



Republika e Kosovës/Republika Kosova/Republic of Kosovo
Komisioni Rregullativ i Prokurimit Publik
Regulatorna Komisija Javne Nabavke
Public Procurement Regulatory Commission



Amended Rules for Procurement of Special Services (Consultants/Individual Contractors)

Public Procurement Regulatory Commission, pursuant to Article 87, paragraph 2, sub-paragraph 2.8 and the Law on Public Procurement No. 04/L-042, as amended and supplemented by Law No. 04/L-237, Law No. 05/L-068 and Law No. 05/L-092, and pursuant to Article 84 of the Law on Public Officials No. 06-L-114 hereby issues the Rules for conducting procurement activities for special services.

Article 1 Purpose

1.1 The purpose of these Rules shall be to define the steps to be followed in conducting a procedure for engaging Individual Consultants/Contractors for Special Services.

Article 2 Terms used

Terms used in these Rules shall have the same meaning as referred to under Article 4 (Definitions) of the Law on Public Procurement No. 04/L-042, as amended and supplemented by Law No. 04/L-237, Law No. 05/L-068 and Law No. 05/L-092, hereinafter "LPP".

Article 3 General information

3.1 These Rules shall apply solely to the procurement of special services which cannot be provided through recruitment procedures under the Law on Public Officials No. 06-L-114. Special services that cannot be provided through recruitment procedures are professional services that the Contracting Authority needs but does not meet the requirements with the staff it has.

3.2 The individual Consultant/Contractor shall be a specialist in a specific field, engaged by the Contracting Authority in an advisor's role.

3.3 Only natural persons who are not required to have a registered business can bid for individual consulting services, yet the natural person must be registered in the electronic procurement platform <https://e-prokurimi.rks-gov.net> as an EO - natural person.

3.4 Rules defined under Article 59 of the "Rules and Operational Guidelines for Public Procurement", hereinafter "ROGPP", shall apply to the contracting of Consulting Companies, whereas these rules shall apply to the contracting of persons as defined under Article 4.1.38 of LPP.

3.5 Contracting of Individual Consultants shall be done through the procurement procedures of LPP, public contract for services under the award criterion "The most economically advantageous tender". Depending on the estimated value, the contracting Authority shall select the type of procedure and shall set the deadlines for submission of tenders as defined under Article 44 of LPP.

3.6 Duration of contracts for special services may not be more than thirty-six (36) months.

Article 4 **Individual Consulting Services**

4.1 The procedure shall commence with the publication of the contract notice prepared on the electronic platform, drafted in accordance with Article 40 of LPP and uploading the tender dossier approved by PPRC.

4.2 Articles 47.6-47.7 of ROGPP shall also apply to the publication of a contract notice.

4.3 The tender dossier must be downloaded by interested persons from the electronic procurement platform.

4.4 Articles 47.10-47.14 of the RUOPP shall also apply for explanatory or additional information.

4.5 Bid opening shall be done pursuant to Article 36 of ROGPP.

4.6 Tender evaluation should be carried out immediately taking into account several criteria, such as:

- i. relevant consultant's experience;
- ii. quality of the proposed methodology;
- iii. qualification; and/or
- iv. knowledge transfer, if applicable.

4.7 Each criterion must be graded and then the grades must be ranked to become points. The ranking system should be defined in the tender dossier.

4.8 The criteria to be used for the technical evaluation as well as the indicative weights shall be as follows. Weights can be adjusted to fit specific procurements:

Criteria	Weight
Specific experience	20-50
Adaptation of the methodology/work plan	20-50
Qualification	20-40
Knowledge transfer (optional)	0-10
Total points	100

4.9 Total points shall be earned by joining **technical** and **financial points**. "Cost" grades should be selected taking into account the complexity of the subject of the contract to be awarded as well as the respective importance of quality. The weighted result of the financial proposal must be specified in the Tender Dossier and can be up to 30 points.

4.10 After identifying the best tender, the Procurement Officer shall prepare the Form B58 "**Notification on the CA decision**" and shall upload it on the e-procurement platform - as an additional document through the function "**add new document**", shall wait for the interval to expire, *during which bidders may request review of the decision*.

4.11 Provisions of Articles 47.34 - 47.37 of the ROGPP shall apply comparably to the award of contract, signature and distribution of the signed contract.


Article 5

Entry into force

5.1 These Rules shall enter into force on the signing date

5.2 With the entry into force of these Rules, *Rules for Procurement of Special Services (Consultants/Individual Contractors)* dated 22.09.2020 shall be repealed.

18. 11. 2020
(date of signing)


Osman Vishaj - Chairman of PPRC

