

CONTRACT NOTICE

WORKS

SUPPLIES

SERVICES

According to Article 40 of Law No. 04/L-042 on Public Procurement of the Republic of Kosovo, amended and supplemented with the law No. 04/L-237, law No. 05/L-068 and law No.05/L-092

Date of the preparation of the Notice: 08.08.2018

Procurement No	239-18-5816-2-1-1
Internal No	239-18-020-211

This notice has been prepared in the LANGUAGES:

Albanian



Serbian



English



SECTION I: CONTRACTING AUTHORITY

I.1) NAME AND ADDRESS OF THE CONTRACTING AUTHORITY (CA)

Official name: AGJENCIA KOSOVARE E PRIVATIZIMIT		
Postal address: Ilir KONUSHEVCI 8		
Town: PRISHTINË	Postal code: -	Country: Kosovo
Contact point(s): Marjan Perlaska dhe Vjollca Aliu		Telephone: 038 500 400 – lokali1107;1053
Email: marjan.perlaska@pak-ks.org vjollca.aliu@pak-ks.org		Fax: 038 248 074
Internet address (if applicable): www.pak-ks.org		

Yes No

The contract covers joint procurement

The contract is awarded by Central Procurement Agency

Yes No

If yes, specify the identities of all Contracting Authorities entitled to Call-off under the terms of the contract or refer to an Annex:

SECTION II: OBJECT OF THE CONTRACT

II.1) DESCRIPTION

II.1.1) Contract title attributed by the contracting authority: Contracting Professional Service Provider (PSP) for the liquidation process for all SOE's/Assets under PAK Administration"		
II.1.2) Type of contract and location of works, place of delivery or of performance <i>(Choose one category only - works, supplies or services - which corresponds to the main part of the specific object of your contract)</i>		
<input type="checkbox"/> Works	<input type="checkbox"/> Supplies	<input checked="" type="checkbox"/> Services
<input type="checkbox"/> Execution <input type="checkbox"/> Design and execution <input type="checkbox"/> Realisation, by whatever means, of work, corresponding to the requirements	<input type="checkbox"/> Purchase <input type="checkbox"/> Lease <input type="checkbox"/> Rental <input type="checkbox"/> Hire purchase <input type="checkbox"/> A combination of these	
Main site or location of works or main place of delivery or main place of performance PAK Headquarters, Liquidation Department		
II.1.3) The notice involves The establishment of framework agreement <input type="checkbox"/>		
II.1.4) Information on framework agreement (if applicable): Framework agreement with single operator <input type="checkbox"/> Framework agreement with several operators <input type="checkbox"/> Execution of the Contract: Call offs/Place Orders <input type="checkbox"/> Subsidiary Contracts/Mini-competition <input type="checkbox"/>		
Duration of framework agreement: in months		
II.1.5) Short description of the object of the contract The aim of contracting Professional Service Provider (PSP) as defined with the Law No. 04/L-034, respectively Article 2.1, 2.4 and 2.5 is the liquidation of all SOE's/Assets under PAK administration (this contract does not include SOE's/Assets to be liquidated by PAK and assets of Trepça Units).		

Pursuant to Annex to the Law respectively Article 13, the Agency shall appoint the Liquidation Authority from PSP ranks and PAK Case Officers who will be professionals that meet legal criteria in accordance with the annex to PAK Law as stipulated in Article 14 and 15 and in conformity to Operational Policy of the Agency.

As part of the liquidation process, PSP will be engaged with the closure of liquidation cases which will allow distribution of funds to legitimate creditors, whereas “Surplus Funds”, “Residue Funds” and “Temporary Funds” from the liquidation will be transferred to the Consolidated Fund of the Republic of Kosovo.

II.1.6) Common Procurement Vocabulary classification (CPV)
74110000-3

II.1.7) Variants are accepted

Yes No

II.1.8) Division into lots

Yes No

If yes, tenders may be submitted for (tick one box only)

one lot only all lots

II.1.9) Information about lots (if applicable)

Lot no	Lot title	Short description

The maximum number of Lots that may be awarded to one Economic Operator is:

II.1.10) Estimated contract value: 4,000,000.00

II.2) QUANTITY OR SCOPE OF THE CONTRACT

Total quantity or scope (including all lots and options if applicable)

The aim of this contract is closure of already commenced 474 liquidations for which PSP shall be responsible as well as to undertake necessary actions to close the entire liquidation process for the remaining SOE's/Assets (60-80) as well as those that will be identified during the process and whose status of SOE/AC or Asset will be confirmed by the Board. PAK has appointed Liquidation Authorities for 39 SOE's that are not the responsibility of the PSP.

Upon providing aforementioned services, the Contractor will provide executive management in all aspects and processes of the liquidation procedures and it will:

- Review all creditor claims submitted by various claimants for enterprises and respective assets and shall issue meritorious decisions regarding their approval or rejection;
- Provide legal expertise to follow and defend before competent courts cases that arise from decisions on creditor claims in the liquidation process;

- Prepare reports for PAK Board of Directors regarding preliminary distribution, final distribution of liquidation trust funds for all SOE's/Assets under the administration of the agency;
- Prepare reports for Courts in compliance with the PAK Law and SCSC Law;
- Conduct affairs with the overall aim of closing liquidation of all SOE's/Assets as soon as possible.

II.3) DURATION OF THE CONTRACT OR TIME LIMITS FOR COMPLETION

Duration in months **60** or days (from the award of the contract)
 or
 Starting
 Completion

SECTION III: LEGAL, ECONOMIC, FINANCIAL AND TECHNICAL INFORMATION

III.1) CONDITIONS RELATING TO THE CONTRACT

III.1.1) Performance security required

Yes No

If yes, amount of performance security EUR or **10% of contract value for the period of 61 months** % of contract value.

III.1.2) Legal form to be taken by grouping of economic operators to whom the contract is to be awarded (if applicable)

III.1.3) Other particular conditions to which performance of the contract is subject

Yes No

If yes, description of particular conditions

III.2) CONDITIONS FOR PARTICIPATION

III.2.1) Eligibility Requirements:

Documentary evidence required:

1.Economic operator should fulfil requirements specified in article 65 of the Law on Public Procurement (LPP), Law no. 04/L-42 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 LPP can be downloaded at web page: Krpp.rks-gov.net

1.A statement under oath which is signed by the bidder while using the method specified in tender dossier.

2.Certificate issued by Tax Administration of the country of establishment of economic operator, proving that economic operator in question is not delinquent in payment of taxes at least until the last trimester before the date of publishing Contract Award Notice (applicable for the contracting company)

2.It shall be proven by TAK certificate

3.Certificate from the Court proving that EO was not found guilty in accordance with article 65 of LPP (applicable for the contracting company)	3.It shall be proven by Court Certificate
III.2.2) Professional Suitability: 1.Business registration certificate, along with description of primary and secondary activities of the company. 2.VAT registration Certificate 3.Fiscal Number Registration Certificate	<i>Documentary evidence required:</i> 1.It shall be proven by Copy of certificate 2.It shall be proven by Copy of certificate 3.It shall be proven by Copy of certificate
III.2.3) Economic and financial capacity 1.The tenderer must have a total turnover of € 10,000,000.00 (ten million euros) in the last three years from the date of publication of the contract notice 2.The Tenderer must provide evidence of the completed contracts of relevant services realized in the last three (3) years from the date of publication of the contract notice in the amount of not less than 6,000,000.00 €	<i>Documentary evidence required:</i> 1.It shall be proven by bank statements or financial statements published 2.It shall be proven with the list of previous contracts specifying the services rendered of this nature, the amount of contracts and the date of the contracts. This list should be attached as evidence (i) When the service is done to a public authority in Kosovo or in a country another, for the proof of this service serves a copy of the relevant certificate (certificate / acceptance / reference) issued or co-signed by such authority. All these evidence must have the value realized. (ii) When the service is provided to a private operator for proof of this service serves as a copy of any signed document
III.2.4) Technical and professional capacity 1.The project manager must have at least 10 years of high-level management experience in specific areas or equivalent tasks with detailed work knowledge on the areas related to the task. 2.A major insolvency expert (preferably with accounting knowledge), 3.A Chief Advisor on Judicial Matters	<i>Documentary evidence required:</i> 1.It shall be proven with the list of professional and educational qualifications and CVs or contracts 2.It shall be proven with the list of professional and educational qualifications and CVs or contracts 3.It shall be proved with the list of professional and educational qualifications and CVs or contracts

III.3) CONDITIONS SPECIFIC TO SERVICE CONTRACTS

Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> III.3.1) Execution of services is reserved to a particular profession <i>If yes, reference to the relevant law, regulation or administrative provision</i>

<p>III.3.2) Legal persons should indicate the names and professional qualifications of the staff responsible for the execution of the service</p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>

SECTION IV: PROCEDURE

IV.1) TYPE OF PROCEDURE

IV.1.1) Type of Procedure	
<input checked="" type="checkbox"/> Open	
<input type="checkbox"/> Restricted	
<input type="checkbox"/> Competitive Negotiated	
<input type="checkbox"/> Price Quotation	
IV.1.2) Limitations on the number of the operators who will be invited to tender (<i>restricted or competitive negotiated procedure</i>)	
<p>On the basis of the applications received, at most 6 candidates will be invited to submit detailed tenders for this contract. If more than 6 eligible candidates meet the above selection criteria, the relative strengths and weaknesses of the applications of these candidates shall be re-examined to identify the six best applications for the tender procedure. The only factors which will be taken into consideration during this re-examination are:</p>	
IV.1.3) Reduction of number of the operators during the negotiations (<i>competitive negotiated procedure</i>)	
<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Conduct the negotiations in successive stages in order to reduce the number of the tenders</p> <p>The Contracting Authority will award the contract based on the initial</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>tenders without negotiations</p>	
IV.1.4) The minimal number of candidates that will be invited to submit the initial tenders is	
IV.1.5) Information about electronic auction	
<p>Electronic auction will be used: Po <input type="checkbox"/> Jo <input checked="" type="checkbox"/></p> <p>Additional information about electronic auction:</p>	

IV.2) AWARD CRITERIA

<p><input checked="" type="checkbox"/> Lowest price</p> <p><i>or</i></p> <p><input type="checkbox"/> The most economically advantageous tender in terms of</p>

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IV.3) ADMINISTRATIVE INFORMATION

IV.3.1) Previous publications concerning the same contract Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <i>If yes,</i> Prior Indicative Notice: of Other publications (<i>if applicable</i>): of of
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Payable documents <i>If yes,</i> price EUR Terms and method of payment:
IV.3.2) Time limit for receipt of tenders / applications: <i>date 11.09.2018 time 14:00:00 place Agim Ramadani Str. no.23 office no. 52a Prishtina</i>
IV.3.3) Time limits is shortened for submission of tenders / applications: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <i>If yes, provide justification: The existing contract annex as part of the basic contract expired on August 7, 2018. The tender could not be initiated in due time as it envisaged the deadlines for high value tenders and could not have been included in the final procurement planning due to the lack of to the Board of Directors of PAK for a period of six months which is the competent body for the establishment of this process. Therefore, due to the urgency that is created and the great importance of not having much vacuum in performing the duties of the professional service provider, the tender deadline is cut from 40 to 33 days, considering that the cut-off time will not affect the preparation of bids but will be a sufficient deadline for all interested bidders</i>
IV.3.4) Is tender security needed: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <i>If yes,</i> the value of tender security 120.000,00 Validity of tender security in days 120 or months
IV.3.5) Tender validity period: Until: date: days 90 or months
IV.3.6) Tender opening meeting: <i>date 11.09.2018 time 14:00:00 place Agim Ramadani Str. no.23 office no. 52a Prishtina</i>

SECTION V: COMPLEMENTARY INFORMATION

V.1) COMPLAINTS

Any interested party may file a complaint with the Contracting Authority according to article 108/A of the Law No. No. 04/L-042 on Public Procurement of the Republic of Kosovo, amended and supplemented with the law No. 04/L-237, law No. 05/L-068 and law

No.05/L-092, at the address specified in Section I of this Contract notice.

V.2) ADDITIONAL INFORMATION

Note: Economic operators will be entitled to submit a tender, request to participate and other documents required or permitted to be filed during the conduct of a procurement activity in Albanian, Serbian or English.

Add other information: [such as pre-bid conference, site visit etc]