



Republika e Kosovës
Republika Kosovo - Republic of Kosovo
Kuvendi - Skupština - Assembly

Law No. 04/L-237

**ON AMENDING AND SUPPLEMENTING THE LAW No. 04/L-042 ON
PUBLIC PROCUREMENT IN THE REPUBLIC OF KOSOVO**

The Assembly of the Republic of Kosovo,

Based on Article 65 (1) of the Constitution of the Republic of Kosovo,

Approves

**LAW ON AMENDING AND SUPPLEMENTING THE LAW No. 04/L-042
ON PUBLIC PROCUREMENT IN THE REPUBLIC OF KOSOVO**

Article 1

After Article 60 of the basic Law, there shall be added a new Article 60.A with the following text:

Article 60.A
Priority for Domestic Bidders

1. Where applying the criterion of economically most advantageous bid and in situations with bids submitted by domestic and foreign bidders, which provide services, supply contract or perform works, contracting authority shall select the bid of most advantageous domestic bidder, provided that the difference in the final amount of points collected between the most advantageous bid of the foreign bidder and the most advantageous bid of the domestic bidder is not more than ten (10) points in comparison with the bid of foreign bidder.

2. Where applying the criterion of lowest offered price, and in situation with bids of domestic and foreign bidders providing services, supply contract or performing works, contracting authority shall select the bid of domestic bidder provided that its price offered is not more than fifteen percent (15%) higher compared to the lowest price offered by foreign bidder.

3. In bidders prices, shall be calculated all taxes, taxations and customs fees applicable in Kosovo.

4. Domestic bidder is resident legal person, in terms of the law governing income taxes of legal persons or resident natural person in terms of the law governing income taxes of citizens.

5. In case of joint bid, group of bidders shall be considered as domestic bidder if each member of the group is person referred to in paragraph 4 of this Article.

6. The bidder shall be considered as domestic bidder, if bidder and its subcontractor are persons referred to in paragraph 4 of this Article.

7. PPRC shall issue sub-legal act to regulate in detail the manner of proving compliance with requirements of this Article.

Article 2

After Article 134 of the basic Law there shall be added a new Article 134.A with the following text:

Article 134.A Implementation of this Law

Provisions of Article 1 of this Law shall be implemented in accordance with deadlines defined in the Association and Stabilization Agreement.

Article 3
Entry into Force

This law shall enter into force fifteen (15) days after its publication in the Official Gazette of the Republic of Kosovo.

Law No. 04/L-237
20 March 2014

President of the Assembly of the Republic of Kosovo

Jakup KRASNIQI