standards:

ISO 13934-1

ISO 13937-1

ISO 105-B04

Laboratory accreditation according to ISO/IEC 17025 is usually published and verified through official databases of national and international accreditation bodies, including the database of the China National Accreditation Service for Conformity Assessment.

The failure to submit the accreditation certificate proves that the service company United Testing Services (Jiangsu) Co., Ltd has not proven that it is a Laboratory and that it is accredited for the testing standards required by the Contracting Authority.

Furthermore, there is no verifiable public evidence confirming a valid accreditation with a “Scope of Accreditation” covering the required standards.

In these circumstances, we conclude that the submitted Certificates are not in accordance with the requirements of the Tender Dossier, their validity according to the required standards is not proven, and there is serious doubt about the validity and authenticity of the submitted certificates.

Based on the Tender Dossier, Requirement No. 15-constitutes an essential criterion of the Tender Dossier. This requirement foresees the submission of the relevant evidence - the ISO/IEC 17025 Accreditation Certificate - which certifies that the laboratory is accredited to perform tests according to the standards required in the technical specifications of the Tender Dossier.

The ISO/IEC 17025 Certificate proves the technical competence of the laboratory to perform tests according to the specified standards. The recommended Economic Operator has not submitted this certificate and has not provided any official evidence proving that the laboratory is accredited for the required standards.

Consequently, we conclude that the recommended EO is irresponsible and should be eliminated from the procurement procedure, in accordance with Article 59 and Article 69 of the Law on Public Procurement, as it has not met the essential criteria of the Tender Dossier.

Therefore, we request the Contracting Authority to:

? Conduct an official verification of the laboratory if it is accredited by the competent accreditation body;

? Request the official document “Scope of Accreditation”, issued by the competent accreditation body, which proves the standards for which the laboratory is authorized to perform tests.

In case the lack of accreditation or the lack of official documentation proving accreditation for the required standards is found, the EO should be declared irresponsible, as it has not met the evaluation criteria and technical specifications set out in the Tender Dossier

Claim 1. 2

Also, the technical specifications of the tender dossier clearly require that testing be carried out according to the ISO 105-B04 standard (Color Fastness to Artificial Weathering - Xenon Arc with humidity and water spray).

The economic operator has submitted a test report according to the ISO 105-B02 standard, which is not the same and does not replace the required ISO 105-B04 standard. This clearly establishes that the submitted report cannot be considered as fulfilling the technical requirement, since it is not the same testing standard, but only a general description of the specifications.

Specifically:

ISO 105-B02 tests color fastness only to artificial light.

ISO 105-B04 includes more advanced testing, simulating real atmospheric conditions, through exposure to light, humidity and water spray.

Due to this fundamental difference, the test report according to ISO 105-B02 standard does not meet the requirement specified by the Contracting Authority in the tender dossier.

Consequently, the documentation submitted by the economic operator is not in accordance with the technical requirements set out in the tender dossier and, as such, should not have been accepted during the evaluation process.

Claim 1.3

In the tender dossier request, technical and professional requirements 9.1&9.2 in Evidence no. 15 it was requested that the EO submit certificates from an accredited laboratory for the products offered according to TD. While the EO submitted certificates without the name of the EO that sent it the vest without the laboratory accreditation number, the certificates do not match the laboratory accreditation certificate, which we consider to be completely manipulated, these certificates have been withdrawn/downloaded from the internet. Also, the laboratory certificate and the certificates are out of date and do not match each other.

See how the certificates no. Attestation, certificates that the laboratory is accredited and the name of the company that sent the sample/vest for the attestation.

Claim 1.4

Also during the access to the sample of the EO recommended for the contract, we find that the size of the side pockets does not comply with the required technical specification, the side pockets ?

The height that was requested in the tender dossier is 20 cm while the recommended EO has 18.5 cm ? the width in the TD is requested 10 cm while the recommended EO has 8.5 cm.

Also, the edge pocket does not comply with the technical specification that was requested in the tender dossier, the width is 25 cm while the EO has offered the width of 22cm. The central pocket was requested 30 cm and has offered 22 cm.

Claim 1.5

Based on the requirements set out in the tender dossier, we conclude that the Evaluation Commission did not act in accordance with the provisions of the LPP, namely Article 59, as well as Article 40 of the Public Procurement Regulation (PPPR).

According to Request 9 of the tender dossier, the economic operator was obliged to prove that during the last three (3) years it has successfully completed (not in progress) contracts of the same or similar nature to the procurement object. In the specific case, the Contracting Authority did not take this criterion into account at all during the evaluation process, by not treating it in accordance with the requirements of the tender documentation.

The Evaluation Commission acted subjectively during the review of the bids, since the documentation clearly shows that the recommended economic operator was favored.

The operator recommended for the award of the contract has not submitted contracts and references of the same or similar nature, as required in the tender dossier. It has submitted only two references, which are neither similar to the subject of the procurement nor meet the required minimum value of 500,000.00 €, as was specified in the dossier as the minimum threshold. Consequently, the operator in question does not meet the technical and professional capacity criterion specified in the tender documentation.

#### Claim 1.6

Also, the economic criterion under Requirement 8 - Economic and financial capacity has not been met. The economic operator must provide evidence to the satisfaction of the Contracting Authority (CA) that its annual turnover over the three years (2022, 2023 and 2024), together, is in the amount of not less than 500,000.00 €. However, the economic operator has submitted a forged bank certificate, dated 23.05.2024, while the document also shows the turnover for the year 2025.

From this it is concluded that the document is forged. See the bank certificate.

#### Claim 2 .1

Group of Economic Operators Hasan Gjesha and Ozyigit Textile Makine Gida Turizm Insaat Ve Petrol Urunleri Paz San Ve Tic Ltd Sti.

The CA of the Ministry of Defense has violated the LPP article 59, 69 where we consider that if an EO does not meet the technical specifications, it should be eliminated and not qualified as an unsuccessful EO as they did with the Group of Economic Operators Hasan Gjesha and Ozyigit Textile Makine Gida Turizm Insaat Ve Petrol Urunleri Paz San Ve Tic Ltd Sti. This Economic Operator is not responsible because it does not even have the manufacturer's authorization as was the request of the tender dossier.

Claim 2.2 Also GOE Hasan Gjesha and Ozyigit Textile Makine Gida Turizm Insaat Ve Petrol Urunleri Paz San Ve Tic Ltd Sti did not submit the certificates as requested by the Contracting Authority. In the tender dossier it was requested as an evaluation criterion that the EO must submit certificates from an accredited laboratory for the products offered according to the TD.

However, during the access from the documentation submitted by the EO in question, No certificates from an accredited laboratory have been submitted, No laboratory accreditation certificate has been submitted, no test report issued by an accredited laboratory. The certificates submitted are copied specifications issued by a University, which do not constitute a test report or certificate as requested by the DT, so the tests are not according to the standards that were requested. Tensile Strength (Wrap) ISO 13934-1, Tensile Strength (Weft) ISO 13934-1, Tear Resistance ISO 13937-1, Color Fastness to Light ISO 105-B04 From this it clearly results that the EO in question has not fulfilled the essential requirement of the Tender Dossier regarding certificates from an accredited laboratory, and consequently their offer is irresponsible and in contradiction with the administrative and technical requirements determined by the CA. Claim 2.3

In the request for the tender dossier of technical and professional requirements 9.1&9.2 of Evidence no. 15, it was requested that the EO must submit certificates from an accredited laboratory for the products offered according to DT. While the EO has submitted certificates without the name of the EO that sent the vest without the laboratory accreditation number, the certificates do not match the laboratory accreditation certificate, which we consider to be completely manipulated, these certificates have been withdrawn/downloaded from the internet. Also, the laboratory certificate and the certificates are out of date and do not match each other.

Look at how the certificates should be; Certificate no., the certificates that the laboratory is accredited and the name of the company that sent the sample/vest to make the certificate.

#### Claim 2.4

During the approaches, we as EO have noticed that GO Hasan Gjesha does not meet the technical specifications of the middle pocket, the height is in the technical specification of TD 18 cm, while EO Hasan Gjesha 16 cm has been offered.

The side pockets in TD are requested to be 20 cm high, while GOE has offered 12 cm, in TD is requested to be 10 cm wide, GOE has offered 9.5 cm.

Based on the above, we request that this claim be taken into account and the bid be re-evaluated in accordance with the requirements of the Tender Dossier and the legislation in force.

#### Claim 3.1

During the examination of the sample of the Economic Operator GOE ECO CLEAN CORPORATION SH.P.K., we have found that the sample does not meet the technical specifications set out in the Tender Dossier.

Regarding the requirement for Tensile Strength (Weft) according to the ISO 13934-1 standard or equivalent, the Tender Dossier required a value of >1600 N. While the certificate submitted by the EO stated: Weft: 1700 (min). However, the notation “(min)” means a minimum declared value and does not guarantee clear and verifiable compliance with the specific requirement of the Tender Dossier. Furthermore, during the verification of the sample, it was not clearly demonstrated that this criterion was met in full compliance with the required standard.

Consequently, we consider that the Evaluation Commission did not make an evaluation in accordance with the technical specifications and acted in violation of Article 59 of the Law on Public Procurement, which obliges the Contracting Authority to evaluate the bids only in accordance with the criteria and requirements set out in the Tender Dossier.

#### Claim 3.2

Also, other technical inconsistencies have been found, as follows:

? Side pockets - In the Tender Dossier, a height of 20 cm was requested, while the EO offered 16.5 cm. This represents a clear inconsistency with the technical specification.

? Inner pocket - In the Tender Dossier, a width of 25 cm was requested, while the EO offered 20.5 cm. In this case too, there is a inconsistency with the technical requirement.

From the above, it clearly results that the submitted sample does not meet the technical specifications of the Tender Dossier, and as such the EO's offer should be considered irresponsible.

#### Claim 4.1

Economic Operator Fitim R. Bilalli B.I., During the analysis of the bid of the Economic Operator Fitim R. Bilalli B.I., with address in Prishtina, we have found that references have not been submitted in accordance with the requirements of the Tender Dossier, specifically according to Evidence no. 9. The EO must provide evidence a). List of contracts implemented during the last three years (from the date of publication of this contract notice) signed and stamped by the EO. b). References or technical acceptance sheets in copies signed and stamped by the relevant Authority which must indicate the procurement or contract number, the contract value, the date of signing the contract, and the place of implementation. Note No contract will be considered if it is not attached positive references or reports of supply receipts if it is made for a public or private authority in Kosovo or in another country, for proof, receipts or references (in the references the value should be specified) issued by such authority must be submitted. For references from private institutions, the original bank statement from the bank must be proven for the reference value presented. If the Economic Operator meets the requirement with only one or two years, it means that the EO has met the minimum requirement specified in the tender documents, a necessary and mandatory condition to qualify and that this EO must be considered as an EO eliminated by the CA since it does not have references. It is clearly specified in the Tender Dossier that no contract will be considered if it is not attached positive references or reports/receipts of supplies. For contracts carried out for public or private authorities, inside or outside Kosovo, receipts or references clearly stating the value of the contract, issued by the relevant authority, must be submitted. Given that the EO in question has not submitted references according to the above-mentioned requirements, it has not fulfilled the minimum qualification criteria and, as such, should be considered irresponsible and eliminated by the Contracting Authority.

#### Claim 4.2

The economic operator has not submitted attestations issued by an accredited laboratory and has not presented the laboratory accreditation certificate, as requested in the Tender Dossier.

Furthermore, the product tests have not been carried out according to the standards set out in the Tender Dossier, namely:

? ISO 13934-1

? ISO 13937-1

? ISO 105-B04

Instead of test reports according to these standards, the economic operator has only submitted a description of the technical specifications, which does not constitute valid evidence of testing in accordance with the required international standards.

More specifically, the Tender Dossier required the ISO 105-B04 standard (Color Fastness to Artificial Weathering - Xenon Arc with humidity and water spray). However, the economic operator has submitted a test report according to the ISO 105-B02 standard, which is not the same as and does not replace the required ISO 105-B04 standard.

ISO 105-B02 tests color fastness only to artificial light;

? ISO 105-B04 includes more advanced testing, simulating real atmospheric conditions through exposure to light, humidity and water spray.

Due to this essential difference, the test report according to the ISO 105-B02 standard does not meet the request of the Contracting Authority.

Consequently, the documentation submitted by the economic operator is not in compliance with the technical requirements set out in the Tender Dossier and, as such, should not have been considered acceptable during the evaluation process. The certificate submitted with the offer does not have either the name of the EO that submitted the sample for the certificate, nor the Laboratory Accreditations I do not know whether it is accredited the accreditation certificate to which standards it is accredited.

This action contradicts the principle that the Contracting Authority should not accept any criterion or specification that is not clearly foreseen in the tender dossier during the evaluation of the bids. In other words, the CA had no legal right to accept a bid due to an unspecified criterion, as such an action violates the principle of transparency and equal treatment and constitutes discrimination against the bidder. Claim 4.3 From the examination of the submitted sample, the following discrepancies were found: Side pocket - In the Tender Dossier, the height was requested as 20 cm, while the EO offered 17 cm. Width was requested as 10 cm, while the EO offered 15 cm. These deviations represent clear discrepancies with the technical specifications set out in the Tender Dossier.

Based on the lack of required references, the lack of certificates from an accredited laboratory, the lack of testing according to the required standards and the technical inconsistencies found in the sample, the Economic Operator Fitim R. Bilalli B.I. should be considered irresponsible and

eliminated from the procurement procedure, as it has not met the criteria set out in the Tender Dossier. This assessment also conflicts with Article 59 of the LPP, which stipulates that a bid can be considered responsive only when it meets the requirements set out in the tender dossier. Claim 5 Sodex Group S.H.P.K., the Economic Operator has not submitted certificates issued by an accredited laboratory and has not presented the laboratory accreditation certificate, as required in the Tender Dossier. Furthermore, product testing was not carried out according to the standards set out in the Tender Dossier, namely:

ISO 13934-1

? ISO 13937-1

? ISO 105-B04

Instead of test reports according to these standards, the economic operator has submitted only a description of the technical specifications, which does not constitute valid evidence of testing in accordance with the required international standards.

More specifically, the Tender Dossier required the ISO 105-B04 standard (Color Fastness to Artificial Weathering - Xenon Arc with humidity and water spray). However, the economic operator has submitted a test report according to the ISO 105-B02 standard, which is not the same and does not replace the required ISO 105-B04 standard.

The difference between these two standards is essential:

? ISO 105-B02 tests color fastness to artificial light only;

? ISO 105-B04 includes more advanced testing, simulating real atmospheric conditions through exposure to light, humidity and water spray. Due to this essential difference, the test report according to ISO 105-B02 does not meet the requirement of the Contracting Authority.

Consequently, the documentation submitted by the economic operator is not in accordance with the technical requirements set out in the Tender Dossier and, as such, should not have been considered acceptable during the evaluation process. The certificate submitted with the offer does not have either the name of the EO that submitted the sample for the certificate, nor the accreditation certificate of which standards it is accredited.

This action contradicts the principle that the Contracting Authority should not accept any criterion or specification that is not clearly foreseen in the tender dossier during the evaluation of the bids. In other words, the CA had no legal right to accept a bid due to an unspecified criterion. since such an action violates the principle of transparency and equal treatment and constitutes discrimination against the bidder.

Claim 5.1

In the tender dossier request, technical and professional requirements 9.1&9.2 in Evidence no. 15 it is requested that the EO must submit certificates from an accredited laboratory for the products offered according to DT

While the EO has submitted certificates without the name of the EO that sent the vest without the accreditation number of the laboratory, the certificates do not match the accreditation certificate of the laboratory which we consider to be completely manipulated, these certificates have been withdrawn/downloaded from the internet. Also, the laboratory certificate and the attestations are out of date and do not match each other.

Check what the attestations should be, the certificate number, the certificates that the laboratory is accredited and the name of the company that sent the sample/vest to make the attestation.

#### Claim 6

PI ER TECHNICAL Kft Branch in Kosova

Regarding the claim for the company PI ER TECHNICAL Kft Branch in Kosova, all reasons for elimination presented by the CA in B58 stand.

In addition, an additional reason that we have noticed is that this EO does not possess valid references.

Since in this procedure the branch in Kosovo has competed as a separate entity, and not the central office in Hungary, then the references must be made by the branch in Kosovo.

It is not acceptable to present the Registration Certificate in Kosovo, while the references must be issued or made by the central office in Hungary. The references must prove the concrete experience of the legal entity that has applied, namely the branch in Kosova.

#### Claim 7

As can be seen above, the CA has illegally recommended this procurement activity GOE since it has not fulfilled all the requirements of the CA set out in the NJK and DT, therefore the offer is not responsible, which is why Article 60 of the LPP has been violated with a responsive tender and with the lowest price.

The CA for this procurement activity: did not conduct the examination, evaluation and comparison of tenders in accordance with Article 59 of the LPP and at the same time did not respect Article 60 of the LPP the main criterion for awarding the contract was: the responsive tender with the lowest price, where we have offered with a responsive tender and with the lowest price.

So we have submitted a tender which is in compliance with all the requirements set out in the contract notice and tender dossier and with the lowest price.

With this action, the CA has violated Article 1 of the LPP which states that: the decisions of the CAs shall not be influenced by the personal interests of any individual within the CA, shall be characterised by non-discrimination and a high degree of transparency and shall be in accordance with the procedural and substantive requirements of this law.

#### Claim 8

The Contracting Authority has not reviewed the complaint claims in accordance with Article 108A, paragraphs 8 and 10 of the LPP, as it has not provided a complete and reasoned analysis for each claim presented in the request for review. Furthermore, contrary to paragraph 12 of Article 108A, the CA did not provide a separate written justification regarding the approval or rejection of each complaint claim, thus violating the principle of transparency and justice. Based on this, the CA's decision is in violation of Article 108A, paragraphs 8, 10 and 12 of the LPP. The CA's refusal is procedurally deficient, vulnerable to appeal to the Procurement Review Body, Violation of the principle of transparency. The CA is obliged to provide a written decision justifying the approval or rejection of each complaint claim separately so that a decision can be considered complete.

#### Claim 9

It is also clear that the CA has violated Article 7 of the LPP where in point 1 it is stated that:

The contracting authority shall treat economic operators equally and non-discriminatorily and shall act in a transparent manner.

And in point 2 it is stated:

The contracting authority shall not execute any aspect of the procurement activity in a manner that reduces or eliminates competition between economic operators or that discriminates to the detriment or in favor of one or more economic operators.

Response to the request for review for EO - Runway SH.P.K.:

Your claims do not stand, the evaluation committee, equally referring to and respecting the LPP, Article 59 of the LPP - Examination, evaluation and comparison of tenders.

The committee acted according to the LPP and the TDS criteria.

The CA has examined, evaluated and compared the offers equally, and the evaluation of the tenders was done in full compliance with 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, as well as with the requirements set out in the tender dossier and the contract notice, as well as the criteria for awarding the contract.

The Contracting Authority - Ministry of Defense, based on the findings mentioned above for the procurement activity "Retender - Supply of tactical vest - SUFSK 1001 for the needs of the KSF", procurement no.: 217-25-5993-1-1-1 and internal no. 217/25/023/111, has fully respected the provisions of the legislation in force, Law no. 04/L-042 on Public Procurement of the Republic of Kosovo, amended and supplemented by Law no. 04/L-237, Law no. 05/L-068 and Law no. 05/L-092, as well as the secondary legislation in force, therefore the notification on the decision of the Contracting Authority dated 20.02.2026 remains in force. The claims of the complaining economic operator Fitim R. Bilalli B.I., for the complaint with no. 2026/0141

are presented as follows: On 20.02.2026, we were notified through e-procurement of the notification on the decision of the CA, where we were declared an unsuccessful tenderer, while

the EO “SSI Log L/L.C” was recommended for the contract with a price of €240,000.00. On 24.02.2026, we had access to the offer of the EO recommended for the contract and to other offers, while after analyzing the documentation of the EO recommended for the contract, we came to the conclusion that this EO is irresponsible for the reasons listed in detail, as follows: • The EO recommended for the contract “SSI LOG L.L.C” did not meet the requirements and specifications mentioned below:

On the 03.03.2026, we received the decision on the rejection of the request for reconsideration, where the contracting authority considered the request unfounded, without providing any concrete facts for such a rejection. The contracting authority in its decision provided the following justification: Response to the claims of the Economic Operator Fitim Bilalli B.I Your claims do not stand, the evaluation commission, equally referring to and respecting the LPP Article 59 of the LPP - Examination, evaluation and comparison of tenders. The commission acted in accordance with the LPP and the TDS criteria. The CA, has examined, evaluated and compared the offers equally and the evaluation of the tenders was carried out in full compliance with Law No. 04/L-042 on Public Procurement of the Republic of Kosovo, as amended and supplemented by Law No. 04/L-237, Law No. 05/L-068 and Law No. 05/L-092 and the requirements set out in the tender dossier and contract notice as well as the Contract Award Criteria. The Contracting Authority - Ministry of Defense, based on the findings mentioned above for the procurement activity "Retender - Supply of tactical vest - SUFSK 1001 for the needs of the KSF" with Procurement No.: 217-25-5993-1-1-1 and Internal No. 217/25/023/111, has fully respected the provisions of the legislation in force, Law No. 04/L042 on Public Procurement of the Republic of Kosovo, amended and supplemented by Law No. 04/L-237, Law No. 05/L-068 and Law No. 05/L-092 as well as the secondary legislation in force, therefore the notification on the decision of the Contracting Authority dated 20.02.2026 remains in force. The Contracting Authority in its response to the request for review has not provided any concrete response regarding the complaint claims raised by us, but has only provided a general response, abstractly invoking Article 59 of the LPP and claiming that the evaluation was made in an equal manner and in accordance with the legislation in force. The Contracting Authority has not provided any response at all to our complaint claims, therefore it has not respected Article 108/A of the LPP paragraph 9 which decisively states “The refusal shall be justified and communicated in writing, in accordance with this law, to the complainant and all interested parties, if any. Furthermore, the Contracting Authority may prevent further proceedings, upon receipt of a written notification from the complainant regarding his willingness to withdraw the request submitted for review”.

This provision obliges the contracting authority to justify the rejection of the request for review, since for this reason it is determined that initially a request for review must be submitted to the contracting authority as the first instance of appeal, and then to proceed to the second instance with the PRB. In this case, the aforementioned provision has not been respected, because it is clearly stated that the rejection will be justified, but in this case the CA's rejection does not contain justification, since no contrary argument has been given in relation to our appeal claims. The purpose of the aforementioned provision is to provide the complaining party with the factual and legal basis on which its request was rejected, and not to provide only a general justification

by not delving into our appeal claims at all. In our appeal claims, we have presented in a detailed and substantiated manner the discrepancies between the presented samples and the technical specifications of the aforementioned economic operators with the mandatory requirements of the tender dossier. Our complaining claims submitted in the request for reconsideration and now in the complaint relate to the essential requirements of the technical specifications, including the dimensions, pocket structure, MOLLE system and other functional characteristics of the tactical vest, respectively the samples presented by the aforementioned EO. From the response of the CA, it is clearly understood that it has not analyzed any of these concrete claims/findings and has also not provided any factual clarification and based on legal provisions, through which the opposite of our complaint claims would be proven, therefore in this case it is clearly understood that our complaint claims are sustainable. If eventually the same claims were not grounded, then the contracting authority would prove the opposite of our complaint claims, but such a thing did not happen due to the fact that our claims are based on concrete facts. As we have mentioned above, according to Article 59.4 of the LPP, a tender is considered responsive only if it is in full compliance with all the requirements of the contract notice and the tender dossier. Also, according to Article 37.6 of Regulation No. 001/2022 on Public Procurement, the required samples are an integral part of the tender and serve as an element of technical testing for assessing the compliance of the offers. Therefore, in this case, any non-compliance of the samples with the required technical specifications constitutes a clear basis for declaring the bid as irresponsible. Based on all the evidence and facts mentioned above, we conclude that the examination, evaluation and comparison of tenders was not carried out in accordance with Article 59 of the LPP, because the EO "SSI LOG L.L.C" was recommended for the contract even though it did not meet all the requirements of the tender dossier and the contract notice and the main criterion for awarding the contract was not respected, which was the responsive tender with the lowest price according to Article 60 paragraph 1.1 of the LPP. The contracting authority has also declared the EO "Hasan Gjesha B.I" liable, even though the same EO is irresponsible, as explained above, therefore the examination, evaluation and comparison of the bids was not carried out in accordance with Article 59 of the LPP and Article 40 of the RRPP No. 001/2022. Article 25 of the RRPP N.0014/2022 clearly states: "25.1 According to Article 56 of the LPP, an EO shall be considered qualified to participate in a procurement activity if: a. An EO proves to be suitable according to Article 65 of the LPP by providing evidence required by the contracting authority and b. Such EO, in case the CA has determined minimum requirements for qualification, meets such requirements and proves it by providing evidence required by the contracting authority in accordance with Articles 64 to 69 of the LPP". In this procurement activity, all bidders mentioned above did not meet the selection criteria, since they did not provide samples in accordance with the technical specifications. Also, the contracting authority did not respect Article 7 of the LPP, because it favored the EO recommended for the contract. Paragraph 1 of Article 7 of the LPP clearly stipulates that "The contracting authority shall treat economic operators equally and non-discriminatory and shall act in a transparent manner, therefore we have been discriminated against in this case. In this case we have been discriminated against, since we meet all the requirements of the tender dossier, as the CA has ascertained, but we should have been recommended for the contract because all other bidders cheaper than our offer are irresponsible. From the above explanations, we conclude that the EO

recommended for the contract has provided samples in contradiction with the mandatory technical specifications, therefore this EO is irresponsible and should have been eliminated from the competition. Article 59.4 of the LPP clearly stipulates that “The contracting authority shall consider a tender as responsive only if the tender in question is in compliance with all the requirements set out in the contract notice and in the tender dossier”. In this case, the offer of the EO recommended for the contract is not in full compliance with the requirements of the tender dossier, therefore an economic operator who is not responsible cannot be declared the winner. The action of the contracting authority to recommend for a contract an EO that does not meet all the requirements of the tender dossier constitutes favoritism for the EO recommended for the contract and discrimination for other participating EOs and at the same time constitutes discrimination for the competition and other companies that due to the failure to meet any of the specifications have not bid, always knowing that in order to be declared legally liable and to meet all the requirements of the tender dossier and the contract notice. According to Article 37.6 of the RRPP No. 001/2022 "The required samples are part of the tenders, and they are part of the technical test necessary for the evaluation of each tender". On this basis, it results that the samples provided by the EO recommended for the contract do not meet the requirements of the tender dossier and the technical specifications, therefore the offer of the EO recommended for the contract is irresponsible. The economic operator "Hasan Gjesha B.I", has been declared unsuccessful by the contracting authority, but during the analysis of its documentation we have come to the conclusion that this EO is irresponsible for the following reasons: EO "Pier Technical" has been declared irresponsible by the CA, therefore we also consider that this EO is irresponsible for the following reasons: 1. Reasons for the rejection of your request: It does not meet all the criteria related to the technical and / or professional capacity specified in the DT and in the contract notice. On 26.12.2025, we requested from the participating EO to clarify, provide information, additional official documents of the accredited laboratory for the project in question. On 29.12.2025, the EO responded that all clarifications are attached to the bidding case. On 30.12.2025, we again requested from the EO to identify the laboratory data according to the request. On 31.12.2025, the EO responded with the data of two laboratories. On 31.12.2025, we wrote to the official e-mail of the two laboratories according to the data sent by the EO. On 31.12.2025, only one laboratory responded, which response is contrary to the requests of the CA, because we have requested a response, confirmation from the Laboratory, while the EO has clarified that these A-tests were carried out by the manufacturer, not by the Laboratory and has attached these evidence to the official e-mail, which is contrary to the requests (clarifications) of the CA.

2. Reasons for the rejection of your request: In the tender dossier in Annex 1, in the technical specifications, it was a criterion that all EOs, when submitting samples, must be complete with all the accompanying equipment as follows. You are missing all these accompanying elements of your sample. 3. At least two (2) body armor adapters 4. At least two (2) quick-release side buckles 5. The shoulder straps must be equipped with two (2) detachable metal (or other durable material) D-rings, secured with Velcro, positioned on the shoulder area, and designed for the attachment of carabiners or other mission-related equipment. • EO “Every Day KTM” SHPK has been declared irresponsible by the CA, therefore we also consider that this EO is irresponsible for the following reasons: 1.

Reasons for rejection of your bid: It does not meet all the criteria related to technical and/or professional capacity specified in the DT and in the contract notice. In the tender dossier in Annex 1, in the technical specifications, there was a criterion that all EOs upon submission of samples must be complete with all accompanying equipment as follows. You are missing all of these accompanying elements of your sample. 3. At least two (2) body armor adapters 4. At least two (2) quick-release side buckles 5. The shoulder straps must be equipped with two (2) detachable metal (or other durable material) D-rings, secured with Velcro, positioned on the shoulder area, and designed for the attachment of carabiners or other mission-related equipment.

2. Reasons for the rejection of your request: On 26.12.2025, we requested from the participating EO to clarify, provide information, additional official data of the accredited laboratory for the project in question. The EO submitted the A-tests of 2024 during the bidding process, while the project (Tender dossier and contract notice are from 2025). On 30.12.2025, the EO submitted A-tests of another laboratory that are in complete contradiction with the requested clarifications of the CA. We have not received confirmation from the EO for the A-tests requested according to the clarifications of the CA.

3. Reasons for the rejection of your request: According to Article 26, point 26.1 Group of Economic Operators, and according to the tender dossier in Annex 7 - Declaration for the Establishment of the Group, it was a criterion when offering through the e-procurement system platform, to be completed according to the requirements of the Tender Dossier and the Legislation in force. You, as a group of Economic Operators, have not fulfilled this criterion as was a requirement in the Tender Dossier, because you have not completed, stamped and signed Annex 7. It is missing. The contracting authority should have also taken into consideration Article 1 of the LPP, since it is known that the purpose of this law is to ensure the most efficient, most transparent and fair way of using public funds, public resources and all other funds and resources of contracting authorities in Kosovo. DECISION APPROVES the complaint of EO "Fitim R. Bilalli BI" as grounded, CANCELED, the notification and decision of the CA for the recommendation for the contract and the case is returned for RE-EVALUATION, the contracting authority is OBLIGED that during the re-evaluation, the examination, evaluation and comparison of the offers be carried out in harmony with the requirements of the tender dossier, the contract notice and in accordance with the provisions of the LPP. If our facts are not taken into account, we are obliged to continue legal procedures in other competent institutions.

Response to the request for reconsideration for EO PI ER TECHNICAL Kft Branch in Kosova

Your claims do not stand, the evaluation commission, equally referring to and respecting the LPP, Article 59 of the LPP - Examination, evaluation and comparison of tenders.

The commission acted according to the LPP and the FTD criteria.

The CA has examined, evaluated and compared the offers equally, and

the evaluation of the tenders was made in full compliance with 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, as well as with the requirements set out in the tender dossier and the contract notice, as well as the criteria for awarding the contract.

The Contracting Authority - Ministry of Defense, based on the findings mentioned above for the procurement activity "Retender - Supply of tactical vest - SUFSK 1001 for the needs of the KSF", procurement no.: 217-25-5993-1-1-1 and internal no. 217/25/023/111, has fully respected the provisions of the legislation in force, Law no. 04/L-042 on Public Procurement of the Republic of Kosovo, amended and supplemented by Law no. 04/L-237, Law no. 05/L-068 and Law no. 05/L-092, as well as the secondary legislation in force, therefore the notification on the decision of the Contracting Authority dated 20.02.2026 remains in force. The claims of the complaining economic operator PI ER TECHNICAL Kft Branch in Kosova, for the complaint no. 2026/0144 are presented as follows:

Dear Sirs, On 20.02.2026, through the electronic e-procurement platform, we were notified of the notification of the CA's decision recommending EO SSI LOG L.L.C. for a contract, while we were declared an eliminated tenderer with the following justification: Regarding the first reason for elimination, where the CA noted that the response is in contradiction with the CA's request because the response/confirmation was requested from the laboratory, while according to the CA, we have responded that the tests were carried out by the manufacturer and not by the laboratory, but we clarify that this reason is completely untenable. We have been asked for clarification by the CA, where we were asked for the laboratory data and why they were attached to the documents submitted in the bid. After we submitted the laboratory data, the CA requested clarifications directly from the TEKNOTEKS laboratory where the tests were performed, while the laboratory responded as follows: From the statement that the laboratory responded to the CA, it is clearly stated and confirmed that the tests were issued by the Teknokeks laboratory and that the same report is original, valid and authentic. We do not have a clear understanding of how the contracting authority came to the conclusion that we had allegedly responded that the tests were performed by the manufacturer and not by the laboratory, but we see this reasoning as tendentious with the sole purpose of eliminating us from this procurement activity. (Attached are the clarifications between our company, the TEKNOTEKS laboratory and the CA).

As for clarification, if the contracting authority had any dilemma regarding the laboratory's responses, then it could have requested clarifications again in accordance with the provisions of Article 59.2 and 72 of the LPP, or even tested the vest submitted by us, but it did not do such a thing. It should be clarified that the same responses as the laboratory where we conducted the tests were returned by almost all other EO laboratories, but surprisingly, the same ones were not eliminated with such justifications, therefore we see the CA's reason for elimination as tendentious. Regarding the WOOL RESEARCH ASSOCIATION-TESTILE LAB laboratory, where the CA noted that the same ones did not return a response, we clarify that it is not relevant at all whether this laboratory returned a response or not. We state this finding due to the fact that in this laboratory we have not tested the product, but we have presented a report from this laboratory only to clarify the issue of the material for the required ISO 2411:2017 standard.

So the only laboratory where we have tested the material is the TEKNOTEKS laboratory which is an internationally accredited laboratory, as precisely specified in the tender dossier request.

Therefore, when we consider the above-mentioned facts, it is clearly understood that the CA's request for our elimination is unsustainable and moreover, it is a tendentious reason since a deviation has been made from the facts and arguments presented by us and the laboratory.

In the second reason for our elimination, the CA has stated that the accompanying elements of the sample are missing: 2 Body armor adapters; 2 quick-release side buckles and The shoulder straps must be equipped with two (2) detachable metal (or other durable material) D-rings, secured with Velcro, positioned on the shoulder area, and designed for the attachment of carabiners or other mission-related equipment.

We clarify that the above-mentioned reason of the CA is untenable, due to the fact that these elements are additional accessories of the final product and do not constitute an integral structural part of the Tactical Assault Panel (TAP). The technical specifications of the product - including dimensions, capacity and configuration of pockets, MOLLE/PALS system, 1000D Cordura material, as well as the fulfillment of the required standards of resistance and performance - are fully respected in the submitted sample. Furthermore, we have also submitted laboratory test reports for the parameters required by the CA and all results are in full compliance with the standards and minimum values specified in the DT, which clearly demonstrates the fulfillment of the requirements regarding the composition of the material, tensile strength, tear resistance and color fastness. In the tender dossier, the tenderer has requested the submission of a product sample, but nowhere is it clearly and explicitly stated that the sample must include all accessories listed in "Included Items" and that their submission is an essential criterion for the technical evaluation. The above-mentioned accessories are removable, replaceable parts and do not affect the basic functionality, technical performance, dimensions or quality of the tactical vest. Furthermore, they do not cause any material change or deviation from the characteristics, conditions and other requirements, since all requirements regarding the vest have been met, therefore we cannot be eliminated in any way for accessories that were not specifically requested to be brought together with the sample. We have not interpreted this only as a company in this way, since other companies bidding in this tender have not submitted these accessories.

In conclusion, it is understood that we have been eliminated for a request that was not specified in the tender dossier, therefore we have been eliminated in violation of Article 56.3 of the LPP, which clearly specifies "3. The tenderer, during open procedures, or the candidate, during restricted procedures and competitive procedures with negotiations, shall not be disqualified or excluded from such procedures on the basis of any request or criterion that is not specified in the contract notice and in the tender dossier". Also, even if it had been correctly specified that these accessories should be offered together with the sample, then their failure to submit would have to be considered as a minor deviation in accordance with the provisions of Article 59.4 of the LPP which clearly specifies "4. The contracting authority shall consider a tender as responsive only if the tender in question complies with all the requirements set out in the contract notice and in the tender dossier. Notwithstanding the foregoing, the contracting authority may consider a tender as responsive if: (ii) it contains only minor deviations that cannot cause material changes or deviations from the characteristics, conditions, and other requirements set out in the contract

notice and in the tender dossier; provided that any such deviation is quantified, as far as possible, and is taken into account during the evaluation and comparison of tenders". When we consider the above facts and since the tender dossier does not specify that the sample must include all accessories listed in "Included Items" as an elimination condition, then the contracting authority in no way can and should not expand its interpretation now after the submission of the bids, therefore the CA's reasons for our elimination are untenable.

We would like to clarify that we have had access to the documents of the EO recommended for the contract and after the analysis we have made of the documentation of the same, we have concluded that this EO is irresponsible for the following facts:

The tender dossier requested:

Requirement 9 the economic operator must provide evidence that it has successfully completed (i.e. not in progress) contracts of the same or similar nature during the last 3 (three) years (from the date of publication of the contract notice), with a value of not less than; €500,000.00

The EO recommended for the contract does not meet the above requirement because the contracts and evidence presented in the bid do not relate to contracts of the same or similar nature, in the last three years in a value of not less than €500,000.00.

The same is also irresponsible for the fact that it has not fulfilled the other request of the tender dossier, where it is requested:

Request 14. EO is obliged to complete, sign, and stamp Annex 1 of the DT, the mandatory technical specification.

Evidence 14. Annex 1 of the TD signed and stamped, failure to complete Annex 1 according to the requirements will eliminate it from further evaluation

This annex was mandatory for all EOs, but the EO recommended for the contract did not complete it as requested and is irresponsible.

Among the mandatory additional clarifications for the EO, the Manuals/instructions for the use of the vest assembly parts were also requested. When analyzing the offer of the EO recommended for the contract, it is seen that these manuals are missing.

When we consider all the above-mentioned facts, it is clearly understood that this EO is irresponsible and cannot be recommended for the contract.

We have submitted a request for review to the PRB on 25.02.2026, while on 27.02.2026 our request for review was rejected, while as a justification for rejecting the request the contracting authority has noted the following: See the CA's reasoning: After reviewing the reasoning provided by the Contracting Authority for rejecting our request for review, we assess that the same does not contain a proper treatment of our claims and does not provide concrete answers to the issues we raised in the request for review. From the content of the decision it is seen that the Contracting Authority has limited itself mainly to general findings that the evaluation commission has acted in accordance with the law and the criteria of the tender dossier, without

specifically focusing on our claims and without making a separate analysis for each of them. In this way, the reasoning provided remains general and does not clearly explain why our claims were rejected.

In the request for review, we have presented a number of concrete claims related to the manner of evaluating the bids and the fulfillment of the requirements of the tender dossier.

However, the decision to reject did not specifically address these claims and did not provide a clear justification for each issue raised by us.

Such a justification, which is based only on general findings without a concrete analysis of the claims, cannot be considered a complete and objective examination of the request for review. Moreover, the lack of a detailed justification does not allow for a clear understanding of the factual and legal basis on which the Contracting Authority decided to reject our request.

In these circumstances, we consider that our request for review was not fully addressed and that our claims were not examined individually and in a reasoned manner. For this reason, we assess that the reasoning of the Contracting Authority is insufficient and does not meet the standard of reasoning required in public procurement procedures. Consequently, we request that in the review of the complaint by the PRB, the fact that our claims have not been fully addressed by the Contracting Authority be taken into consideration and that the matter be reviewed fairly and impartially. Based on the evidence and facts mentioned above, it results that action was taken in contravention of Article 59 of the LPP, and Article 60 of the LPP was also not respected at all, because an irresponsible EO was recommended for the contract.

Paragraph 1 of Article 7 of the LPP clearly stipulates that "The contracting authority shall treat economic operators equally and non-discriminatory and shall act in a transparent manner, while the CA has not implemented this provision because we have been eliminated and discriminated against without any legal basis, by not recommending us for a contract even though we have fulfilled all the requirements of the tender dossier, while an irresponsible EO has been recommended for a contract. Article 1 of the LPP has also not been taken into consideration, since it is known that the purpose of this law is to ensure the most efficient, most transparent and fair way of using public funds, public resources and all other funds and resources of contracting authorities in Kosovo. Response to the request for reconsideration for EO PI ER TECHNICAL Kft Branch in Kosovo: Your claims do not stand, the evaluation commission, equally referring to and respecting the LPP, Article 59 of the LPP - Examination, evaluation and comparison of tenders.

The Commission acted in accordance with the LPP and the TDS criteria.

The CA has examined, evaluated and compared the offers equally, and the evaluation of the tenders was carried out in full compliance with 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, as well as with the requirements set out in the tender dossier and the contract notice, as well as the criteria for awarding the contract.

The Contracting Authority - Ministry of Defense, based on the findings mentioned above for the procurement activity "Retender - Supply of tactical vest - SUFSK 1001 for the needs of the KSF", procurement no.: 217-25-5993-1-1-1 and internal no. 217/25/023/111, has fully respected the provisions of the legislation in force, Law no. 04/L-042 on Public Procurement of the Republic of Kosovo, amended and supplemented by Law no. 04/L-237, Law no. 05/L-068 and Law no. 05/L-092, as well as the secondary legislation in force, therefore the notification on the decision of the Contracting Authority dated 20.02.2026 remains in force. Based on Article 111 paragraph 5 in connection with Articles 113 and 114 of the LPP, the Procurement Review Body on 09.03.2026 and on 10.03.2026 authorized the review expert to conduct the initial review of the file and claims according to the complaint no. 0132/2026, as well as the complaint no. 0144/2026, while on 20.03.2026 the review expert's report was submitted with the following recommendations: Based on the above-mentioned clarifications, the review expert proposes to the review panel that the complaint of the complaining EO be considered partially unfounded and the decision of the CA remains in force. Based on Article 111 paragraph 5 in connection with Articles 113 and 114 of the LPP, the Procurement Review Body on 09.03.2026 authorized the review expert to conduct the initial review of the file and claims under the complaint with no. 0136/2026, while on 18.03.2026 the review expert's report was submitted with the following recommendations: Based on the above-mentioned clarifications, the review expert proposes to the review panel that the complaint of the complaining EO be approved as grounded, the contract award notice be canceled and recommends that the case be returned for re-evaluation.

Based on Article 111 paragraph 5 in connection with Articles 113 and 114 of the LPP, the Procurement Review Body on 10.03.2026 authorized the review expert to conduct the initial review of the file and claims according to the complaint with no. 0141/2026, while on 21.03.2026 the review expert's report was submitted with the following recommendations: Based on the above-mentioned clarifications, the review expert proposes to the review panel that the complaint of the complaining EO be rejected as unfounded and that the CA's decision remain in force. The expertise report with no. 0132/2026 has been duly accepted by all procedural parties. The CA agrees with the recommendations of the review expert report, while the EO disagrees with the review expert report.

The expertise report with no. 0001/2026 has been duly accepted by all procedural parties.

The CA agrees with the recommendations of the review expert report, while the EO disagrees with the review expert report.

The expertise report with no. 0002/2026 has been duly accepted by all procedural parties.

The CA agrees with the recommendations of the review expert report, while the EO disagrees with the review expert report.

The review panel has assessed that the conditions have been met to decide on this case without a hearing session within the meaning of Article 24, paragraph 1 of the Rules of Procedure of the PRB, taking into account 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 of the case.

-Administration and evaluation of evidence -

In order to fully establish the factual situation, the review panel has administered as evidence the report of the review expert, the opinions of the parties regarding the expert report, the submissions and documents of the complainant, 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.

Regarding the claims of EO Hasan Gjesha B.I., the review expert through report no. 2026/0132 has assessed as follows:

Response to the claims. The review expert gives his opinion regarding the complaint claim, after having carefully administered and reviewed the documents related to the facts and arguments in the electronic e-procurement platform, based on the complaint claim raised for the Economic Operator, EO, SSI LOG L.L.C, Prishtina and related to DT/FDT, Requirements on technical and/or professional capabilities Requirement 9, The economic operator must provide evidence that it has successfully completed (i.e. not in progress) contracts of the same or similar nature during the last 3 (three) years (from the date of publication of the contract notice), with a value of not less than 500,000.00. €

Evidence 9. The EO must provide evidence a). List of contracts executed during the last three years (from the date of publication of this contract notice) signed and stamped by the EO. b).

References or technical acceptance sheets in copies signed and stamped by the relevant Authority which must indicate, the procurement or contract number, the contract value, the date of signing the contract, and the place of execution.

Note No contract will be considered if it is not accompanied by positive references or reports of supply acceptance sheets if it was made for a public or private authority in Kosovo or in another country, for evidence, receipts or references (in the references the value should be specified) issued by such authority must be submitted. For references from private institutions, the original bank statement from the bank for the reference value presented must be provided. If the Economic Operator meets the requirement with only one or two years, it means that the EO has met the minimum requirement set out in the tender documents, a necessary and mandatory condition for qualification. It is further clarified that the Economic Operator recommended for the contract, within the framework of its tender dossier, has submitted the list of contracts carried out, accompanied by the relevant references. Initially, it is emphasized that the examination, comparison and evaluation of the offers, in accordance with Article 59 of the Law on Public Procurement (LPP), are at the full discretion and direct responsibility of the Evaluation Commission, respectively the Contracting Authority. Consequently, the responsibility for the evaluation and the relevant findings falls on the Evaluation Commission and the Contracting Authority, within the framework of their institutional and professional responsibility.

However, from the examination of the documentation submitted by the Economic Operator in question, it appears that the same has submitted references that are mainly related to supplies. In this context, it should be emphasized that the Contracting Authority, in the requirements set out

in the tender dossier, has not made a clear and restrictive specification regarding the nature of the contracts requested, but has also left open the possibility of submitting “similar” contracts.

Consequently, since the notion of “similar” has not been defined in a precise and restrictive manner by the Contracting Authority itself, the assessment of the compatibility of the references submitted by the Economic Operator remains a matter of professional assessment by the Evaluation Committee. In this specific case, the Economic Operator recommended for the contract has submitted references that are also related to supplies, which have been considered acceptable by the relevant Committee. In conclusion, any interpretation regarding the fulfillment of this criterion and any decision on the admissibility of the submitted references falls under the full competence and responsibility of the Evaluation Committee and the Contracting Authority, given that the latter have drafted the criteria and have made the evaluation in accordance with them. Therefore, this complaint is unfounded.

As for the complaint claim related to the testing method according to Annex 1 of the tender dossier, where testing according to the ISO 105-B04 method was requested, while the recommended Economic Operator submitted a test report according to the ISO 105-B02 method, it is clarified as follows: Based on the requirements of the tender dossier, we note that the submission of the sample was allowed at the bidding stage, while the realization of the final product according to the KSF design is foreseen to be carried out at the contract execution stage. This means that the testing presented at the bidding stage has a demonstrative/orientative character, while full compliance with the technical specifications is ensured through contractual obligations. In this regard, the recommended Economic Operator has expressly committed, through its declaration, to fulfilling all technical specifications, including carrying out tests according to precise requirements during the supply phase.

Also, the same has submitted Annex 1 of the tender dossier signed and sealed, fully accepting the requirements set out by the Contracting Authority. Taking into account all of the above, it is concluded that this complaint claim can be considered partially well-founded. Considering that the Economic Operator recommended for the contract has also submitted the lowest price, and relying on the fundamental principles set out in Articles 1, 6 and 7, as well as the provisions of Article 59 of the Law on Public Procurement (LPP), consequently, it is justified that the decision of the Contracting Authority remains in force. Regarding the claims of EO RUNWAY SH.P.K., the review expert through report no. 2026/0136 has assessed as follows:

The procurement activity entitled: “Retender - Supply of tactical vests - SUFSK 1001 for the needs of the KSF” with procurement no.: "217-25-5993-1-1-1", initiated by the Contracting Authority (CA) - MINISTRY OF DEFENCE, open procedure, contract type Supply, lowest responsive price criterion.

Regarding this Procurement Activity, there is a decision of the Review Panel No. 2025/0803 dated 23.10.2025.

The complaint is filed against the Decision of the Contracting Authority (CA) - Notification B58, by which the Economic Operator (EO) “SSI LOG” LLC was recommended for the contract, while the complaining EO was declared unsuccessful.

The complaining EO in the complaint claims that the CA during the evaluation and examination of the bids violates the Public Procurement Law, respectively articles: 6,7,10,59,60,69 and 108/A, the Public Procurement Guideline no. 02/2024, the Public Procurement Regulation no. 02/2024, which claims that the Economic Operators: SSI LOG LLC; Hasan Gjesha and Ozyigit Textile Makine Gida Turizm Insaat Ve Petrol Urunleri Paz San Ve Tic Ltd Sti; GOE ECO Clean Corporation SHPK; EO Fitim R. Bilalli B.I; Sodex Group SHPK; PI ER Technical Kft Branch in Kosovo; are irresponsible because they do not meet the requirements of the tender dossier. (Note: The complaint claims of the complaint are described above in the Expert Report - Violated Provisions and Complaint Claims)

The first claim of the complaining EO against the EO recommended for the contract SSI LOG L.L.c:

The recommended EO has submitted a test report, which is not issued by an accredited laboratory, but by a testing services company, namely United Testing Services (Jiangsu) Co., Ltd. This company has not proven to be an accredited laboratory, as required in the Tender Dossier criteria. Also, point 15 of the Tender Dossier requires that the laboratory be accredited, while the recommended EO has not submitted any laboratory accreditation certificate.

Consequently, we conclude that the recommended EO is irresponsible and should be eliminated from the procurement procedure, in accordance with Article 59 and Article 69 of the Law on Public Procurement, as it has not met the essential criteria of the Tender Dossier. Therefore, we request the Contracting Authority to: • Conduct an official verification of the laboratory if it is accredited by the competent accreditation body;

To request the official document “Scope of Accreditation”, issued by the competent accreditation body, which proves the standards for which the laboratory is authorized to perform tests.

Response to the first complaint claim:

The review expert, after analyzing and reviewing the case files, explains that, the CA in TD related to request number 15 has requested:

Request 15. The EO must submit certificates from an accredited laboratory for the offered products according to TD

Evidence 15. Certificate of Product Certificates

While the offer of the recommended EO contains a Test Report for which there is no evidence/note regarding the accreditation of this company, therefore the CA must, in accordance with Article 52.7 of the LPP, request verifications to be made. The claim is found to be partially grounded.

The second claim of the complaining EO against the EO recommended for the contract SSI LOG L.L.C:

Also, in the technical specifications of the tender dossier it is clearly requested that testing be carried out according to the ISO 105-B04 standard (Color Fastness to Artificial Weathering -

Xenon Arc with humidity and water spray). The economic operator has submitted a test report according to the ISO 105-B02 standard, which is not the same and does not replace the required ISO 105-B04 standard.

From this it is clearly established that the submitted report cannot be considered as fulfilling the technical requirement, since it is not about the same testing standard, but only about a general description of the specifications. Specifically: ISO 105-B02 tests the color fastness only to artificial light. ISO 105-B04 includes more advanced testing, simulating real-world atmospheric conditions through exposure to light, humidity, and water spray.

Response to the second complaining claim:

The review expert regarding the second claim explains that, in the DT, as also emphasized by the complaining EO in the complaint, it was requested according to ISO 105-B04, while according to the test report it is with ISO 105 B02:2014, which standards have differences because the standard offered by the recommended EO

ISO 105 B02 is used more for indoor environments, for other textiles, while the ISO standard requested by the CA is precisely used for work uniforms and in outdoor environments, therefore it is considered that it did not meet the standard. The claim is found to be sustainable.

Third claim of the complaining EO against the EO recommended for the contract SSI LOG L.L.c:

The complaining EO claims that according to the request in the DT, the EO must submit the certificates from an accredited laboratory, while the recommended EO has offered the vest without the accreditation number of the laboratory of the certificate and which do not match the accreditation certificate of the laboratory which we consider to be completely manipulated.

Response to the third complaining claim:

Regarding the third claim of the complaining EO, the review expert considers that the CA in accordance with Article 52.7 of the LPP must conduct a research and investigation regarding the accreditation of the laboratory.

Partially grounded claim.

Fourth claim of the complaining EO against the EO recommended for contract SSI LOG L.L.C:

The complaining EO claims that the sample of the recommended EO does not meet the requirements because the side pockets according to the technical specifications are requested:

-Height 20cm while the EO has offered 18.5 cm,

-Width in TD is requested 10 cm while the EO has brought 8.5 cm.

Also, the edge pocket does not comply with the specifications, the request is 25 cm while 22cm is offered, the central pocket is offered 22cm while 30cm is requested.

Response to the fourth complaining claim:

Regarding the fourth claim of the complaining EO, the review expert clarifies that the CA in the DT in the technical specifications, regarding the samples and specifications requested by the CA in Annex 1, regarding the pockets, has left a tolerance of +/- 2 cm, but in the clarifications of the requests from the economic operators, it has explained that there are no absolute dimensional requests, therefore the claim of the complaining EO is found to be partially grounded.

The fifth claim of the complaining EO against the EO recommended for the contract SSI LOG L.L.c:

The complaining EO in the complaint disputes the technical and professional skills, the list of completed projects, request no. 9 in the TD.

Response to the fifth complaint claim:

The review expert, after analyzing and reviewing the case files, clarifies that the CA's request in the TD is:

Request 9 The economic operator must provide evidence that it has successfully completed (i.e. not in progress) contracts of the same or similar nature during the last 3 (three) years (from the date of publication of the contract notice), with a value of not less than; €500,000.00

Evidence 9. The EO must provide evidence a). List of contracts executed during the last three years (from the date of publication of this contract notice) signed and stamped by the EO. b). References or technical acceptance sheets in copies signed and stamped by the relevant Authority which must indicate the procurement or contract number, the contract value, the date of signing the contract, and the place of execution. Note No contract will be considered if it is not accompanied by positive references or reports of supply acceptance sheets if it was made for a public or private authority in Kosovo or in another country, for evidence, receipts or references (in the references the value should be specified) issued by such authority must be submitted. For references from private institutions, the original bank statement from the bank for the reference value presented must be provided. If the Economic Operator meets the requirement with only one or two years, it means that the EO has met the minimum requirement set out in the tender documents, a necessary and mandatory condition to qualify.

Whereas in the offer of the complaining EO there is a list of completed and in-process projects, which are supplies, but according to the titles of the same and similar nature do not reach the required value of DT 500K, therefore the claim of the complaining EO is found to be sustainable.

The sixth claim of the complaining EO against the EO recommended for the contract SSI LOG L.L.C:

The complaining EO also claims that request no. 8 of the DT has not been fulfilled, because the confirmation from the bank for circulation states that it is falsified because the date of issue is 2024 while the circulation is also for the year 2025. Response to the sixth complaint claim: The review expert, after analyzing and reviewing the case documents, explains that, in the offer, there is confirmation on the circulation from the recommended EO, but as the complaining EO has also emphasized, the date of issue of the letter is 23/05/2024 while the confirmation includes the

circulation of the years: 2023; 2024; 2025. Which document according to the dates does not correspond to the real situation, therefore the complaint of the complaining EO is found to be well-founded. Complaint claims of the complaining EO against the EO Hasan Gjesha Group and Ozyigit Textile Makine Gida Turizm Insaat Ve Petrol Urunleri Paz San Ve Tic LTD. Sti

First claim:

The complaining EO claims that the EO in question does not even possess a Manufacturer's Authorization, while the CA declares it unsuccessful.

Response to the complaining EO's complaining claim:

Regarding the first claim of the complaining EO, the review expert explains that, the Authorization from the Manufacturer is missing, but according to the data in the catalog, it is considered that the consortium member is the manufacturer himself, however, the CA, in accordance with Article 52.7 of the LPP, investigates. The complaining EO's claim is found to be partially founded.

Second claim:

The complaining EO claims that the EO in question in the bid does not possess certificates according to the request, which was requested. Certificates from an accredited laboratory, there is no test report issued by an accredited laboratory. The presented certificates are copied specifications issued by a University, which do not constitute a test report or certificate according to the request of the DT, therefore the tests are not according to the standards that were requested. ISO 13934-1, ISO 13937-1 ISO 105-B04.

Response to the complaining claim of the complaining EO:

Regarding the second claim of the complaining EO against the EO in question, the review expert explains, in their offer there is an analysis report from a University in Ankara-Turkey, but as a client the name of another business appears, and the test does not contain a note regarding their accreditation.

The claim is found to be founded.

Third claim:

The complaining EO claims that the EO has not provided certificates from an accredited laboratory according to request no.15 of the TD.

Response to the complaining EO's complaining claim:

The review expert regarding the complaining claim has clarified that the analysis report does not possess a note or specification regarding their accreditation. Grounded claim.

Fourth claim:

The complaining EO disputes that the samples are not according to the required specifications, explaining that the pockets are not according to the specifications.

Response to the complaint claim of the complaining EO:

Regarding the fourth claim, the review expert, after analyzing the case files on the

E-Procurement platform, clarifies that, regarding the samples and specifications requested by the CA in Annex 1, the technical specifications, regarding the samples and specifications requested by the CA in

Annex 1, the technical specifications, regarding the pockets, she has left a tolerance of +/- 2 cm, but in the clarifications of the requests from the economic operators, she has explained that there are no absolute dimensional requirements, therefore, the claim of the complaining EO is found to be partially grounded.

The complaint claims of the complaining EO against the EO Group ECO Clean Corporation SHPK

First claim:

During the examination of the sample of the Economic Operator GOE ECO CLEAN CORPORATION SH.P.K., we have found that the sample does not meet the technical specifications set out in the Tender Dossier. Regarding the requirement for Tensile Strength (Weft) according to the ISO 13934-1 standard or equivalent, the Tender Dossier required a value of >1600 N. While the certificate submitted by the EO stated: Weft: 1700 (min). However, the notation “(min)” means a declared minimum value and does not guarantee clear and verifiable compliance with the specific requirement of the Tender Dossier. Furthermore, during the verification of the sample, the fulfillment of this criterion in full compliance with the required standard was not clearly demonstrated. Consequently, we consider that the Evaluation Commission did not make an evaluation in accordance with the technical specifications and acted in violation of Article 59 of the Law on Public Procurement, which obliges the Contracting Authority to evaluate the bids only in accordance with the criteria and requirements set out in the Tender Dossier. Response to the complaining claim of the complaining EO: The review expert, after analyzing and reviewing the case files in E-procurement, clarifies that, based on the CA's response to the clarifications requested from the interested economic operators, the same has clarified that: Which response can we also receive for ISO 13934-1 for the value >1600N, so over 1600 N is required, therefore the submitted certificate containing the value of at least 1700 N is acceptable according to the specifications required in the DT. Unfounded claim.

Second claim:

Also, other technical inconsistencies have been found, as follows: • Side pockets - In the Tender Dossier, a height of 20 cm was requested, while the EO offered 16.5 cm. This represents a clear inconsistency with the technical specification. • Inner pocket - In the Tender Dossier, a width of 25 cm was requested, while the EO offered 20.5 cm. In this case too, there is a inconsistency with the technical requirement. From the above, it clearly results that the submitted sample does not meet the technical specifications of the Tender Dossier, and as such the EO's offer should be considered irresponsible.

Response to the complaining claim of the complaining EO:

Also regarding the complaining claim of the complaining EO against the EO in question, the review expert has also clarified the claim against the two economic operators above: SSI LOG LLC and EO Hasan Gjesha and Ozyigit Textile Makine Gida Turizm Insaat Ve Petrol Urunleri Paz San Ve Tic LTD. Sti. Regarding the samples and specifications requested by the CA in Annex 1 the technical specifications, regarding the pockets, have left a tolerance of +/- 2 cm, however in the clarifications of the requests from the economic operators she has explained that there are no absolute dimensional requirements, therefore the claim of the complaining EO is found to be partially grounded.

However, it is worth noting that EO Eco Clean Corporation Shpk & Sarkar Tactical, according to the decision of the CA, are eliminated for not responding to the clarification, and that they have also not filed a request or complaint against their elimination, as such they are not liable.

Complaint claims of the complaining EO against the EO Fitim R. Bilalli B.I:

During the analysis of the bid of the Economic Operator Fitim R. Bilalli B.I., with address in Prishtina, we have found that references have not been submitted in accordance with the requirements of the Tender Dossier, specifically according to Evidence no. 9. The EO must provide evidence a). List of contracts executed during the last three years (from the date of publication of this contract notice) signed and stamped by the EO. b). References or technical acceptance sheets in copies signed and stamped by the relevant Authority which must indicate, the procurement or contract number, the contract value, the date of signing the contract, and the place of execution. Note No contract will be considered if it is not accompanied by positive references or reports of supply receipts if it is made for a public or private authority in Kosovo or in another country, for proof, receipts or references (in the references the value should be specified) issued by such authority must be submitted. For references from private institutions, the original bank statement from the bank for the reference value presented must be proven. If the economic operator meets the requirement with only one or two years, it means that the EO has met the minimum requirement set out in the tender documents, a necessary and mandatory condition to qualify and that this EO must be considered as an EO eliminated by the CA since it does not have references. It is clearly specified in the Tender Dossier that no contract will be considered if it is not accompanied by positive references or reports/receipts of supplies. For contracts carried out for public or private authorities, inside or outside Kosova, receipts or references clearly stating the value of the contract, issued by the relevant authority, must be submitted. Given that the EO in question has not submitted references according to the above-mentioned requirements, it has not fulfilled the minimum qualification criteria and, as such, should be considered irresponsible and eliminated by the Contracting Authority.

Response to the complaining claim of the complaining EO:

The review expert regarding the complaining claim of the complaining EO against the EO in question explains that, in the bid of the EO in question there is a list of completed and in-process contracts, along with the list there are some of the signed contracts which coincide with the

evidence in the list of contracts, receipts and purchase orders signed by the Contracting Authorities, however based on the evidence provided, the same has not provided evidence for all the listed contracts, and that the contracts which are in process cannot be calculated, therefore as such the EO in question has not fulfilled requirement no. 9 of the Tender Dossier. The complaining EO's claim is found to be sustainable.

Second claim:

The economic operator has not submitted attestations issued by an accredited laboratory and has not presented the laboratory accreditation certificate, as requested in the Tender Dossier.

Furthermore, product testing was not carried out according to the standards set out in the Tender Dossier, namely: • ISO 13934-1

- ISO 13937-1

- ISO 105-B04

Instead of test reports according to these standards, the economic operator has submitted only a description of the technical specifications, which does not constitute valid evidence of testing in accordance with the required international standards. More specifically, the Tender Dossier required the ISO 105-B04 standard (Color Fastness to Artificial Weathering - Xenon Arc with humidity and water spray). However, the economic operator has submitted a test report according to the ISO 105-B02 standard, which is not the same and does not replace the required ISO 105-B04 standard. Response to the complaining claim of the complaining EO:

Regarding the complaining claim of the complaining EO against the EO in question, the review expert

considers it grounded, due to the fact that, based on the certificate, the request in the DT was to be made according to the ISO 105-04 standard, while the EO in question has brought according to ISO 105-B02, which has differences because the standard offered by the EO ISO 105 B02 is used more for indoor environments, for other textiles, while the ISO standard requested by the CA is precisely used for work uniforms and outdoor environments, therefore it is considered that it has not met the standard.

Third claim:

From the examination of the submitted sample, the following discrepancies were found: Side pocket - In the Tender Dossier, the height was requested to be 20 cm, while the EO offered 17 cm. The width was requested to be 10 cm, while the EO offered 15 cm. These deviations represent clear inconsistencies with the technical specifications set out in the Tender Dossier.

Based on the lack of required references, the lack of certificates from an accredited laboratory, the lack of testing according to the required standards and the technical inconsistencies found in the samples, the Economic Operator Fitim R. Bilalli B.I. should be considered irresponsible and eliminated from the procurement procedure, as it has not met the criteria set out in the Tender Dossier. Response to the complaining claim of the complaining EO: Regarding the complaining

claim of the complaining EO against the EO in question, which considers that the samples regarding the pockets have deviations, the review expert considers it as partially grounded, due to the fact that, regarding the samples and specifications required by the CA in Annex 1, the technical specifications regarding the pockets have left a tolerance of +/- 2 cm, however, in the clarifications of the requests from the economic operators, it has explained that they are not absolute dimensional requirements. Complaint claims of the complaining EO against EO Sodex Group SHPK:

First claim:

The economic operator has not submitted attestations issued by an accredited laboratory and has not presented the laboratory accreditation certificate, as requested in the Tender Dossier. Furthermore, the product tests have not been carried out according to the standards set out in the Tender Dossier, namely: • ISO 13934-1

- ISO 13937-1
- ISO 105-B04

Instead of test reports according to these standards, the economic operator has only submitted a description of the technical specifications, which does not constitute valid evidence of testing in accordance with the required international standards. More specifically, the Tender Dossier required the ISO 105-B04 standard (Color Fastness to Artificial Weathering - Xenon Arc with humidity and water spray). However, the economic operator has submitted a test report according to the ISO 105-B02 standard, which is not the same and does not replace the requested ISO 105-B04 standard.

Response to the complaining claim of the complaining EO:

The review expert regarding the complaining claim of the complaining EO against the EO Sodex SHPK clarifies that, in the bid of the EO in question, there is a Test Report which results that regarding the specification

Colour Fastness To Light is according to the ISO 105-B02:2024 standard, while in the Tender Dossier it is requested according to the ISO 105-B04 standard, and as such these two standards have differences for the reason that the standard offered by the EO ISO 105 B02 is used more for indoor environments, for other textiles, while the ISO standard requested by the CA is precisely used for work uniforms and in outdoor environments, therefore it is considered that it has not met the standard.

Grounded claim.

Second claim:

In the request for the tender dossier of technical and professional requirements 9.1&9.2 of Evidence no. 15

it was requested that the EO must submit certificates from an accredited laboratory for the products offered according to DT. While the EO has submitted certificates without the name of

the EO that sent the vest without the laboratory accreditation number, the certificates do not match the laboratory accreditation certificate, which we consider to be completely manipulated, these certificates have been withdrawn/downloaded from the internet. Also, the laboratory certificate and the certificates are out of date and do not match each other.

Response to the complaining claim of the complaining EO:

Regarding the second claim of the complaining EO against the EO in question, the review expert clarifies, in the test report offer provided by the EO is sent by the manufacturer on 15/08/2025, the Authorization from the manufacturer for EO Sodex SHPK is on 14/11/2025 on behalf of the project in question.

While in the Certificate there is no note or information regarding accreditation. Therefore, the claim of the complaining EO is found to be sustainable.

Complaining claims of the complaining EO against the EO PI ER TECHNICAL Kft Branch in Kosova:

First claim:

Regarding the claim for the company PI ER TECHNICAL Kft Branch in Kosova, all reasons for elimination presented by the CA in B58 stand. Moreover, an additional reason that we have noticed is that this EO does not possess valid references. Given that in this procedure the branch in Kosovo has competed as a separate entity, and not the head office in Hungary, then the references must be made by the branch in Kosova. It is not acceptable to submit the Registration Certificate in Kosovo, while the references must be issued or made by the head office in Hungary. The references must prove the concrete experience of the legal entity that has applied, namely the branch in Kosova.

Response to the complaining claim of the complaining EO:

The review expert regarding the complaining claims of the complaining EO against the EO PI ER TECHNICAL Kft Branch in Kosova clarifies that, as for the EO in question, the same is eliminated by the CA due to failure to fulfill the request for clarification, and incomplete response. While related to the contestation of the references which are from the sister company in Hungary, the review expert after analyzing the bid clarifies that, the complaining EO's claim is found to be sustainable, due to the fact that, the EO in question has attached to the list a project worth over 2 million, but this contract is concluded by the company PI ER Technical Hungary, the claim is found to be grounded.

Claims 7,8,9 of the complaint of the complaining EO against the CA:

The review expert regarding the complaining claims of the complaining EO against the assessment of the CA clarifies that, the complaining EO has offered the bid within the estimated value of the CA, regarding the decision on the rejection of the request for review, the CA violates Article 108/A par. 12, due to the fact that it has not justified and reviewed the complaining claims of the complaining EO. Therefore, the claim of the complaining EO is found to be sustainable.

In conclusion:

Regarding the complaint filed by the complaining EO, the review expert explains that, the same complaint has attacked the economic operators as:

- Recommended EO SSI LOG L.L.C
- Group EO Hasan Gjesha and Ozyigit Textile Makine Gida Turizm Insaat Ve Petrol Urunleri Paz San Ve Tic LTD. Sti
- Group EO ECO Clean Corporation SHPK
- EO Fitim R. Bilalli B.I:
- EO Sodex Group SHPK:
- EO PI ER TECHNICAL Kft Branch in Kosovo:

Which complaint claims are reviewed and explained above in the report, according to which it results that the procurement activity is recommended to be returned for re-evaluation.

However, it is worth noting that, the complaining EO in the complaint has attacked each of these operators also in relation to the samples provided, which samples the reviewing expert did not consider it necessary to verify by her because, based on the case documents documented in E-procurement, the CA in the tender dossier respectively in Complaint 1 technical specifications has requested:

Tactical Assault Panel should meet the following criteria:

- The dimensions of the system is: Length: 80cm ( $\pm 2$ cm)

Height: on both ends 20cm ( $\pm 2$ cm) the middle 25cm ( $\pm 2$ cm).

The total tolerance  $\pm 2$  cm refers to the overall dimensions of the vest.

- For external pockets, a uniform tolerance of  $\pm 2.5$ mm is applied for the main dimensions (length/width). Depending on the type of pocket, the tolerance can be: +- 2-3mm (Magazines), +- 4-5mm (radio/large GP), while the dimensions of the pockets cannot exceed the difference of +- 5mm.
- For magazine pockets, the measurement is made only on the body of the pocket (without the lid) with the pocket stretched out and without load, while for additional pockets (additional pouches) the lid is also measured.

While during the clarifications and responses to the interested economic operators, the CA has given these responses:

In the first response dated 15/08/2025, it has given this clarification:

While on 24/11/2025 the CA has given this response:

And consequently, according to the responses of the CA, the clarifications conflict with the requirements in Complaint 1 the technical specifications, therefore as such the review expert recommends that the dimensions be clarified and in the re-evaluation they be verified by a professional commission according to the requirements of the tender dossier.

Regarding the claims of EO Fitim R. Bilalli B.I., the review expert through report no. 2026/0141 has assessed as follows:

Response to the complaint claims. The review expert, after analyzing the complaint claims and the relevant documentation of the procurement procedure, assesses that the responsibility for the process of evaluation, examination and comparison is at the direct discretion of the

Commission for the Evaluation of Bids and the Contracting Authority.

In this context, it is emphasized that the Contracting Authority has established the Evaluation Commission in accordance with the relevant provisions of the Law on Public Procurement, and in accordance with Article 59 of the LPP, the evaluation, examination and comparison of bids are the exclusive competence and responsibility of this commission, as well as of the Contracting Authority itself.

From the examination of the composition of the Evaluation Committee, it results that two of its members were representatives of the requesting/using unit of the product in question. This fact implies that the evaluation was also carried out with the participation of persons who possess technical and practical knowledge of the nature and specifics of the requested product, increasing the level of professional and institutional responsibility of the committee in making the decision.

Consequently, this complaint claim is assessed as unfounded. Furthermore, the review expert emphasizes that on 18.03.2026 he visited the premises of the Contracting Authority, in order to view the samples submitted by the economic operators within the framework of this procurement procedure. Based on these findings, it is assessed that the complaint claims are not based on the factual situation verified during the direct examination of the samples.

Samples of the Economic Operator recommended for the contract

Regarding the complaining claim raised for the Economic Operator “Hasan Gjesha B.I”, which was declared unsuccessful by the Contracting Authority, the review expert assesses that the position remains the same as justified above for this Economic Operator recommended for the contract.

In this regard, it is emphasized that the evaluation process was conducted in accordance with the legal provisions in force, and the responsibility for the evaluation, examination and comparison of the offers lies with the Evaluation Commission and the Contracting Authority. Furthermore, to support the factual findings, the review expert attaches to this report the photographs taken during the visit to the Contracting Authority (dated 18.03.2026), which reflect the condition of the samples examined. This visual evidence serves as additional support for the evaluation made and confirms the findings established during the direct inspection. Consequently, the complaint claim in this part is assessed as unfounded.

As for the complaining claims for the economic operator “Pier Technica”, we clarify as follows:

Regarding the complaint claim related to the samples, in the capacity of the review expert

I emphasize that on 18.03.2026 I carried out an official visit for the physical verification of the samples at the Contracting Authority. During this visit, the submitted samples were presented to me by the responsible officials, in which case it was noted that the same were not submitted in accordance with the requirements set out in the Tender Dossier, respectively in Annex 1.

For this we have clarified, there is also material evidence (photographs) obtained during the process of verification of the samples submitted by the Economic Operator. Consequently, based on these factual findings and the non-compliance with the requirements of the tender documentation, this complaint claim as such is well-founded.

As for the part where a complaint claim has been raised against the economic operator “Every Day KTM Sh.P.K.”, it is assessed that this claim is well-founded. However, since this operator has not filed a complaint at this stage of the procedure, it is not considered a party with a legal and material interest in this procedure. Consequently, this claim is not considered for further consideration.

Regarding the claims of EO PI ER TECHNICAL Kft Branch in Kosovo., the review expert through report no. 2026/0144 has assessed as follows:

Response to the claims. The review expert gives his opinion regarding the complaint claim, after having carefully administered and reviewed the documents related to the facts and arguments in the electronic e-procurement platform, based on the complaint claim raised for the Economic Operator, EO, PI ER TECHNICAL Kft Branch in Kosovo, Prishtina and related to DT/FDT, Requirements on technical and/or professional capabilities Requirement 15. EO must submit certificates from an accredited laboratory for the products offered according to DT Evidence 15. Certificate of Product Certificates

Regarding this complaint claim, which is related to the aforementioned request for the tests of “Tecnokeks”, we clarify that the complaining Economic Operator has submitted the relevant tests and the same possesses them. This finding is based on the documentation uploaded to the electronic procurement system, from which it results that the submitted evidence is in accordance with the request in question. While regarding the request of the Contracting Authority to contact the laboratory “WOOL RESEARCH ASSOCIATION - TEXTILE LAB”, as a review expert I find that the complaining Economic Operator itself has admitted that no response has been received from the laboratory in question; In this context, based on Article 52 of the Law on Public Procurement, according to which the Contracting Authority, in case of doubt regarding any information submitted by the economic operator, is authorized and obliged to carry out an effective verification of the information and tender documentation, it is assessed that the actions taken by the Contracting Authority are in accordance with the legal framework in force and within its legal competences. Therefore, this complaint claim is partially sustainable.

Regarding the complaint allegation related to the samples, in the capacity of the review expert, I emphasize that on 18.03.2026 I carried out an official visit for the physical verification of the

samples at the Contracting Authority. During this visit, the responsible officials presented the submitted samples to me, whereby it was noted that they were not submitted in accordance with the requirements set out in the Tender Dossier, namely Annex 1. For what we said above, there is also material evidence (photographs) taken during the viewing of the samples submitted by the complaining Economic Operator. Consequently, based on these factual findings and the non-compliance with the requirements of the tender documentation, this complaint allegation does not find legal support and as such is rejected as unfounded. Photo taken during the visit

The review expert gives his opinion regarding the complaint claim, after having carefully administered and reviewed the documents related to the facts and arguments in the electronic e-procurement platform, based on the complaint claim raised against the Economic Operator, EO, SSI LOG L.L.C, Prishtina and related to DT/FDT, Requirements on technical and/or professional capabilities Requirement 9, The economic operator must provide evidence that it has successfully completed (v.j. not in progress) contracts of the same or similar nature during the last 3 (three) years (from the date of publication of the contract notice), with no less than; 500,000.00 €.

Evidence 9. The EO must provide evidence a). List of contracts executed during the last three years (from the date of publication of this contract notice) signed and stamped by the EO. b).

References or technical acceptance sheets in copies signed and stamped by the relevant Authority which must indicate the procurement or contract number, the contract value, the date of signing of the contract, and the place of execution.

Note No contract will be considered if it is not accompanied by positive references or reports of supply acceptance sheets if it was made for a public or private authority in Kosovo or in another country, for evidence, receipts or references (in the references the value should be specified) issued by such authority must be submitted. For references from private institutions, the original bank statement from the bank for the reference value presented must be provided. If the Economic Operator meets the requirement with only one or two years, it means that the EO has met the minimum requirement set out in the tender documents, a necessary and mandatory condition for qualification. It is further clarified that the Economic Operator recommended for the contract, within the framework of its tender dossier, has submitted the list of contracts carried out, accompanied by the relevant references.

Initially, it is emphasized that the examination, comparison and evaluation of the offers, in accordance with Article 59 of the Law on Public Procurement (LPP), are at the full discretion and direct responsibility of the Evaluation Committee, respectively the Contracting Authority. Consequently, the responsibility for the evaluation and the respective findings falls on the Evaluation Committee and the Contracting Authority, within the framework of their institutional and professional responsibility.

However, from the review of the documentation submitted by the Economic Operator in question, it results that the same has submitted references that are mainly related to supplies. In this context, it should be emphasized that the Contracting Authority, in the requirements set out

in the tender dossier, has not made a clear and restrictive specification regarding the nature of the requested contracts, but has also left open the possibility of submitting “similar” contracts.

Consequently, since the notion of “similar” has not been defined in a precise and restrictive manner by the Contracting Authority itself, the assessment of the compatibility of the references submitted by the Economic Operator remains a matter of professional assessment by the Evaluation Committee. In this specific case, the Economic Operator recommended for the contract has submitted references also related to supplies, which have been considered acceptable by the relevant Committee. In conclusion, any interpretation regarding the fulfillment of this criterion and any decision-making on the acceptability of the submitted references falls within the full competence and responsibility of the Evaluation Committee and the Contracting Authority, since the latter have drafted the criteria and have made the assessment in accordance with them. Therefore, this complaint is unfounded.

Regarding request no. 14 of the Tender Dossier Form (TDF), we note that the Economic Operator in its bid, respectively in file no. 5, has submitted the signed document in accordance with the request set by the Contracting Authority. The review expert assesses that the complaint regarding the failure to submit the user manual by the recommended Economic Operator is partially founded, given that the offered product, respectively the presented sample, results to be in accordance with the requirements of the Tender Dossier. At the same time, it results from the content of the requirements that the user manual is expected to be submitted at the final supply stage, therefore its absence at the bidding stage does not constitute a fundamental non-compliance.

#### -Findings of the Review Panel -

The Review Panel, after reviewing and analyzing all documentation on the e-procurement platform, complaint claims, and responses provided by the expert on the matter engaged by the PRB, considers that the expert reports contain a priori the essential elements of such a document as provided for by the provision of Article 113 in conjunction with Article 114 of the LPP, according to which the provision requires the expert to review all procurement documentation, including all complaint claims, and to provide the panel and all parties with an independent and professional assessment of the procurement activity and the validity of the complaint claims. However, it should be noted that the expert report is not binding on the Review Panel and that any such report is assessed and/or analyzed in the overall context of the case file, the alleged facts and any other evidence, taking into account the nature of the possible violations, the course, nature and purpose of the procurement activity. Therefore, the fact in which cases and for what, the Panel relies or not, on any 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 conjunction with Article 105 of the LPP.

Based on the documents of this case and the primary purpose of the complaint, the Panel considered that regarding the issue in the concrete case, the submissions of the parties and their actions constitute a sufficient basis to decide on the merits. In this case, the Review Panel based

its findings mainly on the relevant provisions of the LPP, which foresee and regulate such situations, which may arise during a procurement activity, as in this case.

The Review Panel, having analyzed the documents of this case and the actions taken by the parties, their statements and the evidence administered during the course of this procurement activity, as well as from the hearing of the parties present at the hearing session on 17.04.2026, where from the 04 expert reports received, and from the two different review experts whose findings, as in the expert report and recommendations, are different, the Review Panel, after hearing the parties and examining the evidence, has created its independent and established conviction regarding the complaints received.

Regarding the complaint claims regarding the list of successfully completed contracts ( references) for which the Chairperson of the PSH in the hearing session asked the experts which supplies she considers to be the same or of a similar nature as requested in the requirements of the Contract Notice and Tender Dossier, the review expert Mr. Hoxha stated "

Now, in the part of supplies, everything that is a supply is considered a supply; there were contracts with containers, but there was also a supply with various textiles. However, for the PSH as well as the interpretation of the PPRC dated 11. 09.06.2023 are cited " The term "similar" has the meaning of supplies, services, works similar to what is requested in the Tender Dossier and in the Contract Notice. In this case, the codes set out in the FPP, where 8,323 FPP codes are currently published on the Electronic Public Procurement Platform, can also serve as a good guide for determining supplies, services or similar works, where according to the code set in the DT it is 28633200-0, (which according to the electronic platform appears "at the beginning of the textile and, "everywhere in the text"), a code that refers specifically to textiles and cannot accept any type of supplies as the expert stated in the hearing, therefore according to the request submitted by the CA in the Contract Notice where it is cited "III.2.4) Technical and professional capacity: Required documentary evidence: Requirement 9 The economic operator must provide evidence that it has successfully completed (i.e. not in progress) contracts of the same or similar nature during the last 3 (three) years (from the date of publication of the contract notice), with a value of not less than; €500,000.00, the CA must, during the evaluation of the bids, adhere to the requirements it has set, where only supplies of the relevant code according to the FPP or those that have technical similarities with textiles can be recognized as valid experience. Whereas, regarding the products offered according to ISO standards, during the hearing session where the question posed by the expert Mr. Hoxha regarding the ISO standard certificates, regarding the references with no.: 105-B04 and 105-B02, whether they are equivalent?, while the answer was "Regarding the ISO standards, the recommended EO has submitted an ISO standard that may be equivalent, and without offering any conclusion as to where their equivalence exists, but only with the answer that yes they may be.

While the review expert Ms. Huruglica according to the expertise report with no: 2026/0136, unlike the expert Mr. Hoxha regarding the list of contracts of the recommended EO for which there was a complaint claim, she stated that the list has attached supplies that are not of the same or similar nature, thus offering as an example baby boxes and others and that it does not meet the required value according to the NJK and DT of not less than; € 500,000.00. While regarding ISO

standards 105-B04 and 105-B02, she stated that the complaining EO has also submitted complaint claims for the sample testing report, for which the color was requested to be tested according to ISO standard 105-B04. This standard differs from ISO 105-B02, due to the fact that the requested ISO standard is related to testing the material in the external environment against sunlight, humidity, etc., while ISO standard 105-B02 is related to testing the internal material against artificial light. I am also presenting the manual for the two ISO standards and, as such, since the vests are more for external use, also taking into account that the CA's request was precisely this request, then I have approved the complaining claim of the complaining EO as well-founded. While the PSH, appreciates the fact that since the CA has specifically requested the ISO 105-B04 standard due to the destination of the product, the Panel considers that priority should be given to the requirement itself specified in the Tender Dossier where it is known that this standard remains the basic evaluation criterion, therefore any evaluation of the bids must be made in full compliance with the technical specifications that the CA has considered necessary for this supply.

Regarding the complaint claims regarding the submitted samples regarding the content of the material, the contracting authority may conduct testing of all samples in a certified laboratory that meets all the requirements for the standards required under the DT. The Review Panel, after reviewing the expert reports, the statements of the parties in the hearing, as well as analyzing the case documentation, assesses that the reports of the review expert of Mr. Hoxha that support the unargued equivalence cannot be taken as a basis for decision-making, based on the evidence administered as described above. The PSH has decided that the EO Hasan Gjeshja B.I., with no. 2026/0132, dated 05.03.2026, EO Fitim R. Bilalli B.I., with no. 2026/0141 dated 07.03.2026, as well as the complaint of EO PI ER TECHNICAL Kft Branch in Kosovo., with no. 2026/0144 dated 09.03.2026 should be approved as partially grounded.

The Review Panel, after reviewing all facts and arguments, has concluded that the CA during the development of this procurement activity has not respected the legal provisions of the LPP, so it orders the CA that during the re-evaluation of this procurement activity, it fully adheres to the legal provisions of the LPP.

Consequently, the Review Panel, in support of Article 1 and 7 of the LPP, has decided to annul the B58 Notice on the decision of the CA, by the Contracting Authority - MINISTRY OF DEFENCE, regarding the procurement activity with "Retender - Supply of tactical vest - SUFSK 1001 for the needs of the KSF" with no. of procurement: "217-25-5993-1-1-1, to return the case for re-evaluation, requesting from the CA that during the re-evaluation of the bids it is obliged to fully comply with the legal provisions of the LPP, as well as the requirements of the NU and DT, as well as the mandatory technical specifications according to Annex-1 of the DT, as provided for in Article 51 and 52 of the LPP. The Review Panel has decided in accordance with the legal powers 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 provide for and regulate such situations, which may arise during a procurement activity.

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

**President of the Review Panel**

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**Mrs. Batisha Ibrahim**

**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 DEFENSE;**

1x1 EO – **Hasan Gjesha B.I., RUNWAY SH.P.K., Fitim R. Bilalli B.I., PI ER TECHNICAL Kft Branch in Kosova;**

1x1 Archive of the PRB