



## CONTRACT NOTICE 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: 04/05/2016**

<b>Procurement No</b>	<b>239</b>	<b>16</b>	<b>017</b>	<b>211</b>
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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)

<b>Official name:</b> Privatisation Agency of Kosovo (PAK)		
<b>Postal address:</b> Str. Agim Ramadani no.23		
Town: Prishtina	Postal code:10000	Country: Republic of Kosovo
<b>Contact point(s):</b> Merita Zekaj and Marjan Perlaska		Telephone: 500 400 – ext: 1049,1107
Email: <a href="mailto:merita.zekaj@pak-ks.org">merita.zekaj@pak-ks.org</a> <a href="mailto:marjan.perlaska@pak-ks.org">marjan.perlaska@pak-ks.org</a>		Fax: 038 248 074
Internet address:		www.pak-ks.org

The contract covers joint procurement Yes  No

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 of a Company for provision of professional services for execution of Feasibility Study for Trepça with Strategic Orientation for its development”**

<b>II.1.2) Type of contract and location of works, place of delivery or of performance</b>		
<input type="checkbox"/> <b>Works</b>	<input type="checkbox"/> <b>Supplies</b>	<input checked="" type="checkbox"/> <b>Services</b>
<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	Contracting of a Company for provision of professional services for execution of Feasibility Study for Trepça with Strategic Orientation for its development
Main site or location of works _____ _____	Main place of delivery _____ _____	Main place of performance  PAK Headquarters, Trepça Reorganisation Unit, PAK
<b>II.1.3) The notice involves</b>		
The establishment of public framework contract		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>II.1.4) Information on framework agreement: N/A</b>		
<b>II.1.5) Short description of the object of the contract</b>		
Contracting of a company for provision of professional services for execution of Feasibility Study for Trepça with Strategic Orientation of its development, which shall involve:		
<ol style="list-style-type: none"> <li>1. <b><u>Brief description of Trepça enterprise</u></b></li> <li>2. <b><u>Administration of Trepça enterprise</u></b></li> <li>3. <b><u>Current status of Trepça enterprise</u></b></li> <li>4. <b><u>Projection for engagement of Professional Service Provider for execution of Feasibility Study,</u></b></li> <li>5. <b><u>Services required by Administrator</u></b> <ul style="list-style-type: none"> <li>• FEASIBILITY OF BASIC TREPÇA ACTIVITIES</li> <li>• STRATEGIC ORIENTATION FOR DEVELOPMENT OF TREPÇA WITH FOCUS IN PROCESSING OF METALS AND HIGH VALUE ADDED ACTIVITIES</li> <li>• CONCLUSIONS AND RECOMMENDATIONS</li> </ul> </li> </ol>		
<b>II.1.6) Common Procurement Vocabulary classification (CPV): 93</b>		
<b>II.1.7) Variants are accepted</b>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>II.1.8) Division into lots</b>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>II.1.9) In case of one or more Lots :N/A</b>		
<b>II.1.10) Information about lots: N/A</b>		
<b>II.1.11) Estimated contract value: 1.300,000.00 € (One million three hundred thousand Euro).</b>		

Standard Form – Contract Notice: “Contracting of a Company for provision of professional services for execution of Feasibility Study for Trepça with Strategic Orientation for its development”

## II.2) QUANTITY OR SCOPE OF THE CONTRACT

### **Total quantity or scope:**

#### **1. Brief description of Trepça enterprise**

“Trepça – Enterprise under PAK Administration” is a group of entities located mainly in the region of Mitrovica in Kosovo, and also with assets and branches located in different regions of Kosovo. In the past, it was one of the largest enterprises in Kosovo with over 20,000 employees in the course of one period. “Trepça – Enterprise under PAK Administration” has three main components: I) Mines and Flotations; II) Mitrovica Industrial Park; III) Foundry Complex in Zveçan. Furthermore, it carries out other activities arising from the above using lead, zinc, silver, etc, for final processing of these minerals and other materials. Currently, Trepça’s main business consists of four active mines located in Stantrg, Artana, Belo Brdo, and Crnac, and three operating flotations located in Tuneli i Parë, Kishnica, and Leposaviç.

#### **2. Administration of Trepça enterprise**

Because the enterprise, since 1999, could not operate under fully positive commercial conditions and to protect the assets of the Enterprise against creditor claims and allegations, and endeavours for materialisation of such claims, in 2006, KTA requested from SCSC to place the Enterprises under moratorium. The request was approved on 08 March 2006. Today, PAK exercises its authority as the Administrator of the Enterprise in accordance with the provisions of the Law on Reorganisation.

#### **3. Current status of Trepça enterprise**

Currently, the enterprise is under moratorium decision. In order to solve the problems of specific enterprises, such as the case with Trepça, the lawmaker issued the Law no. 04/L-035 on reorganisation of Certain Enterprises and their Assets; and the Law no. 05/L-008 on amending and supplementing law no. 04/L-035. In accordance with this law, Privatisation Agency of Kosovo has been designated as administrator of SOE “Trepça”. The scope of this law falls on Trepça enterprise, and as such, the law sets out strict procedures defining legal deadlines that the Administrator should undertake in order for revitalisation of Trepça enterprise, or otherwise the law also sets out liquidation of the enterprise.

#### **4. Projection for engagement of Professional Service Provider for execution of Feasibility Study**

With the aim to successfully accomplish the mandate of Administrator, PAK, in accordance with article 7.2 of the law on reorganisation, plans to engage a specialised company to support Administrator’s activities in the course of the process of reorganisation of this enterprise. PAK Board of Directors approved PAK Management’s request for initiation of procedures for preparation of the tender for engagement of a company for provision of professional services for execution of Feasibility Study for Trepça with Strategic Orientation for its development.

#### **5. Services requested by Administrator**

- **FEASIBILITY OF TREPÇA BASIC ACTIVITIES, based on**
  - Market analysis,
  - Technological aspects and human resources while specifically analysing
    - Raw material and supplies
    - Engineering and technology
    - Human Resources Planning for reorganization of Trepça
  - Restructuring and managing – including:
    - review of current legislation regarding Trepça activities
    - Alternatives for ownership structure
    - Organization and general expenditures
  - Overall and real analysis of the position/locations and environmental impacts
  - Project implementation
  - Financial analysis and investment assessment
  
- **STRATEGIC ORIENTATION FOR TREPÇA DEVELOPMENT WITH FOCUS ON METAL PROCESSING AND ACTIVITIES WITH HIGH ADDED VALUE, based on analysis that identify:**
  - Possible productions and services with higher added value;
  - Potential markets for products with higher added value;
  - Technological needs;
  - Investment volume;
  - Human resources and training needs;
  - Financial and investment (provisional) indicators;
  - Any other relevant aspect that should be considered during strategic orientation;
  
- **CONCLUSIONS AND RECOMMENDATIONS** with regard to main findings of the study while presenting:
  - Matrix of alternatives that is based on analysis with cost profit related to current products and products with higher added value as well;
  - Recommendations for current markets and orientations toward potential markets;
  - Recommendations for optimal technology solutions;
  - Recommendations for optimal ownership structures;
  - Recommendations for investment needs, based on possible investment approaches, starting from full capacity exploitation;
  - Recommendations for required legal amendments
  - Relevant recommendations that should be considered in decision-making in order to establish conditions and potentials for consistent business in Trepça Enterprise.

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

Duration in months: **4 months** from the contract signature

### **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: **10%** of contract value for the period of **5 months**

#### III.1.2) Legal form to be taken by grouping of economic operators to whom the contract is to be awarded: N/A

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

Yes  No

### III.2) CONDITIONS FOR PARTICIPATION

#### III.2.1) Eligibility Requirements:

##### Required documentary Evidence and Request:

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](http://Krpp.rks-gov.net)
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.
3. Certificate from the Court proving that EO was not found guilty in accordance with article 65 of LPP

##### Documentary evidence required:

1. A statement under oath which is signed by the bidder while using the method specified in tender dossier.
2. To prove it with TAK certificate
3. Court Certificate

Documents under 2 and 3 should be submitted only by the winning bidder before publishing contract award. In case of failure to submit such documents, their tender shall be rejected and CA shall proceed with the second winning bidder.

#### III.2.2) Professional Suitability:

##### Required documentary Evidence and Request:

1. Business registration certificate, along with description of primary and secondary activities of the company.
2. VAT registration Certificate
3. Fiscal Number Registration Certificate

##### Documentary evidence required:

1. Copy of certificate
2. Copy of certificate
3. Copy of certificate

### III.2.3) Financial and economic capacity

#### Request

- 1 The tenderer shall have general turnover at the amount of € **2.000,000.00** (two million Euros) cumulative for three last years: (2013, 2014 and 2015).
- 2 Tenderer shall have at least two projects of feasibility study in the field of reorganization and restructuring of at least two individual enterprises profolized in the industry of mines and metals during 10 last years.

#### Documentary evidence required:

1. It shall be proven with bank reports or published financial statements;
2. It shall be proven with the list of previous contracts by specifying the realized services regarding the feasibility study in the field of reorganization and restructuring of enterprises, the amount of contracts and date of contract.

### III.2.4) Technical and Professional capacity Requests:

1. Project manager shall have at least 5 years of experience in the management of projects of feasibility study in reorganization, restructuring and revitalization of the enterprises in the field of mines and metals industry.
2. Professional capacity at least:
  - a) One research expert or market analyst,
  - b) One expert in the logistics field and the management of stocks,
  - c) One expert in the field of engineering and processing technology,
  - d) One expert in the field of human resources and social aspects,
  - e) One legal expert on commercial matters,
  - f) One legal expert in the field of property,
  - g) One expert in the field of environmental treatment,
  - i) Two experts for financial analysis of enterprises / evaluation of investments;

#### Documentary evidence required

1. It shall be proved with CV, contracts or references;
2. Under **a,b,c,d,e,f,g,i** The experience shall be proved in adequate fields with CV or with contracts or references.

### III.3) CONDITIONS SPECIFIC TO SERVICE CONTRACTS

III.3.1) Execution of services is reserved to a particular profession Yes  No

III.3.2) Legal persons should indicate the names and professional qualifications of the staff responsible for the execution of the service Yes  No

### NENI IV: PROCEDURE

#### IV.1) TYPE OF PROCEDURE

##### IV.1.1) Type of procedure

Open

**IV.1.2) Limitations on the number of operators who will be invited to tender:**N/A

**IV.1.3) Reduction of number of the operators during the negotiations:** N/A

**IV.1.4) The minimal number of candidates that will be invited to submit:** N/A

#### **IV.2) AWARD CRITERIA**

**Lowest price**

#### **IV.3) ADMINISTRATIVE INFORMATION**

**IV.3.1) Previous publications concerning the same contract**

Yes  No

**IV.3.2) Conditions for obtaining tender dossier**

Time limit for receipt of requests for tender dossier: **30.05.2016**

**Payable documents** Yes  No

**IV.3.3) Time limit for receipt of tenders:**

**Date:**15/06/2016 **at:**14:00 h **location:** PAK, **address:**Agim Ramadani Str. no.23 **office no.** 52a Prishtina

**IV.3.4) Time limits is shortened for submission of tenders:**

Yes  No

**IV.3.5) Is tender security needed:**

Yes  No

**If yes, the value of tender security:**39,000.00 €

**Validity of tender security in days:**120 days

**IV.3.6) Tender validity period:** 90 days

**IV.3.7) Tender opening meeting:**

**Date:**15/06/2016; **at:** 14:30 **location :** PAK Agim Ramadani Street no.23; **office no.** 52a Prishtina

#### **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.**

**Site visit: on Wednesday, May 25, 2016. at 10: 00h**

