



REPUBLIC OF ALBANIA  
-COMPETITION AUTHORITY-  
COMPETITION COMMISSION

---

**DECISION**

**No. 240 of 26 July 2012**

**On**

**imposing fines on undertakings Eurogjici Security Sh.p.k, Toni Security Sh.p.k, Eurogjici Security 1 Sh.p.k, Nazëri – 2000 Sh.p.k., and Dea Security Sh.p.k on grounds of competition restriction in the private security service procurement market**

The Competition Commission, composed of:

- |                       |              |
|-----------------------|--------------|
| ▪ Lindita Milo (Lati) | Chair        |
| ▪ Rezana Konomi       | Deputy Chair |
| ▪ Servete Gruda       | Member       |
| ▪ Koço Broka          | Member       |
| ▪ Iva Zaimi           | Member       |

in its meeting of 26 July 2012 reviewed the Case with:

**Subject-matter:** Determination whether there is a bid rigging agreement among undertakings Eurogjici Security Sh.p.k, Toni Security Sh.p.k, Eurogjici Security 1 Sh.p.k, Nazëri – 2000 Sh.p.k., and Dea Security Sh.p.k that restricts competition in the private security service procurement market.

**Legal basis:** Article 24 (d); Article 26; Article 4 (1); Article 74 (1) (a) and Article 75 (1) of Law no. 9121 of 28 July 2003 “On Competition Protection”;

Law no. 8485 of 11 November 1999 “Administrative Procedure Code”.

After reviewing the

- Report of the working group on the investigation into the market of private security procurement against undertakings Eurogjici Security Sh.p.k, Eurogjici Security 1 Sh.p.k, Toni Security Sh.p.k, Sajmiri AL Sh.p.k, Nazeri 2000 Sh.p.k and Dea Security Sh.p.k”, initiated by Competition Commission Decision No. 219 of 16 March 2012;

- Secretary-General Report;
- Arguments submitted by Eurogjici Security sh.p.k, Eurogjici Security 1 sh.p.k, Toni Security sh.p.k, Sajmiri AL Sh.p.k, Nazeri 2000 Sh.p.k and Dea Security Sh.p.k, in the hearings of 17 July 2012 and their written arguments submitted to the Competition Authority by means of Letters No. 503/1 Prot of 17.07.2012; No. 504 Prot of 17.07.2012; No. 505 Prot of 17.07.2012; No. 503 Prot of 17.07.2012; No. 506 Prot of 17.07.2012.

## **NOTES THAT:**

### **I. PROCEDURE**

1. The investigation procedure is pursuant to Chapters II and III of Part II of Law no. 9121 of 28 July 2003 "On Competition Protection" (hereinafter the "Law") and Law no. 8485 of 11 November 1999 "Administrative Procedure Code".
2. The Competition Commission, with proposal from the Secretariat and pursuant to Article 43 (1) of Law no. 9121 of 28 July 2003 "On Competition Protection" and Articles 12 and 21 (4) of the Regulation on the functioning of the Competition Authority, adopted Decision No. 219 of 16 March 2012 whereby it decided to: Initiate an investigation into the market of private security procurement against undertakings Eurogjici Security, Eurogjici Security 1, Toni Security, Sajmiri AL, Nazeri 2000 and Dea Security, with the goal to establish whether there was bid rigging that restricted competition in the market of private security procurement in 2009-2011.
3. Pursuant to Competition Commission Decision no. 219 of 16 March 2012, the Secretariat carried out the investigation in accordance with the Law and the Administrative Procedure Code. At the end of the investigation, the Secretariat submitted the in-depth investigation report to the Competition Commission.
4. The in-depth investigation report was communicated to undertakings Eurogjici Security, Eurogjici Security 1, Toni Security, Sajmiri AL, Nazeri 2000 and Dea Security, attached to Letter no. 486 of 4 July 2012 of the Competition Authority Secretary-General.
5. Pursuant to Article 39 of the Law, the parties under investigation submitted their objections to the Investigation Report in the oral hearings and in a written form, which were taken into account by the Competition Commission.

### **II. INVESTIGATION PERIOD AND UNDERTAKINGS UNDER INVESTIGATION**

6. As specified in the Competition Commission Decision no. 219 of 16 March 2012 "On initiating the investigation into the market of private security procurement against undertakings Eurogjici Security Sh.p.k, Eurogjici Security 1 Sh.p.k, Toni Security Sh.p.k, Sajmiri AL Sh.p.k, Nazeri 2000 Sh.p.k and Dea Security Sh.p.k", the period under investigation was 2009-2011.

7. The undertakings under investigation were listed in Competition Commission Decision no. 219 of 16 March 2012. The undertakings under investigation, as specified in the abovementioned Competition Commission Decision are:
- 1) **Eurogjici Security Sh.p.k.**, with Tax Registration Number K31929010K, having its registered office at: Rr. "Adem Jashari", Lagjia nr. 8, Ndërtesa 4, Hyrja 10, Ap 3, Njësia Bashkiake nr. 5, Tirana;
  - 2) **Eurogjici Security 1 sh.p.k.**, with Tax Registration Number K72007048K, having its registered office at: "L.Prizrenit", Tirana;
  - 3) **Toni Security sh.p.k.**, with Tax Registration Number K94010201F, having its registered office at: Rr. "Adem Jashari", Lagjia nr. 8, Pallati 4, Apartamenti 3, Tirana;
  - 4) **Sajmiri AL Sh.p.k.**, with Tax Registration Number K37508220Q; having its registered office at: Lagjia 5, Pranë Telekomit, Kukës.
  - 5) **NAZERI – 2000 sh.p.k.**, with Tax Registration Number K31422029Q, having its registered office at: "Rruga Kavajes", Qendra Condor, Kulla H, Ap 27, Tirana;
  - 6) **DEA SECURITY Sh.p.k.**, with Tax Registration Number K51521007J; having its registered office at: Rruga "Artin Basha", përballe kompleksit "Çabej", Kombinat, Tirana;

### **III. MARKET STRUCTURE**

8. Pursuant to Article 3 (7) of the Law and Competition Commission Decision no. 76 of 7 April 2008 "On approving the guidelines on the determination of the relevant market", the relevant market is determined in two aspects:
- a. Product Market
  - b. Geographic Market

#### ***III.1 Relevant Product Market***

9. The product market includes the market of property and personal private security services, which is provided by private security companies (PSC) the mission of which is to secure public and private structures that are owned or possessed by natural and legal persons operating in the Republic of Albania; secure and safeguard the health and safety of Albanian or foreign natural persons; escort monetary and material values or other valuables in transit.
10. The private security business is listed under Category I.3 in the Annex of Law No. 10081 of 23 February 2009 "On Licenses, Authorizations and Permits in the Republic of Albania". The activity is classified into the following two subcategories:
- a) The service of securing people, facilities and activities, under code I.3.A;
  - b) The service of safeguarding, transporting and escorting monetary instruments and valuables, under code I.3.B.
11. Under the principle of substitutability, the substitutable products on the side of supply are all the services provided by the undertakings in the private security

market. On the other hand, the substitutability on the side of the demand is determined by the technical specifications required in the public procurement organized by a Contracting Authority.

12. Therefore, in our analysis of undertaking behaviour and of the effect that behaviour had on the market **we are going to consider the relevant product market—the market of private security services listed under Code I.3.A.**

### ***III. 2 Geographic Market***

13. All the undertakings under investigation are active in the product market by participating in competitive bid procedures across Albania. In assessing the bid effect, the geographic market will be the territory of the Republic of Albania.

## **IV. UNDERTAKING BEHAVIOUR ON THE MARKET**

14. An amount of evidence was reviewed in order to assess private security market behaviour from the point of view of the Competition Protection Law, in the investigation into the behaviour of Eurogjici Security Sh.p.k, Eurogjici Security 1 Sh.p.k, Toni Security Sh.p.k, Sajmiri AL Sh.p.k, Nazeri 2000 Sh.p.k and Dea Security” Sh.p.k. The review of the evidence related to the competition on the market of private security service procurement, based on OECD Guidelines for Fighting Bid Rigging in Public Procurement, showed the following.
15. The documentation requested under the OECD Guidelines for Fighting Bid Rigging in Public Procurement and submitted by the Contracting Authorities in relation to the bids tendered by Eurogjici Security, Eurogjici Security 1 and Toni Security, Nazeri 2000 and Dea Security (Irezan) showed such similar signs as:
  - ✓ Bid security forms that were issued by the same insurance company, bearing the same date and successive serial numbers;
  - ✓ Judicial Enforcement Office certificates bearing the same date of issuance and successive serial numbers;
  - ✓ Bid forms: having the same language errors, the same wording, formatting, and font type and size;
  - ✓ Bid price forms: having the same language error, the same formatting, and font type and size;
  - ✓ Tax certificates: the same date of issuance and successive Protocol numbers;
  - ✓ The statements of registration in the National Registration Centre: the date of issuance is the same;
  - ✓ Certificates issued by Tirana Judicial Enforcement Office: the same date of issuance and successive Protocol numbers;
  - ✓ Certificates issued by the Social Insurance Institute: the same date of issuance and successive Protocol numbers;
  - ✓ Rapid Intervention Team statements: bearing the same substance and title.
16. Those numerous indications and errors, which were found during the review of the bids that the undertakings under investigation submitted in various procurement cases, show that the bids intended to be submitted in public

procurement procedures were prepared by a number of joint staff who worked closely with each other, which is typical of bid-rigging.

17. The evidence that was found during the inspections showed the following:
- a) Tender documentation at various stages of preparation belonging to the undertakings Toni Security and Eurogjic Security 1 were found in the premises of the undertaking Eurogjic Security. The documents found in the premises of the undertakings Eurogjic Security, Toni Security and Eurogjic Security 1 have the same location address; the same telephone/telefax number; the same operational rooms and the same staff involved in the preparation of the tender documentation. For instance, the draft-addendum to the contract that undertaking Toni Security had with a Contracting Authority, under whose procurement procedures for 2012 it was awarded the contract for 2012 after having had a contract for 2011, was found in the premises of Eurogjic Security. One example is the Polytechnic University. Those draft-agreements bear the protocol numbers and dates of the main contracts that Toni Security had concluded with the abovementioned Contracting Authorities in 2011. Each of the draft-agreements has the same table with the names of the staff involved in the preparation of the tender documentation as the ones found in the documents of Eurogjic Security and Eurogjic Security 1. The address of Toni Security in those documents, as also shown in its Company Logo, is the same as those of undertakings Eurogjic Security and Eurogjic Security 1 in the documents referred to above: "Rruga "Adem Jashari" Lagjia nr. 8, Pall. 4, Ap.3". Toni Security and Eurogjic Security, however, were competitors in that tender. ***The above shows that the preparation of the public procurement bids that were submitted by the undertakings in question was carried out in the same place (the premises of undertaking Eurogjic Security) and by the same joint staff who worked closely with each other, which is typical of bid rigging.*** This behaviour is a violation of Article 4 (1) of Law No. 9121 of 28 July 2003 "On Competition Protection," as amended.
  - b) ***Tender documents belonging to Dea Security (Irezan) were found in the premises of undertaking Nazeri 2000.*** Those were documents that had been issued by various government institutions for tender purposes, and which had been sorted by Contracting Authorities and were ready to be submitted to the online procurement system. The review of those documents, which had been sorted by undertaking under the same tender procedures, found similar marks. That evidence shows that the documents had been prepared by the same persons at the same place.  
In addition, those undertakings use the same operational room. For instance: The following printed copy was found in the premises of Nazeri-2000 sh.p.k.:  
A folder named "2 TENDER ELEKTRONIK IRE-ZAN", containing scanned documents belonging to undertaking Dea Security (IRE-ZAN), which were sorted by individual contracting authority, e.g. "Instituti i Statistikave Dt 21-07-2011". The folders with the abovementioned names contained factual, economic and technical documents belonging to undertaking Dea Security (Irezan) ready to be uploaded to the procurement electronic system. This case concerns a tender procedure with a limit fund of ALL 619,000 organized by INSTAT, where Irezan, Nazeri 2000, Tony Security, Eurogjic and Eurogjic 1 participated as independent bidders.

18. ***The undertakings under investigation used the cover pricing scheme<sup>1</sup>*** by agreeing in advance who would submit the winning bid in a tender where they would all participate so that the lowest bid would win.

It should be noted that when only the undertakings under investigation participated in a tender their bids were very close to the limit fund and were very similar to each other, thus increasing the amount of the winning bid. It has been proved that where participants in a tender procedure include other undertakings in addition to the undertakings under investigation, the behaviour of the latter changes in that they submit bids that are significantly lower than the fund limit vis-à-vis cases where only the undertakings under investigation participated. For instance,

- a) ***Under the tender organized by the Radio and Television Relay Broadcasting Stations (Contracting Authority) on 30 June 2011***, for the purpose of “Security services provided in relation to RTSH facilities” (Lot I), with the Directorate General of RTSH Department of Relay Stations as the client and with a limit fund of ALL 20,039,800 exclusive of VAT; the following participated: Eurogjici Security and a Consortium of operators Toni Security & Nazeri 2000. The contract was awarded to Eurogjici Security at 99.99% of the limit fund, with the support of a bid submitted by Toni Security & Nazeri 2000 for 99.99% of the limit fund. A review of the documents submitted by the bidders showed that those documents (submitted by Eurogjici Sh.p.k. and the Consortium Toni Security and Nazeri 2000) had similar marks. The scheme shows that when participants in a tender include only the undertakings under investigation the amounts stated in the offers are very close to the fund limit and to each other.
- A review of the documents submitted by the bidders showed that Bid Forms for both competitors, “Eurogjici Security” – “Toni Security & Nazeri 2000”, have the same type font, the same date, the same bolded and underlined words, and the same orthographical errors;
- Bid Price Forms for both bidders “Eurogjici Security” – “Toni Security & Nazeri 2000”: have the same type font, the same bolded text, and the same text alignment (left and centre);
- Bid Security Forms for **both bidders** “Eurogjici Security” – “Toni Security & Nazeri 2000”: were issued by the same insurance company on the same date;
- The technical specification and ToR compliance statements for “Eurogjici Security” – “Toni Security & Nazeri 2000”: have the same type font, the same date, the same bolded and underlined text, and the same orthographical errors;
- The statements on the conflict of interest for “Eurogjici Security” – “Toni Security & Nazeri 2000”: have the same type font, the same date, the same bolded and underlined text, and the same orthographical errors.

---

<sup>1</sup> These bids are also called “complementary”, of “gift” bids. This is when an undertaking agrees to tender a higher price than the previously agreed winner’s bid. The cover bids aim at giving the appearance of a genuine offer and competition.

b) **Under the tender organized by the Polytechnic University (Contracting Authority)**, on 28 July 2011, with a limit fund of ALL 9,950,304; the following undertakings participated (with the respective bids): Toni Security with ALL 9,937,200; Eurgjici Security with ALL 9,946,560; Eurogjici Security 1 with ALL 9,949,992; and Therepeli (disqualified) with ALL 8,330,088. The winner was Toni Security at 99.87% of the fund limit, supported by Eurogjici Security at 99.96% of the fund limit and Eurogjici Security 1 with 100% of the limit fund. As the information above shows, the undertakings under investigation have applied the cover pricing scheme whereby they submitted a higher bid in support for the winning bid submitted by Toni Security.

In this case, too, a review of the documents submitted by the bidders found the following similar marks: Bid forms for the three bidders "Eurogjici Security"- "Toni Security"- "Eurogjici Security 1": have the same font, the same date and the same bolded words;

Bid price forms for "Eurogjici Security"- "Toni Security"- "Eurogjici Security 1": have the same font, the same bolded text, the same error in the company income, the same font in the estimated bills of quantities, the same type of inverted commas has been used upside-down for the three undertakings, and the contract description only has closing inverted commas for the three undertakings;

The statement of registration in the National Registration Centre: Toni Security - Eurogjici Security 1": The date of issuance is the same for both bidders: 31 March 2011;

The certificate issued by Tirana Judicial Enforcement Office: Eurogjici Security- Eurogjici Security 1: The date of issuance is the same for both bidders (4 April 2011), and they bear successive protocol numbers (1752-1753);

The annual turnover certificate issued by Tirana Regional Tax Department: "Eurogjici Security", "Eurogjici Security 1": The date of issuance is the same for both bidders: 25 March 2011;

The social and healthcare insurance contribution certificate issued by the Social Insurance Institute: Eurogjici Security and Eurogjici Security 1: The date of issuance is the same for both bidders: 26 January 2011; "Toni Security" - "Eurogjici Security 1":

The same service staff photos were submitted;

2 (two) fiscal receipts bearing successive numbers (25 and 26) and the same date (25.01.2011, one for Toni Security and the other for Eurogjici Security 1) for the purchase of communications equipment from Union shpk;

Lease agreements bearing successive numbers (290 and 291) and the same date (21.03.2011) between Toni Security, Eurogjici Security 1 and Eurogjici Security, and having the same subject-matter of "Leasing office premises"; Rapid Intervention Team statements from Toni Security, Eurogjici Security 1, Eurogjici Security shpk with the same contents and the same title;

Collective weapon licenses issued by Tirana Regional Police Department bearing successive numbers (979, 980, 981, 982) and the same date (29.06.2010) for Toni Security, Eurogjici Security 1. Annex no. 5 and

Annex no. 6 of the three undertakings Eurogjici Security, Toni Security and Eurogjici Security 1 have the same writing format; Bank statements for Eurogjici Security, Eurogjici Security 1 and Toni Security were issued on the same date for the three undertakings (03.06.2011); for undertakings Eurogjici – Tony Security the statement in question was issued by the same bank branch office on the same date. (ETC Branch 043 – 03.06.2011).

*When other entities participated in the bids*, in addition to the undertakings under investigation, the values of the winning bids fell under the limit fund; in addition, the bids of the undertakings under investigation as a percentage of the limit fund were reduced.

So, for instance:

- c) **Under the tender organized by Kavaja First-Instance Court (Contracting Authority)** on 15 March 2011, with a limit fund of ALL 1,125,000, several undertakings participated. The winning bidder was Nazeri 2000 with a bid that was 67.41% of the limit fund at ALL 758,376. Irezan, too, participated in the tender, with a bid consisting of 68.14% of the limit fund, as a cover for undertaking Nazeri 2000. The bids are very close to each other, while they are 32% of the limit fund because of the participation of unrelated undertakings in the tender. A review of the documents submitted by the bidders under this tender found the following similar marks in the documents of undertakings Nazeri 2000 and Irezan: Certificate serial numbers are successive (80190038 - ....39); Price estimation: for Nazeri 2000 and Dea Security (Irezan) was completed in the same way and the same graphical presentation; the price estimates have the same cost details in the cost table. Also, the explanatory note under the table has the same formulation.

In addition to the similar marks in the submitted documents, the values of the bids submitted by the undertakings under investigation Nazeri 2000 and Dea Security (Irezan) shows that those undertakings applied a cover pricing scheme. Dea Security (Irezan) submitted a slightly higher bid than Nazeri 2000 in an effort to cover for it.

19. Similar elements were found in the formulation of bids submitted by the undertakings under investigation in all the tenders, which is evidence of collusion and sharing bid information.
20. The investigation showed that the undertakings under investigation collude under two groups: Group 1 consisting of Eurogjici Security, Eurogjici Security 1 and Toni Security; and group 2 consisting of Nazëri 2000 and Dea Security (Irezan). There are, however, cases of collusion between both groups, too.
21. Undertakings Eurogjici Security, Eurogjici Security 1 and Toni Security used the ***scheme of subcontracting<sup>2</sup> other undertakings submitting bids under***

---

<sup>2</sup> In this case, the subcontracting arises from the prohibited agreement among the bidders whereby they agree to



**the same tenders** in coordination with them. Under such a scheme, after the award of the contract, the winning bidder would subcontract the procured service to the non-winning bidders.

22. The onsite inspections in the head offices of the undertakings under investigation and the review of the documentation submitted by them in response to the requests for information during the in-depth investigation showed that, in relation to some of the tenders under review, the winning bidders subcontracted the procured services to non-winning bidders. By way of example: The participants in the tender organized by Tirana Polytechnic University in 2011 were Eurogjici Security, Eurogjici Security 1 and Tony Security. The contract was awarded to Tony Security, but the services were subcontracted to non-winning bidders (Service Subcontract of 1 September 2011, with Contractor: Tony Security, and Subcontractor: Eurogjici Security 1).

This behaviour represents a purely subcontracting scheme arranged between both operators Toni Security and Eurogjici Security, which also participated in the tender organized by Durres Regional Public Health Department, while having to submit their bids independently from each other. The applied scheme is proof of the constant collusion between those operators.

23. Based on the above, undertakings Eurogjici Security, Eurogjici Security 1 and Toni Security are shown to collude in relation to procurement procedures by employing a subcontracting scheme. Under such a scheme, after the award of the contract, the winning bidder subcontracted the procured service to the non-winning bidders that participated in the procurement. This behaviour is proof of the fact that Eurogjici Security, Eurogjici Security 1 and Toni Security do not submit their bids under procurement procedures independently, which is a violation of Article 4 (1) (a) of Law No. 9121 of 28 July 2003 "On Competition Protection," as amended, because it restricts competition in procurement.

24. In the three years the competitor undertakings shared their clients (Contracting Authorities) by avoiding competition among themselves and covering each other. This sharing is presented as one of the forms of **bid-rigging: market allocation**. So, for instance:

- a) Undertaking Eurogjici Security was awarded the contract under the tender organized by Tirana Polytechnic University (Contracting Authority) in two years, while in 2011 that contract was awarded to Tony Security, which was provided with cover by Eurogjici Security and Eurogjici Security 1. Thus, in three consecutive years the competitors were undertakings that are members of the same group. The values of the winning bids were very

---

either refrain from submitting a bid, or submit a bid that would not be awarded a contract in exchange for subcontracts or supply contracts concluded with the successful bidder, which helps them share the profits. This is a secret agreement. In this way, a bidder with a lower bid agrees to withdraw from the procurement procedure for the benefit of a bidder with a higher bid in exchange for a profitable subcontract under which they would share the premium generated unfairly in this way.

close to the respective limit funds (100.0%, 99.4% and 99.9%, respectively). In this tender similar marks were found.

- b) Eurogjici Security has been the winning bidder in the tender organized by University Obstetrical and Gynaecological Hospital "Mbreteresha Geraldine" for three years. The competing bidders in the three years were undertakings from the same group, as also indicated by the evidence of similarities in the bids. The values of the winning bids were very close to the respective limit funds (99.7% in 2009 and 100% in 2011, while in 2010 the bid was reduced to 83.3% of the limit fund because of the participation of bidders that were not members of the same group).
- c) Undertaking Nazeri 2000 won the tender organized by the Regional Agricultural Department (Contracting Authority) and the University Stomatology Clinic for three years in 2009-2011. The other bidders in the three years were undertakings of the same group.

25. The findings presented above are evidence of collusion in the market of private security services procured by public institutions among undertakings Eurogjici Security, Toni Security, Eurogjici Security 1, NAZERI – 2000 and DEA SECURITY, which is a behaviour that violates Article 4 (1) (a) of Law No. 9121 of 28 July 2003 "On Competition Protection," as amended.

26. With regard to undertaking Sajmiri AL, the findings presented above did not provide any proof of its involvement in bid-rigging in collusion with the other undertakings under investigation. This undertaking cooperates with the other undertakings under investigation by participating in Consortiums of operators under agreements concluded pursuant to the Public Procurement Law, mainly in the Region of Kukes.

27. Based on the above, the overall behaviour of the undertakings, where

- a. there is electronic and hard copy evidence of collusion among the undertakings, in the form of sharing detailed information and joint preparation of bids as shown by the similarities in the tender documentation, the use of the same staff in the preparation of the bids, the same head office and operational room addresses;
- b. the undertakings under investigation use the cover pricing scheme by agreeing in advance who would submit the winning bid in a tender where they would all participate so that the lowest bid would win. The investigation found the undertakings submit bids that are very close to the limit fund (up to about 99.99%) when only the undertakings under investigation participate in a tender, but when other undertakings participate in a tender the bids are lower (about 20%-30%) than the limit fund;
- c. the undertakings under investigation use the subcontracting scheme, whereby, after the award of the contract, the winning bidder subcontracts the procured service to the non-winning bidders, thus sharing profits from the prohibited agreement;

d. the competitor undertakings shared their clients (Contracting Authorities) by avoiding competition among themselves and covering each other for three years,

is evidence of bid-rigging in the market of private security services procured by public institutions among undertakings Eurogjici Security, Toni Security, Eurogjici Security 1, Nazeri – 2000 and DEA SECURITY.

28. Pursuant to Article 4 (1) (a) of Law No. 9121 of 28 July 2003 “On Competition Protection” this is considered a prohibited agreement since it aims at restricting competition in the market of private security procurement.

**FOR THESE REASONS:**

The Competition Commission, pursuant to Articles 4(1)(a), 24(d), 45(1), 74(1)(a) and 80 of Law no. 9121 of 28 July 2003 “On Competition Protection”,

**DECIDED TO:**

- I. Conclude the investigation into the market of private security procurement against undertakings Eurogjici Security Sh.p.k, Eurogjici Security 1 Sh.p.k, Toni Security Sh.p.k, Sajmiri AL Sh.p.k, Nazeri 2000 Sh.p.k and Dea Security Sh.p.k”.
- II. Prohibit the bid-rigging agreement in the market of private security services procured by public institutions among undertakings Eurogjici Security, Toni Security, Eurogjici Security 1, Nazeri – 2000 and DEA SECURITY, which is a prohibited agreement within the meaning of Article 4 (1) (a) of Law No. 9121 of 28 July 2003 “On Competition Protection”.
- III. To impose a fine of ALL 1,050,000 on Eurogjici Security sh.p.k. for taking part in bid rigging;
- IV. Impose a fine of ALL 407,000 on Toni Security sh.p.k. for taking part in bid rigging;
- V. Impose a fine of ALL 416,000 on Eurogjici Security 1 sh.p.k. for taking part in bid rigging;
- VI. Impose a fine of ALL 530,000 on Nazeri 2000 sh.p.k. for taking part in bid rigging;
- VII. Impose a fine of ALL 128,000 on Dea Security sh.p.k. for taking part in bid rigging;
- VIII. The Secretary General shall be charged with enforcing this Decision and communicating it to the undertakings listed above and to the Public Procurement Agency.

This Decision shall enter into force immediately.

**COMPETITION COMMISSION**

**Servete GRUDA**

(\_\_\_\_\_)

**Member**

**Koço BROKA**

(\_\_\_\_\_)

**Member**

**Iva ZAJMI**

(\_\_\_\_\_)

**Member**

**Rezana KONOMI**

(\_\_\_\_\_)

**Deputy Chair**

**Lindita MILO (LATI)**

\_\_\_\_\_  
**CHAIRPERSON**