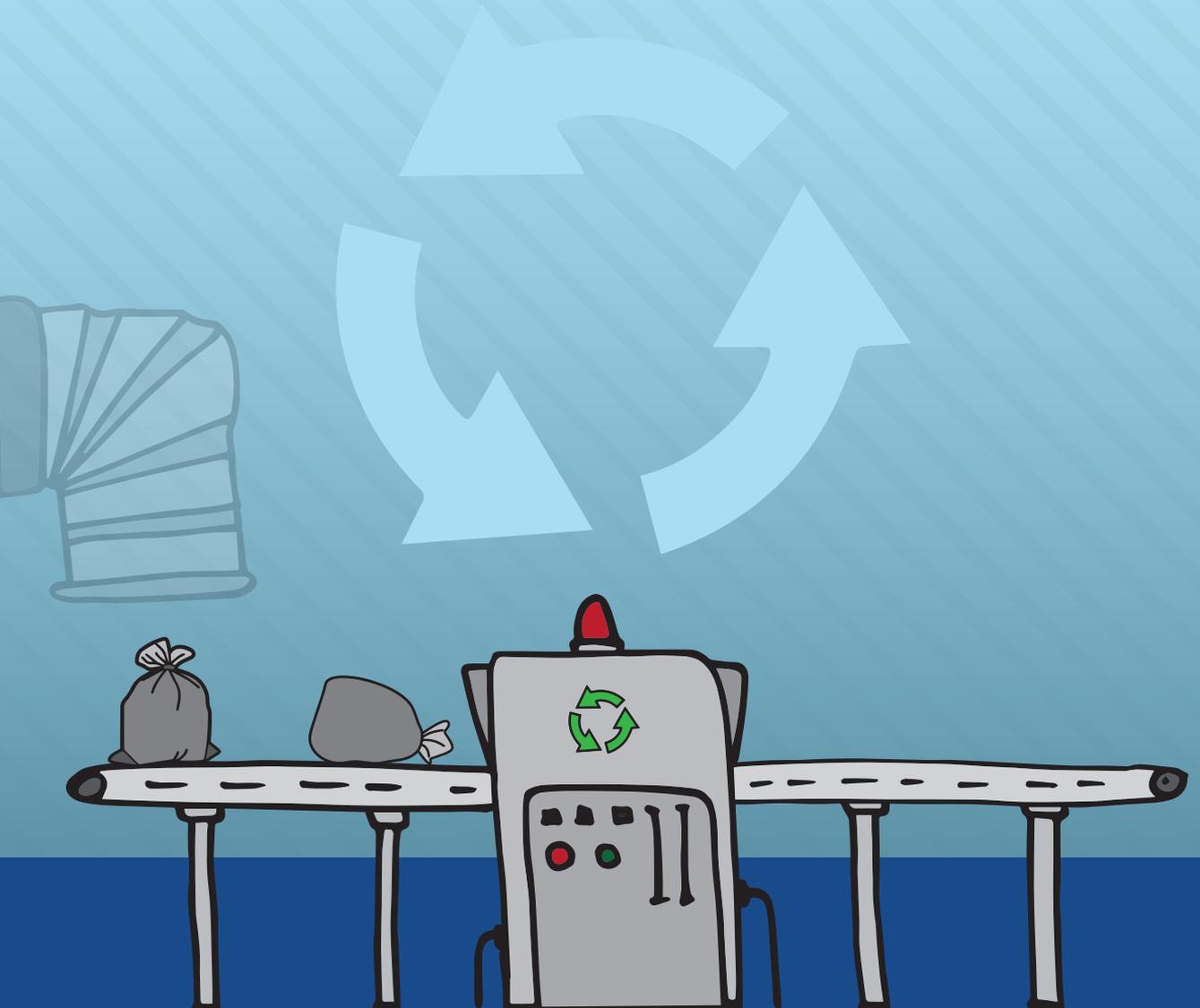




MONITORING REPORT ON PROCUREMENT ACTIVITIES

**INDUSTRIAL RECYCLING CENTRE FOR PRESORTED
OR MIXED WASTE**



This report was prepared by the Monitoring Group of Non-Governmental Organizations from Mitrovica South region.

Civil Society Organizations:
7Arte, CBM, IQS, CDO dhe Mundësia

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Mitrovica, June 2019

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INTRODUCTION

The Monitoring group conducted indirect monitoring of the tender - “Industrial Recycling Centre for Pre-sorted or Mixed Waste” that must have the capacity to process 20.000 tons/per year of pre-sorted or mixed waste”¹. This tender is initiated by the Contracting Authority - Municipality of Mitrovica. The Municipality of Mitrovica is one of the first municipalities that will conduct recycling of the waste. This municipality, in the first part of 2018, initiated tender for the engagement of a company that will design and build a factory for waste recycling, with the capacity of 2,500 tons per year.

This is a high value tender, or work contract for around 3.5 million euros. The tender is selected for monitoring because of the high value and also considering the works that need to be executed in the specific area, as it is waste recycling.

The research of this tender is made in few phases, involving also few institutions that were involved since the initiation until the signing of the contract. The Anti-Corruption Agency also issued an opinion about this tender.

The Monitoring group found that in this procurement process some of the activities are not in accordance with the procurement law and damaging for the competition.

¹See published documents on the website of PPRC - https://e-prokurimi.rks-gov.net/SPIN_PROD/APPLICATION/IPN/DocumentManagement/DokumentPodaciFrm.aspx?id=160359

METHODOLOGY

This report is drafted by the Monitoring Group by Non-Governmental Organizations from the Region of Mitrovica South, with those that gained knowledge and practical skills through applied learning workshops on monitoring public procurement, organized by CiviKos Platform supported by USAID Transparent, Effective and Accountable Municipalities activity in Kosovo (USAID TEAM).

Participants of the series of workshops were:

NAME AND SURNAME	ORGANIZATION
Erzen Isufi	7 Arte
Vlora Zymberi	CBM
Gentiana Zeqiri	IQS
Kenan Beqiri	CBM
Nerimane Ferizi	CBM
Merita Mripa	CDO
Florentina Hajdari	Mundësia
Visar Prebreza	Workshop facilitator

The Monitoring group ensured all these documents through requests for access to public documents and the electronic platform for public procurement.

The Monitoring group met five times in the offices of the NGO 'CBM' on the following dates:

Day I - 07.09.2018

Day II - 26.09.2018

Day III - 24.10.2018

Day IV - 13.11.2018

Day V - 24.11.2018

The goals of these workshops are:

- Activating local NGOs to monitor tenders on the municipal level;
- Enabling NGOs to analyse findings from the tenders and expose potential abuse in the public procurement while being directly supported by the hired facilitators, and;
- To enable NGOs to prepare and publish reports on their findings during the monitoring of public procurement on the municipal level.

WRONGFUL RECTIFICATION OF MISTAKES

The Monitoring group found some omissions made by the Municipality of Mitrovica that had a direct impact on this tender.

The Monitoring group found that:

- The Municipality of Mitrovica did not comply with the time limits determined in the Rules and Operational Guidelines for Public Procurement in cases when we have rectification of mistakes. Furthermore, this omission slipped even to the Procurement Review Body that concluded that everything was in line with the Law on Procurement².
- The tender was initiated by the Municipality of Mitrovica on May 14, 2018, through the publication of a 'contract notice' on the electronic procurement site of the PPRC. The deadline for submission of tenders was set for June 20, 2018, at 14:00hrs, just 37 days later.
- The setting of the deadline for the submission of tenders was done contrary to the Article 44, point 2.1.1 of the Law on Procurement that stipulates that for large value contracts, deadline submissions shall be a minimum of 40 days from the date of publication of the contract notice.
- Municipality of Mitrovica in the published notice provided a following justification for shortening this deadline: "deadline is shortened since it is an agreement and should be implemented within the year".

After the publication of the contract notice, the Municipality of Mitrovica made two announcements for the correction of mistakes.

The document for the first correction of mistakes was prepared on June 13, 2018. However, the announcement for the correction of mistakes was published in "E-Procurement" on June 18, or 5 days later than the time of its preparation by the Municipality of Mitrovica.

The Monitoring group found that:

- This correction of mistakes was made only two days prior to the date for the submission of bids, contrary to the applicable rules. This rectification included changes of the time of delivery of bids from June 20 to June 26. This change was made contrary to the law, since Article 53, point 7 defines that in cases of correction of mistakes, the CA shall extend the deadline for at least 10 days from the day on which the relevant information is provided to submit their tenders.

² Decision of the PRB, PNSH- 410/18- https://oshp.rks-gov.net/repository/docs/vendimet/2018/410-18vendim_1.PDF

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- This was not the only rectification. The Municipality of Mitrovica prepared a new rectification on June 18, 2018, on the same date when the first rectification was published, which was not in accordance with procurement rules. This time, the second rectification was published quicker on the E-Procurement. The rectification was published on 21 June 2018, or three days after it was prepared and five days prior to the last date for the submission of bids.
 - The Monitoring Group has analysed the dates when the correction of mistake notices were published, and also compared the deadlines defined in the Law on Procurement and in the Operational Guidelines for Public Procurement. Monitoring Group found that the Municipality of Mitrovica violated the provisions of the procurement rules. The Rules and Operational Guidelines for Public Procurement outline that: “the correction of mistakes must be done at least five days before the deadline for the submission of bids.” The date of rectification of a contract notice is valid from the date that it is published in E-Procurement and not from the date when that notice was prepared.

“If there are changes in the information published in the contract notice (deadline for submission of tender, the criteria for selection etc.) the CA shall prepare and publish a Notice for additional information and correction of mistakes by using the standard form B54. **This notice shall be published in the system not less than 5 days before the deadline for submission of tenders, otherwise the procurement activity should be annulled**”, states under paragraph 25.7 - Provision of additional or clarifying information and Time Extensions on the Rules and Operational Guidelines for Public Procurement.

The Monitoring group from Mitrovica found that:

- In the notice of correction of mistakes published on June 18th (two days prior to the submission of bids), “professional suitability” and “technical and/or professional capability” were rectified and the date for the submission of bids was postponed.
- The notification for the correction of these mistakes was published only two days prior to the deadline for submission of the bids. This notice is contrary to the Rules and Operational Guidelines for Public Procurement, which requires that such a correction of mistakes must be made five days prior to the deadline for submitting bids.
- Tender that is rectified less than five days from the deadline for the submission of bids shall be annulled.
- The extension of the deadline was done for only five days, whereas the law requires extending the deadline for a minimum of 10 days from the day of rectification.

The Monitoring group has analysed the rectifications that were made in the first notice,

published on June 18th. In this notice for the correction of mistakes, the date for the submission of bids was changed. From the initial June 20th date, the submission of bids was postponed to June 26th.

The Monitoring group from Mitrovica found that:

- In the notice for the correction of mistakes, expectations for technical and professional capacities were changed. Specifically, the request that engineers to have 10 years of work experience was removed.
- “Correction of the Tender Dossier (TD) and Contract Notice in TD in the points 7.1 & 7.2- Professional suitability requirements and 9.1 & 9.2 Requirements on technical or professional capacity and Annex 6 - Criteria for contract award removes essential criteria of the point 9.1 & 9.2 and are placed in Annex 6 - Sub-criteria for contract award for the most economically advantageous tender”, it is stated in the correction of mistakes notice published on June 18, only two days prior to the deadline for submission of tenders.
- Whereas, in the notice for the correction of mistakes prepared on June 18th and published on June 21st, the provided reasoning was that the date for the submission of bids had changed. The Monitoring Group found that, in fact, the date for submitting bids was changed in a previous review (published on June 18th). Municipality of Mitrovica in the second notice changed the date of submission of bids, from June 20 to June 26.
- The correction of mistakes made in the first instance was contrary to the law because it was done very late, only two days before the submission of bids. Furthermore, the deadline for the submission of bids was postponed for five days, whereas the law says that the deadline must be prolonged for a minimum of 10 days from the day of correction.

In the interpretation that the Monitoring group received from the Public Procurement Regulatory Commission PPRC, it said that deadlines start with the date of publication.

“Any notice sent by CA in the electronic public procurement system, the system will held them for 48 hours in compliance with article 42 of the LPP. Commencement of time limits for receipt of requests to participate and tenders is regulated by article 47 of the LPP. According to this Article the tendering time limit commences on the day of the publication of the notice in the cases defined by Articles 33, 34 and 36 of the LPP”, it states in the interpretation of the PPRC.

However, all these alleged violations were treated differently by the Procurement Review Body.

The decision of the PRB states that in the ‘Notice for Correction of Mistakes’ sent on June 13th and published on June 18th, the only correction made was on the date for the submission of bids.

“The review panel concludes that CA - the Municipality of Mitrovica has prepared and sent for publication on the web-site of the ‘E-Procurement’ on 13.06.2018 ‘Standard form for the correction of mistakes in the published notices B54’ which form was used for correction of the date of the submission of bids, from 20.06.2018 to 26.06.2018. Additionally, CA prepared and sent for publication in the website of the E-Procurement on 18.06.2018 a ‘Standard form for the correction of mistakes in the published notices B54’ which form was used for correction, requirements of professional suitability and technical and/or professional capability”³.

Calling upon this conclusion, that in the first notice only the date of submission of bids was changed, whereas in the second notice are corrected ‘Professional suitability’ and ‘Technical and/or professional capability’, PRB rejected as non-existent allegations of the Economic Operator “TEHNIX” doo - Croatia and “TEHNIX” doo - Macedonia.

The Monitoring group from Mitrovica found that:

- In the correction sent on June 13th, ‘Professional Suitability’ and ‘Technical and/or Professional Capability’ were corrected. However, in the same notice the date of submission of bids was changed, from June 20, the submission of bids was postponed for June 26. **Considering that the correction of mistakes shall be made at least five days prior to the deadline for the submission of bids, this was not met in this instance. Therefore, the Municipality of Mitrovica did not comply with the deadline set in the Law on Procurement.**

“Review Panel considers that when taking into consideration the date when it was sent for publication and its publications on the E-Procurement web, in standard forms for correction of mistakes in published notices by the Municipality of Mitrovica, it is ascertained that correction were made through these forms 5 days prior to the submission of bids in accordance with the rules on public procurement”, it states the decision of PRB.

The conclusions made in the decision of PRB are unfounded, which puts into doubt the entire grounds of the PRB decision to permit the Municipality of Mitrovica to continue with these procurement activities. The PRB, with or without intent, has taken for grounded the non-existent facts to decide in favour of the Municipality of Mitrovica.

In addition to this conclusion, the PRB says that complaining Economic Operator for the allegations in ‘contract notice’ must be made according to the Article 108/A of the Law on Procurement. The review panel considers that such claims shall have been submitted by the complainant EO in the ‘Contract Notice’ phase, before the submission of bids.

³ Decision of the PRB, PNSH- 410/18- https://oshp.rks.gov.net/repository/docs/vendimet/2018/410-18vendim_1.PDF

PRECLUSION TO APPEAL

The Monitoring group from Mitrovica found that:

- The last correction of mistakes was published on the web-site of the PPRC on June 21st. In an interpretation provided to the Monitoring group, PPRC states that the commencement of time limits for the receipt of requests to participate in tenders is regulated by Article 47 of the LPP. According to this article, the tendering time limit commences on the day of the publication of the notice, based on the cases defined by Articles 33, 34 and 36 of the LPP.
- Whereas the last correction was published (June 21, 2018) exactly five days before the deadline (June 26, 2018) for the submission of tenders. This correction was made contrary to Article 53, point 7 of the Law on Public Procurement, which requires that after the correction of a mistake, the CA must postpone the time for the submission of bids for at least 10 days. Therefore, after each change in the Tender Dossier, CA must provide at least 10 days to economic operators to submit their bids.
- By postponing the deadline for the submission of bids for only five days, the contracting authority, in addition to violating Article 53.7, also precluded appeal for the economic operator. Article 108/A of the Law on Public Procurement allows the EO to submit a 'request for reconsideration' addressed to contracting authority as the first phase of the appeal. Paragraph 3 of this article regulates the timeline when an appeal can be made in the first instance.
- For claims related to the 'Contract Notice', requests for reconsideration shall be submitted within five (5) days prior to the deadline for the submission of bids.
- "The request for review must be submitted to the contracting authority, by mail or by any other means of communication permitted by this Law, within the following time limits: 3.1. if the alleged violation relates to the contract notice or the tender documents within five (5) days prior to the deadline for the submission of bids."

The Monitoring group requested an interpretation by the PPRC regarding the time limits when the request for review can be submitted to the CA for alleged violations related to a contract notice.

"According to the paragraph 4.1 point (a) of the above mentioned Rules, when the request for reconsideration has to do with a contract notice or the tender documents, it must be submitted at least five (5) days prior to the deadline for the submission of bids."⁵

According to the dates for publishing last correction, it turns out that the economic operator had on their disposal only one day to complain, since the last correction was done on June 21, whereas the deadline for submission of the bids was June 26.

⁴ Law on Public Procurement paragraph 3, Article 108/A.

⁵ Response of the PPRC provided to NGO Network of Mitrovica Region.

A CAPITAL MISTAKE OF THE MUNICIPALITY OF MITROVICA

One of the contested issues in this tender is a mistake issued by the Municipality of Mitrovica in the “Contract Notice” in the English language version.

The Municipality of Mitrovica made an error while drafting and attaching it on E-Procurement, at the part which describes prices in the English language and on the table, which reads, “Summary did not describe the part on expenses (8%) in the Metal structures, Appliances (Machines) and Equipment.” Consequently, in the Excel table they did not calculate at all the customs duties in amount of 8%, something that made operators that have applied based on dossier in English to submit wrong bids, meaning without calculation of customs duties.

This is also concluded by the Review Expert, who clarified that the complainant EO submitted table of prices in English as attached by the CA in E-Procurement, without providing, respectively calculating custom duties (8%) in Metal structures, Appliances (Machines) and Equipment, whereas the economic operator has submitted winning the tender, respectively table of the description of prices in Albanian as attached for CA in E-Procurement stating, respectively estimating custom duties (8%) in the structure: metal, appliances (machines) and equipment.

The Monitoring Group has requested a clarification from the Municipality of Mitrovica for the mistake issued on the documents in English for not including 8% in custom duties. They have cited this fact as a mistake by the complaining Economic Operators.

“E.O. TEHNIX did not calculate the 8% custom in their basic bid, meaning that the tender form was not properly prepared or missing data - The tender is rejected without requiring additional information (Administrative condition).” This was the response issued by the Municipality of Mitrovica.⁶

However, the Monitoring Group requested additional answers from the Municipality of Mitrovica, insisting to receive an answer for the mistake in the English version of the tender dossier.

Haxhimet Ferati, the Procurement Manager in the Municipality of Mitrovica again insisted⁷ that the appealing EO does not have the summary of 8% of the customs duty in the metal structure area. He insisted that the EO had the chance to bid in three official languages, not only in English where the mistake had occurred. The appealing EO did not require clarifications during the tendering phase about this issue.

His response says that representatives of the company were Albanians from Macedonia, arguing that “it was a sentence, not a book”. He says that the Albanian language is “(the official) dominant language for tenders in Kosovo.”

⁶ Written response by the Municipality of Mitrovica provided for Monitoring Group.

⁷ Ibidem

He insists that the Municipality of Mitrovica made no mistake, despite the fact that the error is confirmed by the Procurement Review Body and he (above) acknowledges that the error was only in a sentence.

“There is no mistake here by the Municipality of Mitrovica, or by the Procurement Office, because the notice is published on E-Procurement and all competing EOs had access to the tender”⁸.

According to the explanations provided by the PPRC, Contracting Authorities are obliged to correct the VAT rate in cases where an EO made a mistake in their bid. Such a thing was not done by the Municipality of Mitrovica. Furthermore, the Municipality of Mitrovica wrongly drafted the TD in English and therefore the EO did not provide the VAT at all since that was not provided by the CA.

The Municipality of Mitrovica did not correct the VAT on the EO’s bid, but it considered it as a violation made by the Economic Operator.

ITALIAN LANGUAGE

The recommended operator for the contract submitted a part of their bid in the Italian language. Submission of the bid in another language, separate from three official languages, is contrary to the Law on Procurement. Article 13 of the Law on Procurement regulates the use of official languages in public procurement documents as provided in paragraph 4 of Article 13 of the Law on Public Procurement, which states: “An economic operator may submit a tender, a request for participation or other document required or that is permitted to be filed during the procurement activity, in the Albanian, Serbian or English language.”

The appealing Economic Operator, as stated in the decision of the PRB, claims that the Municipality of Mitrovica, by accepting the offer in the Italian language violated the law on Procurement. This allegation was reviewed by the PRB. The allegations of the appealing economic operator, according to the PRB are partially grounded, since only one part of the dossier from the EO recommended for contract was in the Italian language.

“CA - Municipality of Mitrovica, while assessing the bids, with exception that few documents from the winning Economic Operator were received only in Italian language, which were understandable, but without being translated into one of the languages (Albanian, Serbian or English), as provided by Article 13 of the LPP. Other documents submitted by the winning EO were accepted, since they were in accordance with evidence presented by the CA in the contract notice and the tender dossier.”⁹

The Monitoring group requested an answer from the Municipality of Mitrovica regarding the issue of submission of a part of the bid in the Italian language by the EO recom-

⁸ Interview with Haxhimet Ferati – Procurement Manager in Municipality of Mitrovica; December 5, 2018

⁹ Decision of the PRB, PNSH- 410/18- https://oshp.rks-gov.net/repository/docs/vendimet/2018/410-18vendim_1.PDF

mended for the contract award. They said that they have engaged an interpreter.

“In the actual case, we did not require a lot of translation, because the part in the Italian language had figures, economic terms, drawings of machinery, and photos to be presented, and we have engaged an external translator for translation of the required documentation.”

After this answer, the Monitoring group requested additional answers on questions such as, “how did the Italian language translator get hired, from which company, and how much did it cost?” However, the Municipality of Mitrovica did not respond with any answers to these questions.

DISPUTING THE SUB-CRITERIA

The Municipality of Mitrovica decided that the “most economically advantageous price” would be the criteria for the contract award. This criteria, in addition to the price, will also consider other sub-criteria for evaluating the bids by providing to them a certain weight in the assessment.

The Law on Public Procurement requires that sub-criteria shall be clear, measurable and realistic.

Article 52 of the Law on Public Procurement regulates the issue of Notification of Contract Award Criteria. The CA is obliged that in cases when the criteria for the award is “the most economically advantageous price,” the contracting authority shall specify each criteria in an objective and quantifiable manner, and it must express the weight given thereto.

“Only criteria that are objectively assessable and have been disclosed in advance in the tender dossier may be used for the evaluation. A contracting authority may only use criteria that are directly relevant to the subject matter of the contract. Such criteria may concern for example, quality, price, technical merit, aesthetic and functional characteristics, environmental characteristics, running costs, cost effectiveness, after sales service and technical assistance,” states the second paragraph of article 52 of the Procurement Law.

Furthermore, the following paragraph reads that the contracting shall ensure to make a clear distinction between the sub-criteria and professional, financial and technical requirements.

Regarding the initiated tender by the Municipality of Mitrovica, the Anti-Corruption Agency had issued an opinion. It concluded that: **“The established criteria were contrary to the Law in the tender - “Design and construction works of the industrial recycling centre for presorted or mixed waste from the municipality of Mitrovica, with capacity of up to 10t/h”.**

The Anti-Corruption Agency concluded that the sub-criteria for the contract award at the part of the contract regarding the technical bid was identical with selection in connection with the general professional, financial and technical abilities.

“The Anti-Corruption Agency considers that the contracting authority on the occasion of determining the sub-criteria for the award of contract no: 2 technical bids, did not comply with the Article 52, paragraph 4 of the LPP, because the contracting authority also specified as selection requirements the above mentioned criteria, which must be fulfilled so that the tender is considered to be responsible, but also as a sub-criteria for the contract award. Therefore, according to the article above, the contracting authority shall make a clear distinction between the selection criteria with general professional, financial and technical abilities, and criteria for the contract award, and there is no repetition of these two criteria.”¹⁰

The Anti-corruption Agency, in its opinion, recommended to the Municipality of Mitrovica that the criteria for contract awards must define clear, concise and measurable sub-criteria.

Following this opinion, the Municipality of Mitrovica changed the contract notice, by removing technical and professional requirements, while those same requirements were left in the sub-criteria for contract awards.

The Anti-Corruption Agency did not provide a second opinion to check if the Municipality of Mitrovica implemented their recommendations.

In regards to the sub-criteria, there were no complaints on the first instance, respectively an application for reconsideration based on Article 108/A of the Law on Public Procurement. However, this issue is mentioned in the review panel of the PRB that was held regarding this matter. The appealing company had claimed that the sub-criteria for the contract award were against the law. This was based on the results that were produced by these sub-criteria.

The Monitoring group requested access to the report of the Evaluation Commission so they can see the scoring, and whether the complainant company made the right conclusion. The Evaluation Commission of the Municipality of Mitrovica have equally scored two companies in all sub-criteria, except in offered price.¹¹

“We argued that what was mentioned by the CA, the defined criteria, do not have anything to do with the criteria established for an ‘economically most advantageous’ tender. The same established criteria which was used by the CA for assessment of the EO shall have to at least been used according to the weight thereto. This report for ‘economically most advantageous’ tender from the CA for the two EOs is identical for both, the EO which was awarded the contract and the one that was not. Once again, this equal evaluation in the sub-criteria became crucial in the decision for the contract award based on the lowest price.”¹²

¹⁰ Opinion of the anti-corruption Agency, dated May 23, 2018

¹¹ Report of the Assessment Commission, pg. This report is produced according to the Law on Access to Public Documents.

¹² Statement of the representative of the appealing company in the meeting of the Review Panel of PRB and which is described in the decision of PRB with no.: 410/18

The Evaluation Commission declared one of the companies as irresponsible due to a few conducted violations.

The Municipality of Mitrovica made the PPRC responsible for the sub-criteria prepared by them. But in fact, it is the responsibility of the Procurement Officer to check the sub-criteria, technical and professional conditions.

“And finally we clarify for you that the entire ‘Contract Notice’ as well as the TD, were prepared according to the suggestions of the PPRC, which monitors all publications (high value ones at least) and Anti-Corruption Agency, where we explained to sub-criteria.”¹³

The PPRC tends to excuse itself for the established sub-criteria, by not making an assessment about them.

“Contract award criteria are established by the CA in accordance with Article 52 of the LPP”¹⁴

Article 52 provides that in cases when the criteria for contract awards are ‘economically most advantageous’ tender, the CA must specify in the contract notice and in the tender dossier requirements which will be taken into consideration when deciding the winner and the weight associated to each criteria.

IV.2) Criteria

Lowest Price

or

Economically most advantageous’ tender, in direction of:

Sub-Criteria's	Coefficient
1. Price	
2. Technical Offer	
3. 1 (one) Graduated Engineer, Construction Manager -scoring based on experience.	
4. 1 (one) Graduated Engineer of Technology, or Master –Scoring based on experience.	
5. 1 (one) Graduated Machinery Engineer, or Master- Scoring based on experience.	
6. 1(one) Graduated Hydro Engineer, or Master- Scoring based on experience.	
7. 1 (one) Graduated Structural Engineer or Master- Scoring based on experience.	
8. Licensed Environmental Engineer from Ministry of Environment and Spatial Planning- Scoring based on experience.	
9. Work Methodology	
10. Dynamic Plan	
11. List of employees min 50- Scoring based on number of employees.	
12. List of Machinery	

¹³ Response of the Municipality of Mitrovica provided on 08.10.2018 through Haxhimet Ferati.

¹⁴ Response of the PPRC, Department of Rules-PPRC, 18 October 2018.

PROJECT DATA

In the contract notice it states that it is essentially necessary that the mix, with a capacity of 2,500 tons per year, of bio-waste be separate and collected, with organic waste separate from mixed municipal waste, and the green waste, pulp, tropical waste, and inert sludge from water purification plants. **The entire technological process is implemented in controlled environmental conditions without any negative impact to the environment.**

Request of the Municipality of Mitrovica is that the municipal waste be collected on a daily basis and sent to the processing centre.

“All the collected waste shall be treated in the same day without deposition inside the closed facility, as this would create an explosive mass from the gas (methane), which might endanger the security of the plant. The project design foresees a waste plant for previously treated and mixed waste with a capacity of 10 tons.”

It is predicted that the functioning of the plant is to be conducted with one or two shifts, depending on the capacity of waste collection. The suggested technological solution would be recycling the waste according to the ‘Plan for Waste Management of the Republic of Kosovo’ and the spatial necessities for technological processing of the solid waste that is sent.

For waste recycling, it is necessary to have a space in a length of 140 meters and a width of 55 meters, surrounded by a two meter high fence.

1. The recycling plant for industrial waste has a capacity of 10 t/h. It includes waste collection, opening of the bags, a moisture removing (drying) system, the removal of small organic waste, preparation, classification of municipal cleared waste, and classification of eight types of raw waste in the classification line.

Manual classification of raw materials with 98% purity enables the sale of raw materials in the global market and ensuring a good price. Classifying it done with both hands in two strings with boxes for raw materials. This enables double capacity accomplishment when classification per worker.

Previously presorted and mixed waste recycling is conducted in the same line for classification of raw material in the following order: plastic, cardboard, paper, PET, MET, textile, glass and metal. All raw materials are placed in bundles or are packed for market sale. Out of the entire waste mass, 80% is recycled through an automatic process.

2. There is also a cutting and bundle packing plant for the fuel that derives from

waste. All small combustible waste and special packing of tetrahedron, multilayer packing, diaper, toys and all types of flammable rubber, leather, shoes, textile, street lights and other combustible multilayer complex waste remain in a conveyor for classification. After the classification, they are subject to a constant flow of till cutting in a 30 mm width.

Therefore, the previously dried and cut (ripped) waste is transported for automatic packaging in bundles and then those bundles can be easily stored and transported to the market as 4 ME per ton energetic value energy to replace fossil fuels. Such fuel is ideal as a power source for cement production.

RECOMMENDATIONS

- The Head of Procurement must ensure that the new tenders are opened in accordance with the law regarding the deadlines for the submission of bids.
- After each error correction is made, the Municipality should postpone the deadlines for the submission of bids in accordance with the law.
- The Mayor should ensure that such omissions by procurement staff be sanctioned in a way that prevents EO discrimination, like restrictions of competition that threaten price increases.
- The Head of Procurement directly, and the Chairperson indirectly, should ensure that the publication of all tender documents be in the three official languages, in order to prevent discrimination of foreign businesses.
- The Procurement Manager should ensure that bids are accepted only in the official languages of the Republic of Kosovo.
- The Procurement Review Body should ensure that it does not issue capital errors in their decisions.
- The Review Expert should be ensured to make analysis and expertise based on the facts.

