

RECORD OF PROCEEDING –Contract type- Good

**ON THE ARGUMENTATION AND APPROVAL OF TECHNICAL
SPECIFICATIONS AND CRITERIA FOR QUALIFICATION**

(This record of proceeding is intended to be published together with the tender documents)

SUBJECT OF THE PROCUREMENT PROCEDURE: “Purchase of Construction Materials for the Needs of UKT sh.a.”

RELEVANT COMMON PROCUREMENT VOCABULARY (CPV) CODE: Building materials 44110000-4

LIMIT FUND VALUE: 119,990,116 (one hundred nineteen million nine hundred ninety thousand one hundred sixteen) Lek, excluding VAT.

The value of the limit fund in the international currency (Euro), based on the Bank of Albania exchange rate, is 1,309,221.12 (one million three hundred nine thousand two hundred twenty-one point twelve) euros.

The official exchange rate according to the Bank of Albania as of September 17, 2026, is 91.65.

Pursuant to Article 21, paragraph 2, of Law No. 162/2020 “On Public Procurement”, Article 2, paragraph 2(c), and Article 78, paragraph 2, of Decision of the Council of Ministers No. 285, dated 19.05.2021 “On the Approval of Public Procurement Rules”, as amended, the Contracting Authority/Entity UKT sh.a. has drafted these Minutes for the justification and approval of the technical specifications and qualification criteria for the above-mentioned procedure, as follows:

I. SPECIAL QUALIFICATION CRITERIA

1. The Candidate/Tenderer shall submit:

- a. The Summary Self-Declaration Form, in accordance with the relevant Annex 9.
- b. Tender Security, in accordance with Annex 4, in the amount of 2,399,802.32 (two million three hundred ninety-nine thousand eight hundred two point thirty-two) Lek.

The required bid security amount in the international currency (Euro), based on the Bank of Albania's exchange rate, is 26,184.42 (twenty-six thousand one hundred eighty-four point forty two) euros.

The official exchange rate according to the Bank of Albania as of September 17, 2026, is 91.65 euros.

Justification: The above requirements are based on Articles 76, 82 and 83 of the Public Procurement Law (PPL), and Article 26 of DCM No. 285, dated 19.05.2021 “On the Approval of Public Procurement Rules”, as amended.

2. The Candidate/Tenderer shall submit:

2.1 Suitability to perform the professional activity (if applicable):

2.2 Economic and Financial Capacity

2.2.1 In order to prove their financial and economic capacity, Economic Operators shall submit a certificate of annual turnover for the financial years 2023, 2024 and 2025, where the turnover value for at least one year of the required period shall not be less than 40% of the limit fund.

The requirement regarding financial capacity shall be deemed fulfilled if the Economic Operators achieve the minimum turnover value in at least one year of the period required by the Contracting Authority/Entity.

Justification: The above requirement has been determined based on the value of the limit fund of this procedure, as well as Article 77, paragraph 3, of the PPL and Article 43 of DCM No. 285, dated 19.05.2021 “On the Approval of Public Procurement Rules”, as amended.

The determination of the required value is justified as follows:

Note: Since the legal and secondary legislation provides a range within which the turnover value may be requested, Contracting Authorities/Entities shall justify the turnover value required within that range.

The determination of the years required for submission of the annual turnover certificate has been made pursuant to Article 43, paragraphs 1 and 2, as well as Article 64 of Law No. 9920, dated 19.05.2008 (as amended) “On Tax Procedures in the Republic of Albania”, Instruction of the Minister of Finance No. 5, dated 30.01.2006 “On Income Tax”, as amended, and DCM No. 922, dated 29.12.2014 “On the Mandatory Submission of Tax Declarations and Other Tax Documents Only Through Electronic Forms”.

2.2.2 The tendering Economic Operator shall submit the annual financial statements (balance sheets) for the last three (3) years (2023, 2024 and 2025), certified by the tax authorities. If the Economic Operator falls within the provisions of Article 41 of Law No. 10091, dated 05.03.2009, the balance sheets shall also be accompanied by the expert report of the authorized accounting expert. This requirement shall be deemed fulfilled if, in two consecutive balance sheets, there is no negative ratio between assets and liabilities.

2.2.3 The Economic Operator shall submit a certificate confirming the settlement of local taxes provided by the Local Government for the year 2026, including the instalment for the relevant period that has become due pursuant to Law No. 9632, dated 30.10.2006 “On the Local Tax System”, as amended (regarding the payment deadlines established by the local self-government units for the year 2026).

In all cases, the Contracting Authority has the right to carry out the necessary verifications regarding the accuracy of the information declared by the Economic Operator or to request clarifications and supporting documents for such clarifications. In cases of a joint venture of Economic Operators, each member of the group shall submit the certificate issued by the relevant Authority where it is registered according to the National Business Center (QKB).

Justification: The above requirement has been determined based on Article 77, paragraph 3, of the PPL, Article 43, paragraph 6, of DCM No. 285, dated 19.05.2021 “On the Approval of Public Procurement Rules”, Law No. 9632, dated 30.10.2006 “On the Local Tax System”, as amended, Law No. 9920, dated 19.05.2008 “On Tax Procedures”, as amended, Article 4, paragraph 2(d).

With reference to the above, the Procurement Unit considers that the criterion established by the Contracting Authority regarding the self-declaration by Economic Operators of the certificate confirming settlement of local tax obligations for the year 2026 before the municipality/municipalities where the Economic Operator carries out its activity is in compliance with the legal framework in force, specifically Law No. 9632, dated 30.10.2006 “On the Local Tax System”, as amended. All entities carrying out business activities have the legal obligation to register with the National Business Center in order to make the location of their activity identifiable and to be subject to payment of the local taxes expressly provided for by this law.

2.3 Technical and Professional Capacity

2.3.1 The Economic Operator shall submit evidence of previous similar supplies performed during the last three years from the date of publication of the contract notice, in a value not less than the value of the limit fund.

In order to prove previous similar experience, Economic Operators shall submit the following evidence:

1. For previous experience performed with the public sector, the Economic Operator shall submit certificates issued by a public entity confirming successful performance of the contract, indicating the value, contract completion deadline and sales tax invoices completed in accordance with the legislation in force, showing the dates, amounts and quantities of the supplied goods.

or

2. For previous experience performed with the private sector, the Economic Operator shall submit sales tax invoices completed in accordance with the legislation in force and declared to the tax authorities, showing the dates, amounts and quantities of the supplied goods.

Justification: The above requirement has been determined based on Article 77/4 of Law No. 162, dated 23.12.2020 “On Public Procurement” and Article 40, paragraph 4, of DCM No. 285, dated 19.05.2021 “On the Approval of Public Procurement Rules”. Through this criterion, Economic Operators are required to demonstrate that they possess the necessary experience to successfully perform the contract; therefore, previous similar contracts have been required in a value not less than the value of the limit fund, which falls within the threshold established in the above-mentioned provision.

1. The determination of the required value for similar contracts is justified as follows:

The estimated value of the contract is above the high monetary threshold. The value required for similar supplies constitutes a sufficient level of experience considering the subject matter and the value of the limit fund.

Note: Since legal and secondary legislation provides a range for the value of similar contracts that may be requested, Contracting Authorities/Entities shall justify the value required within that range.

Previous experience is an essential element that assures the Contracting Authority that Economic Operators, based on the value of similar contracts, possess the capacity to successfully perform the contract according to an appropriate quality standard. Pursuant to Article 88, paragraph 1, of DCM No. 285/2021, a tender may be submitted by a joint venture of Economic Operators, in accordance with paragraphs 2 and 3 of Article 14 of the PPL, whereby one of them represents the others during the procedure and, if selected, during contract performance. The tender shall specify the portion of the service, works or supply to be performed by each member of the joint venture through a cooperation agreement concluded between the parties.

Other Special Qualification Requirements

2.4 The tendering Economic Operator shall be certified according to ISO standards issued by conformity assessment bodies accredited by the General Directorate of Accreditation (DPA) or by international accreditation bodies recognized by the Republic of Albania, specifically:

1. Valid ISO 9001:2015 Quality Management Certificate (or equivalent). In cases of a joint venture of Economic Operators, each member of the group shall submit the ISO Certificate corresponding to the items it undertakes to perform under the cooperation agreement.

Justification: The above requirement has been determined based on Article 79 of Law No. 162/2020, dated 23.12.2020 “On Public Procurement”, Article 44 of DCM No. 285, dated 19.05.2021 “On the Approval of Public Procurement Rules”, and the recommendation of the Public Procurement Agency dated 20.03.2018, Protocol No. 3341/1.

Through this criterion, participating Economic Operators are required to demonstrate that they fulfil quality requirements; consequently, the Contracting Authority is entitled to request tenderers to submit certificates issued by independent bodies recognized by National or International Standardization Systems.

ISO 9001 establishes a set of rules ensuring a preventive risk-based approach to quality and covering a broad range of issues, including senior management commitment to quality, customer focus, adequacy of resources, employee competence/professionalism, management processes for production, service provision and support and administrative processes, quality planning, design of products and services, assurance of a quality supply process, conformity of goods and services, customer complaint resolution processes, corrective actions and the requirement to promote continual improvement. This requirement demonstrates that its holder complies with international quality management standards in the conduct of its commercial activity.

2.5 The Economic Operator shall submit:

- Authorization from the manufacturer or from a distributor authorized by the manufacturer for the requested goods dedicated to this procurement procedure. If authorization from the authorized distributor is submitted, the relationship between the authorized distributor and the manufacturer shall be proven. The authorization shall contain the manufacturer's complete contact details, such as telephone, fax, e-mail and website, as required by the Contracting Authority for verification purposes.

Justification: The above requirement has been determined based on Article 73 of Law No. 162/2020 "On Public Procurement" and Article 40, paragraph 6(c), of DCM No. 285, dated 19.05.2021 "On the Approval of Public Procurement Rules", as amended, which allows Contracting Authorities to require Economic Operators to submit evidence demonstrating compliance with the minimum requirements established in the tender documents, such as proof of originality of samples, descriptions and/or photographs or technical catalogues, confirming conformity of the products with the technical specifications.

The Procurement Unit considers that the criterion established by the Contracting Authority regarding submission of the Manufacturer's Authorization or Authorization from the Distributor Authorized by the Manufacturer is proportionate and closely linked to the subject matter of the contract and is in compliance with the above-mentioned legal provisions.

Since the Contracting Authority is the direct beneficiary of the contract subject to procurement, it is entitled to ensure that participating Economic Operators demonstrate the originality of the goods to be supplied and, consequently, may require tenderers to submit documentation regarding the origin of the goods issued directly by the manufacturer.

Therefore, by establishing the above-mentioned criterion, the Contracting Authority obtains assurance that the contracted Economic Operator will supply the goods and successfully perform the contract.

For the Contracting Authority, it is important to ensure the supply of goods in accordance with the required standards and technical specifications, and the documentation requested is provided for within the legal framework established by the applicable legislation.

2.6 The Economic Operator shall declare that it undertakes to supply the goods required under the subject matter of the procurement to the Contracting Authority, within the deadlines to be determined during the execution of the mini-contracts, in the specified quantities and according to the specified specifications.

2.7 The Economic Operator shall submit a valid product conformity certificate issued by a conformity assessment body, certifying that the offered concrete pipes and fittings comply with EN 1916:2002 or its equivalent.

2.8 The Economic Operator shall submit a valid product conformity certificate issued by a conformity assessment body, certifying that the offered concrete manholes comply with EN 1917:2002 or its equivalent.

2.9 The Economic Operator shall submit a valid product conformity certificate issued by a conformity assessment body, certifying that the offered concrete caissons comply with EN 14844:2006 or its equivalent.

Justification: The above requirement has been determined based on Article 79 of Law No. 162/2020, dated 23.12.2020 “On Public Procurement”, Article 44 of DCM No. 285, dated 19.05.2021 “On the Approval of Public Procurement Rules”, and the recommendation of the Public Procurement Agency dated 20.03.2018, Protocol No. 3341/1.

Through this criterion, participating Economic Operators are required to demonstrate that they fulfil quality requirements; consequently, the Contracting Authority is entitled to request tenderers to submit certificates issued by independent bodies recognized by National or International Standardization Systems.

Technical Justification for the Criterion

The requirement to submit a product conformity certificate in accordance with EN 1916:2002 or equivalent has been established in order to guarantee the quality, safety and technical suitability of the concrete pipes and fittings to be supplied under this contract.

Concrete pipes and fittings are elements that, during use, are subjected to mechanical loads, soil pressure, the action of water and various environmental conditions in which they are installed. For this reason, it is necessary that the products offered have controlled and documented technical characteristics ensuring their strength, durability, structural integrity and proper functioning throughout their intended service life.

EN 1916 specifies requirements and characteristics for concrete, reinforced concrete and steel fibre concrete pipes and fittings used in drainage and sewerage systems. Consequently, the requirement for conformity certification serves to ensure that the offered products are manufactured and assessed in accordance with the applicable technical requirements for this product category.

Acceptance of equivalent standards also guarantees competition and enables participation by Economic Operators offering products certified under other standards that ensure an equivalent level of performance, quality and safety.

The requirement for a valid conformity certificate in accordance with EN 1917:2002 or equivalent has been established to ensure that the concrete manholes to be supplied meet the necessary technical and performance requirements for their use in the relevant networks.

Concrete manholes are important functional elements of sewerage and drainage systems, as they enable access, control, inspection and maintenance of the network. Due to their underground location, these elements are subjected to soil loads, traffic-induced loads, humidity and continuous exposure to water; therefore, they are required to possess appropriate mechanical strength, durability and structural integrity.

EN 1917 specifies requirements for concrete, reinforced concrete and steel fibre concrete manholes and inspection chambers, defining the characteristics that these products must meet for their intended use.

For this reason, conformity certification constitutes an objective means for the Contracting Authority to verify that the offered products meet the required technical and performance characteristics and are suitable for their intended purpose. The expression “or equivalent”

simultaneously ensures compliance with the principle of competition and avoids restricting Economic Operators offering products certified under equivalent standards.

The requirement to submit a conformity certificate in accordance with EN 14844:2006 or equivalent has been established in order to guarantee the technical characteristics, strength and durability of the concrete elements envisaged for supply.

Prefabricated concrete elements used in infrastructure must withstand mechanical loads and environmental conditions at the installation site without compromising the functionality and safety of the works. For this reason, it is necessary that their characteristics be controlled and documented through a recognized conformity assessment system.

EN 14844 relates to precast concrete products and specifies technical requirements for box culverts. The requirement for certification under this standard is intended to ensure that the specific products included in the technical specifications meet the relevant performance requirements and are suitable for the intended use.

The designation “or equivalent” allows acceptance of products certified under other standards that provide an equivalent level of quality, performance and safety, thereby avoiding restriction of competition.

Failure to submit the supporting documentation shall constitute grounds for disqualification.

The Contracting Authority shall verify the documentation in accordance with the self-declaration made during the tendering stage. Any discrepancies identified between the Summary Self-Declaration Form and the documentation submitted shall constitute grounds for disqualification.

All documents shall be originals or notarized copies.

Failure to submit a document, or submission of documents containing false or inaccurate information, shall constitute grounds for disqualification.

Justification: The special qualification criteria are proportionate to the duration, implementation capacity, nature and value of the contract to be procured and serve the Contracting Authority in assessing the technical, financial and professional capacities of potential tenderers for the successful performance of the contract.

JUSTIFICATION OF THE TECHNICAL SPECIFICATIONS

The technical specifications established for the procurement procedure with the subject matter “Purchase of Construction Materials for the Needs of UKT sh.a.” have been drafted in accordance with the specific needs of the Contracting Authority for carrying out interventions, repairs, maintenance and rehabilitation of water supply and sewerage networks and facilities.

The requirements established are intended to ensure that the materials to be supplied possess the necessary quality, mechanical strength, durability and service life for the specific conditions of use, taking into account exposure to static and dynamic loads, humidity, water, atmospheric conditions and, where applicable, vehicle traffic.

Reference to EN standards or equivalent standards has been made in order to establish a minimum required level of product performance and quality. Acceptance of equivalent standards simultaneously guarantees competition and enables participation by Economic Operators offering products with equivalent characteristics and performance.

1. Reinforced Concrete Pipes

The technical requirements for reinforced concrete pipes have been established considering their use in gravity-flow sewerage networks, where the elements must withstand soil loads, loads transmitted by traffic and continuous underground operating conditions.

The specification of EN 1916 or equivalent, concrete class not lower than C30/37 and reinforcement in accordance with EN 10080 or equivalent is intended to guarantee the structural strength, durability and service life of the pipes. The requirement that products be free from cracks, deformations or visible damage is essential for maintaining network integrity and preventing infiltration, leakage or damage during operation.

2. Stabilized Aggregate

Stabilized aggregate is used for the creation of bearing and levelling layers in works carried out by UKT sh.a.; therefore, the quality and characteristics of the aggregate directly affect the stability of the layers and of the works constructed above them.

Reference to EN 13242 or equivalent, the limitation of the Los Angeles coefficient and the Plasticity Index, together with the requirement for absence of organic or clay materials, are intended to ensure an aggregate with appropriate resistance to fragmentation, stability and bearing capacity for the intended use.

3. Reinforcing Steel

Reinforcing steel is a structural element that directly affects the strength and safety of reinforced concrete structures. For this reason, the requirement for compliance with EN 10080 or equivalent and the specification of grade B500B/B500C with characteristic yield strength not less than 500 MPa are intended to ensure suitable mechanical properties for structural works.

The requirement that the material be free from corrosion and deformation is intended to prevent the use of damaged steel, which could adversely affect bond with concrete and the durability of the structure.

4. Gravel

The requirements for gravel have been established according to its use in concrete, mortar and engineered fill. Cleanliness, particle fraction and the absence of organic materials or harmful clay content directly affect the quality and performance of the mixtures and layers in which the aggregate will be used.

The requirement for laboratory analysis provides the possibility of objective verification of the material's characteristics and its suitability for the specific intended use.

5. Sand

Sand is a basic material for the production of mortars, concrete, levelling layers and other construction works. Requirements for cleanliness, washing and suitable grading have been established to guarantee the quality of mixtures and to avoid the negative effects caused by impurities, organic materials or excessive clay content.

Laboratory analysis serves to verify the physical characteristics of the material and its conformity with the intended use.

6. Solid Bricks

The technical requirements for solid bricks are intended to ensure that masonry elements possess suitable mechanical strength and consistent quality during use.

The minimum compressive strength of 10 MPa and the requirements for absence of cracks and deformations have been established to ensure that the product is suitable for masonry works and repairs carried out at UKT sh.a. facilities.

7. Cement

Cement is one of the basic materials determining the quality and strength of concrete and mortar. Reference to EN 197-1 or equivalent and specification of CEM I or CEM II are intended to guarantee the use of a product with controlled characteristics suitable for the planned works.

The requirements for packaging and storage in accordance with the manufacturer's technical conditions are necessary to prevent degradation of the material due to humidity or unsuitable storage conditions.

8. Concrete Manholes

Concrete manholes are functional parts of sewerage networks and are subjected to soil loads, humidity and continuous operating conditions. For this reason, the requirement for concrete class not lower than C25/30 and for mechanical durability is intended to guarantee the safety and service life of the elements.

The absence of visible defects is also essential to ensure the integrity of the element and its proper functioning after installation.

9. Reinforced Concrete Caissons

Reinforced concrete caissons are used in conditions requiring high structural strength and protection against water penetration. For this reason, the use of concrete not lower than C30/37 and reinforcement in accordance with EN 10080 or equivalent has been specified.

The requirement for watertightness and resistance to design loads is directly related to the function of these elements and the need to avoid degradation, water infiltration and structural damage during operation.

10. Manhole Covers

The specifications for manhole covers have been established considering that these elements are installed on roads, intersections, parking areas and other locations exposed to vehicle traffic and dynamic loads.

The specification of load class D400 in accordance with EN 124 or equivalent, with a test load of 400 kN, is linked to the need for use of the covers in road traffic areas and is intended to guarantee user safety and the durability of the element during operation.

The use of ductile iron or equivalent material with equal or superior mechanical characteristics ensures resistance to repeated loads and impacts. Integration of the supporting ring with the C25/30 reinforced concrete body is intended to create a stable support system and reduce the risk of deformation or displacement of the cover during use.

11. Composite Manhole Cover with Square Frame

The requirements for the composite cover have been established considering its use in areas requiring high load-bearing capacity, resistance to atmospheric factors and long-term durability.

Glass-fibre reinforced composite material provides suitable mechanical properties, corrosion resistance and lower weight compared with traditional materials. Load class D400 has been specified according to its use in areas exposed to traffic loads.

The dimensions of the frame and cover have been established in accordance with installation requirements for the manholes where these elements will be used. The hinge, fixing holes and side rubber layer are intended to ensure secure fixing, stability, proper fit between the cover and frame, and reduction of movement and noise during vehicle passage.

The requirement for performance testing against mechanical forces and water absorption in accordance with EN 124-5 or equivalent is intended to ensure that the product retains its mechanical and functional characteristics under actual operating conditions.

The requirements for conformity certificates, quality certificates, declarations of conformity and laboratory analyses have been established in order to enable the Contracting Authority to objectively verify that the materials offered meet the required technical characteristics and performance level.

These documents are directly linked to the nature and importance of the materials to be used in UKT sh.a. works, particularly for products affecting structural safety, network durability and the safety of infrastructure users.

Overall, the technical specifications have been established in accordance with the subject matter and purpose of the contract and are intended to ensure the supply of materials with appropriate quality and performance for the needs of UKT sh.a., guaranteeing functionality, safety, durability and the service life of the works to be carried out.

References to technical standards, specific characteristics or parameters are not intended to favour or exclude a particular manufacturer or product, but to define the minimum level of quality and performance required. Therefore, in every case where a standard, certificate, trademark, specific name, patent, drawing, type, specific origin, manufacturer or contractor is mentioned, an equivalent shall also be accepted, provided that the Economic Operator proves

that the proposed solution fulfils, in an equivalent manner, the technical and functional requirements of the Contracting Authority.