

CAPITAL PROJECTS OF MINISTRIES:
**Should capital investments
be centralized under
one ministry?**



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centralized under one ministry?

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Executive Summary

In the period 2020–2023, ministries have jointly planned nearly half a billion Euros per year on average for the financing of capital projects. In 2023, ministries have planned a budget for capital projects in the amount of 569.4 million Euros. This 26% of the total budget of the ministries, or 18% of the total annual budget of Kosovo.

Around 265.7 million Euros, or 47% of the capital projects' budget of ministries, are dedicated to the construction of roads, new buildings, and renovation of existing buildings. Despite that all governments had a main ministry for infrastructure projects, with different names, many ministries included in their capital projects' list projects that fall outside of their scope. A similar practice, although on a lower scale, is also observed in the 2023 Budget.

Eleven ministries will cover 168 projects for construction and renovation of buildings, with a value of around 65 million Euros. Four ministries have jointly a total of 175 projects for the construction and asphaltting of roads with a value of about 200.8 million Euros. In addition to the Ministry of Environment, Spatial Planning and Infrastructure, which is responsible for the largest investments in infrastructure projects, the majority of which is for construction and maintenance of roads, other ministries have included in their budget the construction of roads. The Ministry of Justice has envisaged 85 thousand Euros for the asphaltting of roads and pavements; the Ministry of Agriculture, Forestry and Rural Development allocated 350 thousand Euros for the rehabilitation of the road network in the vineyard areas; the Ministry of Culture, Youth and Sports allocated 500 thousand Euros for the revitalization of a road in Prizren. Projects for the construction of schools are generally managed by MESTI (90%); however, the Ministry of Internal Affairs has also envisaged the construction of four schools with a total value of 1.6 million Euros.

All ministries have procurement officers as part of their staff. The number of procurement officers across ministries varies from one to eight. It is not known what criteria are used for the number of procurement officers in the ministries. For instance, MMPHI's capital investment budget is 98 times higher than the capital investment budget in the Ministry of Communities and Returns, but both ministries have five procurement officers each. The capital investments budget of the Ministry of Defense is two times lower than that of MMPHI, but MD has two more procurement officers employed. According to the CAO, MMPHI's procurement officials have shown a lack of effective control in the tendering procedures. In addition, lack of capacities were identified in the acceptance of technical works by MMPHI.

Most ministries have separate divisions for monitoring capital projects. The Central Procurement Agency (CPA) monitors and develops joint procurement processes. A number of budget organizations also hire supervisory companies.

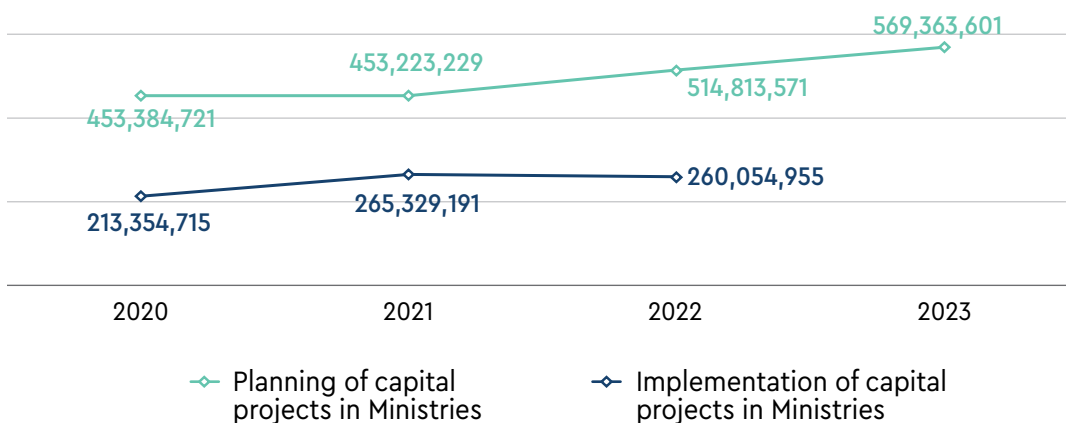
To enhance efficiency and effectiveness in capital project implementation, increase the quality of investments, and better coordinate and complete capital projects, the GAP Institute recommends considering the option of leaving all infrastructure projects under the responsibility of a single ministry, and transfer procurement and monitoring officials to that ministry. Such examples also exist in other countries, such as in Albania or the UK.

1. Planning of capital projects by ministries

From a total budget of 3.2 billion Euros for 2023, central and independent institutions are planned to manage 2.5 billion Euros, or 79% of the budget; and municipalities around 660.3 million Euros, or 21% of the budget.¹ Compared to 2022, the 2023 budget has increased by 18% , or 477.3 million Euros.²

In the last four years (2020–2023), ministries have planned an average of half a billion Euros of their annual budgets for the financing of capital projects. The 2023 budget for capital projects of ministries is planned to reach 569.4 million Euros, or 26% of the total budget of ministries (18% of the total budget). Compared to 2022, the budget for capital projects of ministries has increased by about 55 million Euros, or 11%.

Figure 1. Planning and implementation of capital projects of ministries (2020–2023)



Source: Reports of the Ministry of Finance, Labor and Transfers

Ministries with the highest budgets for capital projects in 2023 are: Ministry of Environment, Spatial Planning and Infrastructure (MESPI) with 216 million Euros, or 38% of the capital project budget, the Ministry of Finance, Labor and Transfers (MFPT) with about 102.5 million Euros³, or 18% of the capital projects budget, and the Ministry of Defense (MD) with around 48 million Euros, or 8% of the capital project budget. Ministries with the lowest capital project budget are the Ministry of Justice (MJ) with 1.5 million Euros (0.3% of the capital projects budget for ministries) and the Ministry of Regional Development (MRD) with 2.5 million Euros (0.4% of the capital project budget for ministries).⁴

Compared to 2022, the Ministry of Health has planned a budget increase in 2023 for capital projects by 122% or 1.3 million Euros, the Ministry of Economy (ME) an increase of 103% or 162.2 million Euros, and the Ministry of Industry, Entrepreneurship and Trade (MIET) an increase of 65% or 2.9 million Euros. Ministries that saw a reduction of their capital project budget in 2023 are: The Ministry of Defense with around 7.4 million Euros reduction (-13%), the Ministry of Agriculture, Forestry and Rural Development (MAFRD) with 237 thousand Euro fewer (-4%), and the Ministry of Local Government Administration (MLGA) with 155 thousand Euros fewer (-3%).⁵

1 Official Gazette. Law on Budget 2023. Source: <http://bitly.ws/HoN9>

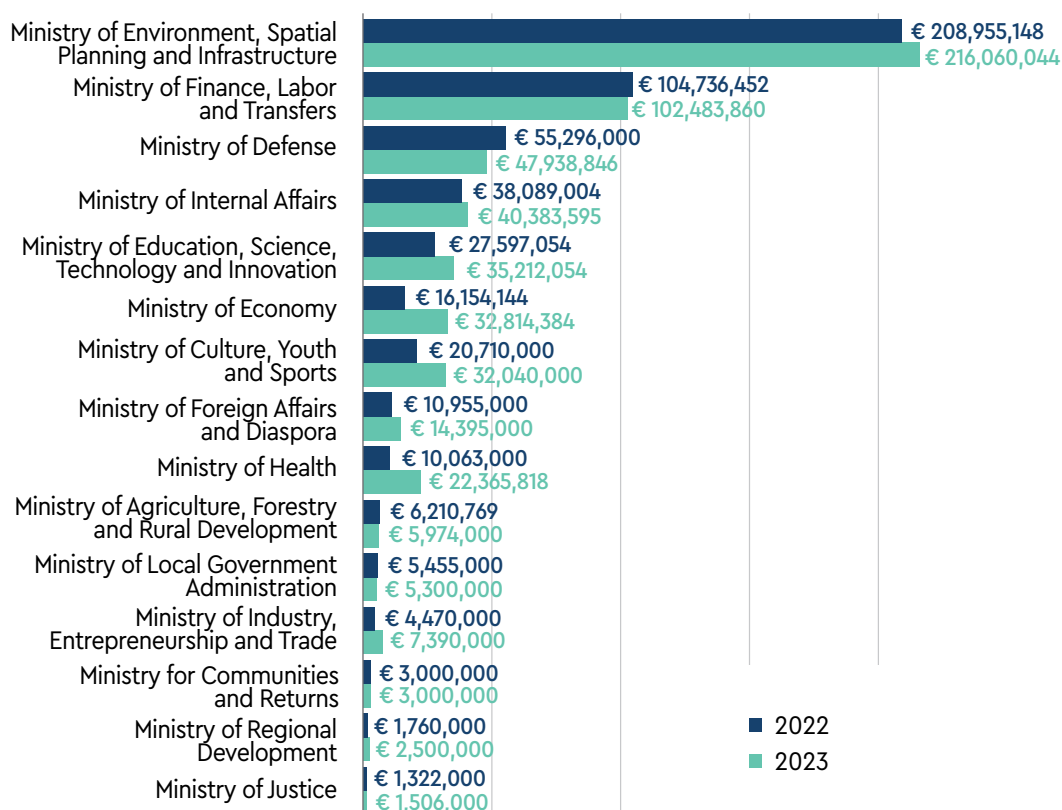
2 Official Gazette. Budget Laws 2022 and 2023. Source: <http://bitly.ws/HoN9>; <http://bitly.ws/HoN9>

3 Around 39.4 million Euros of the capital projects category in MFLT are planned for capital contingencies.

4 Official Gazette. Law on Budget 2023. Source: <http://bitly.ws/HoN9>

5 Official Gazette. Budget Laws 2022 and 2023. Source: <http://bitly.ws/HoN9>; <http://bitly.ws/HoN9>

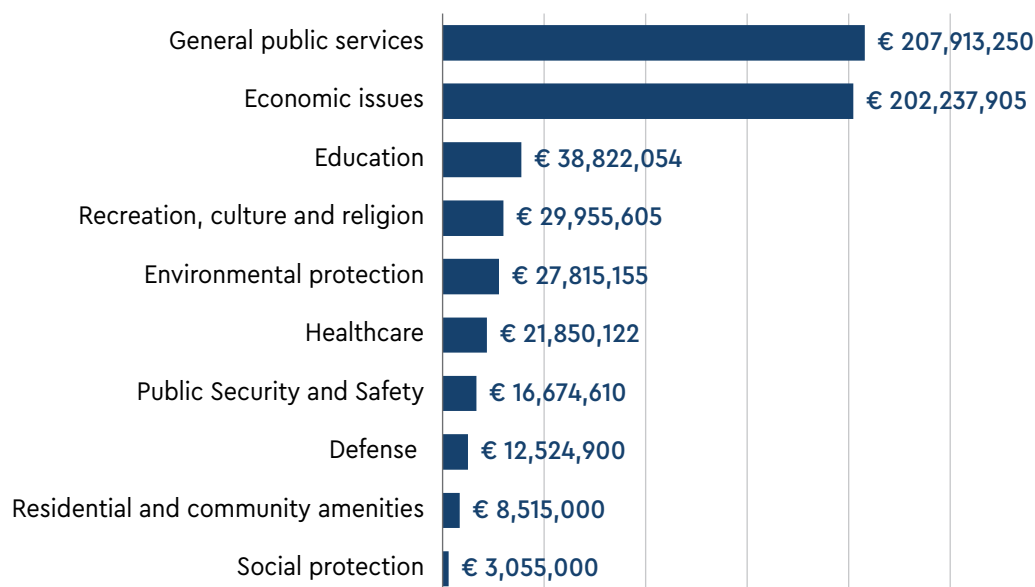
Figure 2. Planning of capital project budget in ministries (2022–2023)



Source: MFLT, Budget Laws 2022 and 2023

Allocation of the budget to capital projects is an important process to help the economic development of the country. Capital investment funds are intended to finance projects in infrastructure, education, health, culture, sports and public services. According to functional budget codes, the capital project budgeting of ministries for 2023 includes 207.9 million Euros for general public services, 202.2 million Euros for economic affairs, 38.8 million Euros for education, 8.5 million Euros for projects related to residential and community amenities, three million Euros for social protection, etc.

Figure 3. Capital projects of ministries according to functions 2023



Source: MFPT, Law on Budget 2023

By type of project, a significant part of the capital project budget is planned for infrastructure and road rehabilitation. These projects include construction, reconstruction and expansion of new roads, existing roads, construction of tunnels, bridges and other road elements. Around 175 capital projects with a value of around 200.8 million Euros have been planned this year as part of the ministries' road infrastructure, comprising 35% of total capital projects of ministries. In 2023, the average value of capital projects for construction and rehabilitation of roads is 1.3 million Euros. Most road infrastructure projects (99%) will be managed by the Ministry of Environment, Spatial Planning and Infrastructure (MESPI).

In addition to MESPI, the Ministry of Justice, Ministry of Agriculture, Forestry and Rural Development, and the Ministry of Culture, Youth and Sports have also planned asphaltting, rehabilitation, and revitalization of the road infrastructure. The asphaltting of several roads and pavements in the Correctional Facility in Dubrava with a value of 85 thousand Euros will be financed by MJ. Road network rehabilitation in the vineyard areas of Kosovo, with a value of 350 thousand Euros will be financed by MAFRD, whereas the revitalization of the road "Marin Barleti" in Prizren, with a value of 500 thousand Euros will be financed by MCYS. In addition, the ME has planned three projects for wastewater processing, with a value of 19 million Euros.

Table 1. Capital projects of ministries by type for 2023

Type of Project	Ministry	Amount	Number of projects
Construction, rehabilitation of roads	5 MESPI	180.8 million Euro	169
	EC	85 thousand Euros	1
	MAFRD	350 thousand Euros	1
	MCYS	500 thousand Euros	1
	OF	19 million Euro	3
Construction and renovation of buildings	11 MESTI	17.4 million Euro	49
		<div style="display: flex; justify-content: space-around;"> <div style="text-align: center;"> ↓ about 14 million Euros in the construction of 39 schools </div> <div style="text-align: center;"> ↓ around 3.2 million Euros for university buildings </div> </div>	
	MIA	16 million Euro	22
		<div style="text-align: center;"> ↓ 1.6 million Euros on the construction of 4 schools </div>	
	MH	9.2 million Euro	11
	MCYS	11.5 million Euro	52
	MAFRD	2.9 million Euro	5
	MFLT	4.1 million	8
	MESPI	1.5 million Euro	4
	EC	635 thousand Euros	11
	MIET	170 thousand Euros	2
MRD	506 thousand Euros	3	
OF	900 thousand Euros	1	
265.7 million Euros or 47% of the ministries' capital projects			

In addition to road construction, MESPI and ten other ministries have also planned projects in construction and renovation of buildings. MESTI has planned 17.4 million Euros, or 49% of its capital projects for the construction and renovation of school and university buildings. Around 14 million Euros (40%) are planned to be spent for the construction of schools, kindergartens and preuniversity level facilities. 3.2 million Euros (10%) are planned for construction and renovation of university buildings. Projects for the construction of school buildings are mainly managed by MESTI (90%). However, the construction of several primary and vocational schools with a value of 1.6 million Euros (10%) has also been planned by MIA, including primary school in Peja (200 thousand Euros), primary school in Pozhoran (600 thousand Euros), secondary vocational school in Komoran (500 thousand Euros), and the musical school in Prizren (300 thousand Euros).

Further, MH has planned 9.2 million Euros (41%) of its capital projects in construction and renovation of healthcare facilities. MCYS has planned around 11.5 million Euros (36%) of its capital projects for construction and renovation of buildings, halls, sports grounds, stadiums, statues, and similar. MAFRD planned around 2.9 million Euros (48%) of its capital projects for the construction and renovation of regional offices for the inspectorate of the Food and Veterinary Agency (Gjakova and Ferizaj) and for the rehabilitation of irrigation systems. MFLT has planned 4.1 million Euros (4% of the budget for capital projects) for the renovation and reconstruction of official buildings. MJ has planned 635 thousand Euros, or 46% of its capital projects for construction/renovation. MIET has planned 20 thousand Euros for the renovation of its building and 150 thousand Euros for construction and equipment for its regional centers for innovation and entrepreneurship. MRD has planned around 506 thousand Euros or 20% of its capital projects in construction and reconstruction of cultural heritage buildings, business incubators, underpasses. ME has planned one projects for the renovation of the Digital Excellence Center building with a value of 900 thousand Euros.

The data above indicates that ministries have used around 265.7 million Euros, or 47% of their capital project budget, for projects related to construction of roads, new buildings, renovation of existing buildings. In this case, 11 ministries are involved in projects related to construction of new buildings and renovation of existing ones. Four ministries are involved in the construction and asphaltting of roads.

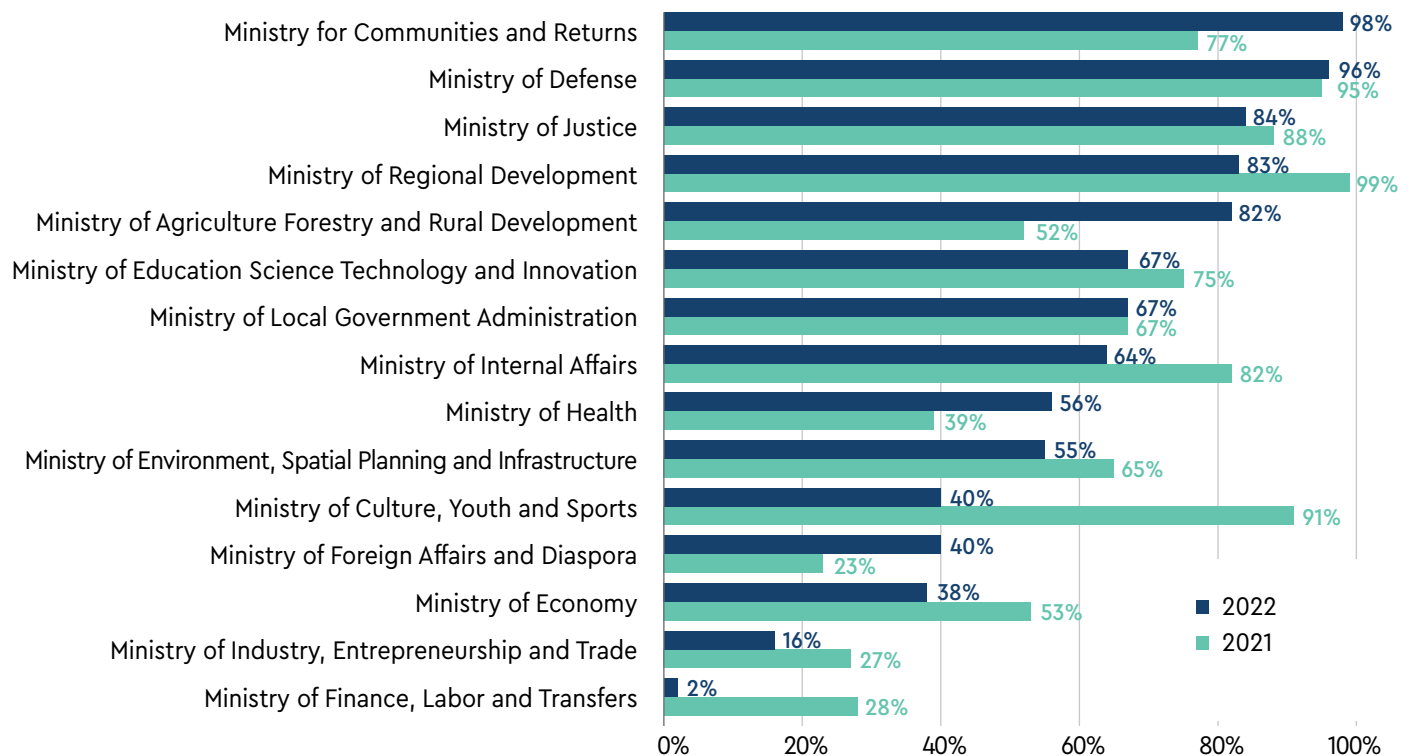
2. Implementation of capital projects by ministries

2022 saw a lower level of capital project execution by ministries, compared to 2021.⁶ According to MFLT reports, ministries have spent most of the budget for capital projects in the last three months of 2022.⁷⁸

In the 2022 budget, MFPT managed a capital project budget of around 60.3 million Euros⁹, and spent around 1.4 million Euros, or 2% of capital project budget. This is partly because of the large budget allocated in the category of contingencies by this ministry, which were spent.¹⁰ The Ministry of Industry, Entrepreneurship and Trade (MIET) managed around 3.6 million Euros for capital projects, of which it spent 584.5 thousand Euros (16%). In 2021, its level of capital project execution was 27%. In 2022, the Ministry of Economy managed 10.7 million Euros, of which it spent 4.1 million, or 38%. In 2021 the Ministry spent a higher budget for capital projects (53%).

The three ministries with the highest level of capital project budget execution in 2022 are the Ministry of Communities and Return (MCR) which spent 98% of its capital project budget, the Ministry of Defense (96%), and the Ministry of Justice (84%). The capital projects budget of these ministries was between one and three million Euros.

Figure 4. Capital project spending in ministries for 2021 and 2022



Source: MFLT, Annual Financial Reports

⁶ Ministry of Finance, Labor and Transfers(MFPT). Annual Financial Report 2021 and 2022.

Source: <http://bitly.ws/HoNT>; <http://bitly.ws/HoP2>;

⁷ MFLT. Biannual Financial Report, Budget of the Republic of Kosovo (January-June 2022). Source: <http://bitly.ws/HoPo>

⁸ MFLT. Three-quarterly Financial Report, Budget of the Republic of Kosovo (January-September 2022).

Source: <http://bitly.ws/HoPx>

⁹ Around 56.7 million Euros are budgeted as capital contingencies and transfers under the Capital Projects category in MFLT.

¹⁰ This approach to budgeting, where a significant part of the budget is allocated to categories without a clear intended purpose, has been raised as an issue in the IMF's annual report. Source: <https://shorturl.at/koFGK>

Over the years, capital project execution has been low and slow. High value capital projects included in the 2023 Budget Law are:

- Project "national road Prishtina-Gjilan-Konqul" first started to be budgeted in 2017;
- Project "extension and rehabilitation of the highway Prishtina-Mitrovica" has been budgeted since 2010;
- Project "construction of the road Prishtina – Podujevë" is budgeted since 2016, etc.

These three projects are expected to be finalized in 2025. The non-execution of capital projects in the projected time can bring many deficiencies for the budget. According to the 2022 Budget Law, more than half of the projects of ministries in municipalities started in 2018 and 2019 and are yet to be completed.¹¹ This is as a result of public investments implemented in unexpropriated lands, contracts signed over the estimated budget value, issues with the payment process, and delays in the payment of invoices, irresponsible economic operators being awarded contracts, payments made for unexecuted works, contracts signed through inadequate procurement procedures, issues in the drafting of executive projects for road construction, etc.¹²

Table 2. Capital projects of ministries with the highest value for 2023

Ministry	Project	Budget 2023	Start the project
MESP	National Road Prishtina-Gjilan-Konqul	€ 27,000,000	April, 2017
MESP	Expansion and rehabilitation of the Prishtina-Mitrovicë highway	€ 22,500,000	March 2010
MESP	Rehabilitation of Railway Route X (Fushë Kosovë – Hani i Elezit)	€ 20,000,000	July 2016
MESP	Expansion of the Dollc -Gjakova road	€ 11,000,000	April, 2018
ME	Wastewater processing plant in the Municipality of Pristina	€ 10,046,161	February 2018
MESP	Repair of the regional road R115 Prizren, Prevalle	€ 6,000,000	April, 2017
MESP	Construction of the Pristina -Podujeva road	€ 6,000,000	March 2016

Source: MFPT, Law on Budget 2023

According to the National Audit Office (NAO), the level of execution in infrastructure projects and road rehabilitation was low. The final budget of MESPI for road construction and rehabilitation projects, cadaster projects, and railway rehabilitation was 65.6 million Euros, while it spent 6.4 million Euros (10%). The Ministry of Economy had allocated 12.8 million Euros for projects on energy efficiency and monitoring of POEs, while it executed 4.9 million Euros, or 38%. The Ministry of Health (MH) had a final budget for projects for the management and emergency response to COVID-19 of 24.5 million Euros, while it spent 7.1 million Euros, or 29%.¹³

11 GAP Institute. Budget Law 2022. Favoring of and Discrimination against Municipalities in Capital Investments.

Source: <http://bitly.ws/HoQd>

12 GAP Institute. Expenses of budget organizations for court decisions. Source: <http://bitly.ws/HoQg>

13 National Audit Office. Annual financial report of the government for the budget of the Republic of Kosovo 2021

Source: <http://bitly.ws/HoQQ>

2.1 The impact of the Procurement Review Body on the implementation of capital projects

Operators' complaints to the Procurement Review Body (PRB) have also led to a low execution of planned capital projects. The failure to review complaints due to the lack of the PRB Board, as well as high level of inflation (unilateral withdrawal of economic operators) in 2022 affected the low level of execution of capital projects and the relevant delays. There were 192 complaints from economic operators to the ministries in 2022. there were 67 complaints against MESPI, 40 against MIA, 35 against MH, and 13 against MD.

Table 3. The number of complaints from economic operators against ministries in 2022

Contracting Authority	Number of complaints to the contracting authority
Ministry of Environment, Spatial Planning and Infrastructure	67
Ministry of Internal Affairs	40
Ministry of Health	35
Ministry of Defense	13
Ministry of Culture, Youth and Sports	9
Ministry of Education	7
Ministry of Finance	5
Ministry of Industry, Entrepreneurship and Trade	5
Ministry of Economy	4
Ministry for Communities and Return	4
Ministry of Agriculture, Forestry and Rural Development	2
Ministry of Foreign Affairs and Diaspora	1

Source: PRB

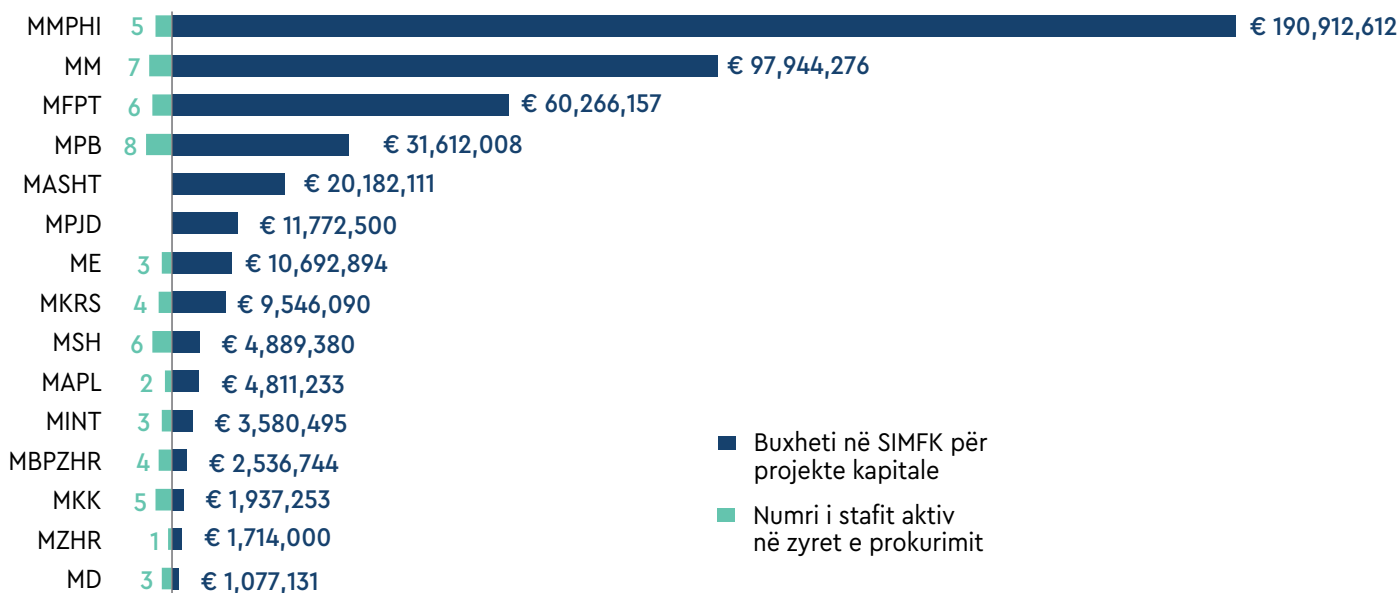
3. Capacities of ministries for the implementation of capital projects

Timely and qualitative implementation of capital projects requires appropriate allocation and use of human and financial resources. The capital projects budget of ministries has increased every year, while the number of active procurement staff in ministries remained virtually unchanged in the last three years; with the exception of MFLT, which had eight active procurement officers in 2020 and 2021, and only six in 2022. The highest number of active procurement staff in 2022 was in MIA (eight), and the lowest number in the Ministry of Regional Development (one).

Ministries do not align the number of procurement staff with the budget for capital projects. The number of active procurement staff in MESPI and MCR is the same, with five officials each, despite that the capital project budget of MESPI is 98 higher than that of MCR. In addition, with a capital budget two times lower than MESPI, MD has two active procurement officials more, and MFLT, with a budget three times lower than MESPI, has one active procurement official more.

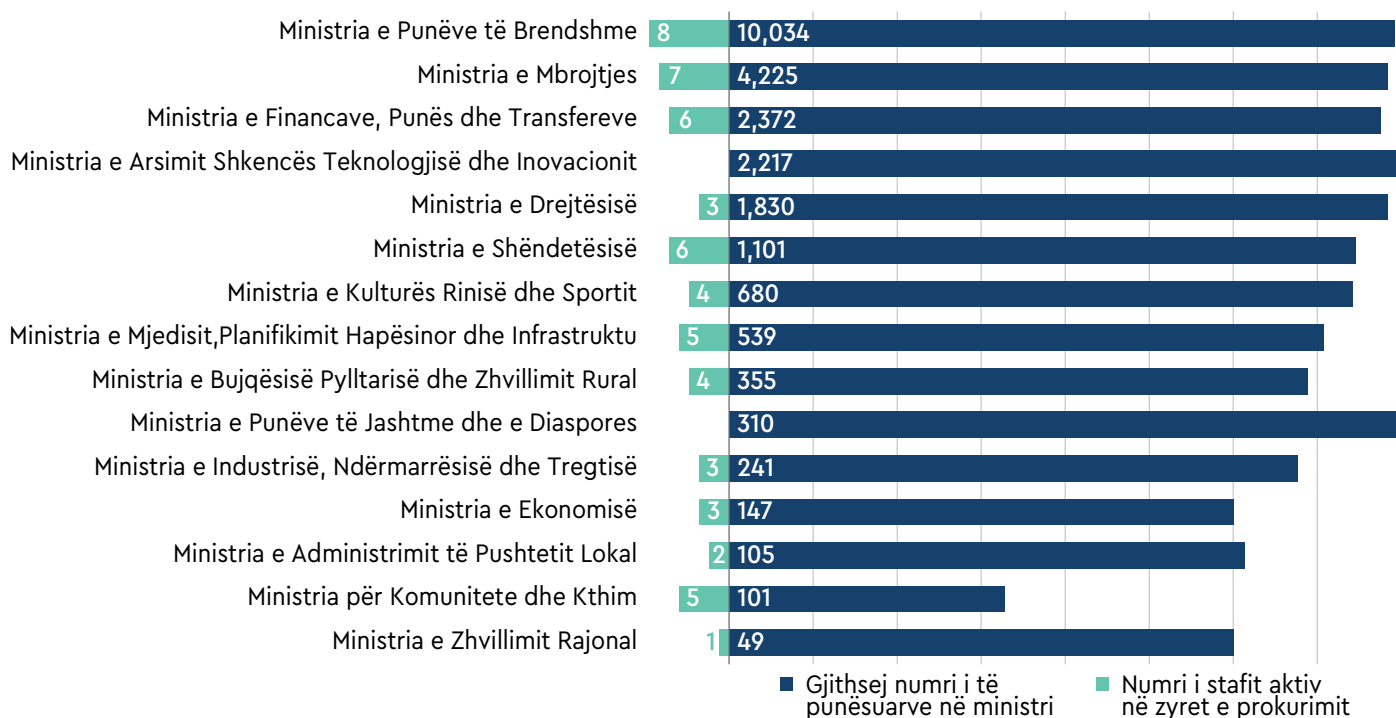
According to the findings of the NAO, procurement officials have shown a lack of effective control in the tendering procedures. In addition to procurement, NAO has also identified poor staffing capacities in MESPI related to the acceptance of technical works.¹⁴ Among other, MESPI committees tasked to accept technical works and supervise other works mainly consist of staff with no relevant competencies (lawyers, economists), despite the risk of accepting projects without the required standard and quality.¹⁵

Figure 5. Total number of active procurement officials in 2022 and budget for capital projects



Source: GAP Institute using data from the 2022 Financial Report and relevant ministries

Figure 6. Total number of employees in the ministry and active procurement officials 2022



Source: GAP Institute using data from the 2022 Financial Report and relevant ministries

¹⁴ National Audit Office. Audit report on MMPHI's annual financial statements. Source: <http://bitly.ws/HoQJ>

¹⁵ National Audit Office. Audit report on MMPHI's annual financial statements. Source: <http://bitly.ws/HoQJ>

4. Management and monitoring of capital projects

Capital projects of ministries are managed through the Public Investment Program (PIP). The planning of projects in PIP is detailed, and is first approved by the head of the relevant institution (ministry) and then by the MFLT. In addition, the Central Procurement Agency (CPA), responsible for the development of joint procurement activities for contracting authorities (ministries), operates under the MFLT. At the request of the contracting authority, CPA can provide assistance and perform procurement activities on behalf of the contracting authority. This way the CPA can perform centralized procurement activities for capital projects of ministries.

Some ministries have separate divisions to monitor the implementation of their capital projects. The Ministry for Communities and Return monitors capital expenditures through its Projects Division, part of the Project Management and Monitoring Department which has five officials. MH monitors capital projects through the Infrastructure Division, which is part of the Strategic Development Department. Two officials work in this Division – the Head of the Division and the Senior Project Management Officer. MESPI monitors capital projects through the Road Management Department, and has 48 officers working. MESTI monitors its capital projects through the Project Implementation Division under the European Integration, Policy Coordination and Legal Department.

The Capital Investments Monitoring Division (IMD) in MESTI has three officers employed, and occasionally hires a professional company (through an open tender procedure). MFLT monitors its capital projects for construction and renovation through its Procurement Division, (by the construction engineer, professional supervision contractors, contract managers assign by the Chief Administrative Officer, proposed by the requesting unit). General monitoring is done by department managers of the units and the procurement manager. In the Ministry of Local Government Administration, the implementation of capital projects is monitored through the Division for Development and Monitoring of Capital Projects under the Department for Sustainable Municipal Development. Two engineers work in this division. Procurement procedures for projects in municipalities financed by MLGA are developed by the municipalities. In the Ministry of Regional Development (MRD), capital projects are monitored through the Department for Regional Development or/and contracting companies. For projects in municipalities financed by MRD, procurement procedures are developed by the municipalities. Capital investments in MAFRD are monitored upon the request initiating department and the contract manager. In MCYS, capital projects are monitored through official administration channels (supervisory bodies and contract managers). In the Ministry of Justice, capital projects are monitored by the Correctional Service and the Office of Engineers. In the Ministry of Defense, the Chief Administrative Officer assigns a contract management team for each contract: the contract manager and assistant contract manager, responsible for overseeing the execution of the contract. The MD also hires supervisors for the contract manager, for direct supervision of contract implementation, approval and processing of contractor performance evaluations. In the Ministry of Economy, capital projects are monitored through the requesting unit.

Conclusion

Every year, hundreds of millions of Euros are invested in infrastructure projects. These investments contribute to the overall development of the country, as well as improve infrastructure, wellbeing, employment, etc. However, capital investments was the category with most issues, with poor planning of hundreds of projects over the years, poorly maintained investments, budget abuse, projects delayed for over decade, etc.

Ministries have continuously invested in projects outside of their scope, as defined under the Regulation on the Areas of Administrative Responsibility of the Office of the Prime Minister and Ministries.¹⁶ The 2023 Budget has included projects where the Ministry of Interior builds a music school, and MCYS builds roads.

Distributing infrastructure investments outside the ministry responsible for infrastructure increases the risk of poor planning of projects, inadequate oversight, and deter the focus of the ministry from policy-making. Through this Memo, GAP Institute aims to initiate a debate on whether this is the best form to manage capital investments, and propose a process in which all infrastructure projects are designed, executed, monitored and maintained by a single institution? We believe this would enhance the quality of investments, and reduce abuses in the budgeted intended for capital investments. This requires a more thorough analysis and amendments to a number of laws to make it possible, including the Law on Public Procurement.

Examples of projects management from a single institution exist both in the countries of the region and more developed countries. The Albanian Development Fund (ADF) is a development organization established by the Albanian Government to manage capital projects. This fund cooperates with ministries and various government institutions to identify, evaluate and select development projects which need financial support. These capital projects include road construction, energy infrastructure, water systems, education and healthcare facilities, tourism, environment, agriculture, and many others. The role of the ADF is to provide financing and assist in the implementation of capital projects in Albania. ADF provides loans, grants, and direct investments to help finance such projects. ADF also cooperates with international financial institutions and other organizations to secure other sources of financing and increase the development capacity of the country. In addition to financing, ADF also provides technical expertise and consulting for the management and implementation of capital projects.¹⁷

In the United Kingdom, the Infrastructure and Projects Authority (IPA) is a government agency that serves as central expertise in providing independent advice on the planning and implementation of large infrastructure projects. IPA operates under the jurisdiction of the Ministry of the Treasury and the Cabinet Office. The aim of IPA is to ensure that these projects are managed efficiently and achieve their intended objectives. To achieve this objective, IPA cooperates with various government departments, agencies and project teams.¹⁸

¹⁶ Official Gazette of the Republic of Kosovo. Regulation No. 02/2021 on the Areas of Administrative Responsibility of the Office of the Prime Minister and Ministries, and Regulations 04.2021 and 03/2022 amending this Regulation. Source: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=39317>

¹⁷ Albanian Development Fund (ADF). Institutional Activity of ADF. Annual Report, 2020. Source: <https://rb.gy/dy5ko>

¹⁸ Infrastructure and Projects Authority (IPA). About the IPA. Reporting to Cabinet Office and HM Treasury. Source: <http://bitly.ws/IV6e>

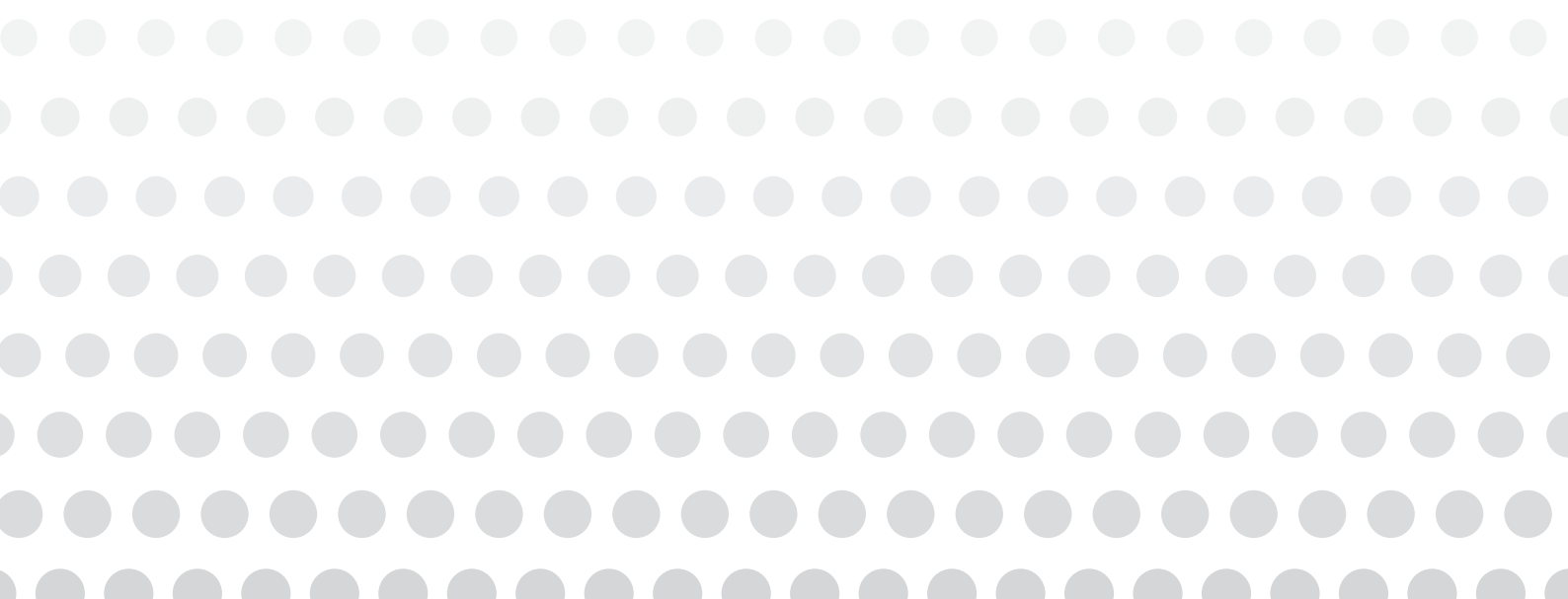
GAP Institute is a Think Tank established in October 2007 in Kosovo. GAP's main goal is to attract professionals to create an environment of professional development and research, as seen in similar institutions in Western countries. This also provides Kosovars with opportunities to research, develop and implement projects in order to advance the Kosovo society. Priority for this Institute is the mobilization of professionals to address the country's economic, political and social challenges. GAP's main goals are to fill the gaps between government and citizens, and between problems and solutions.

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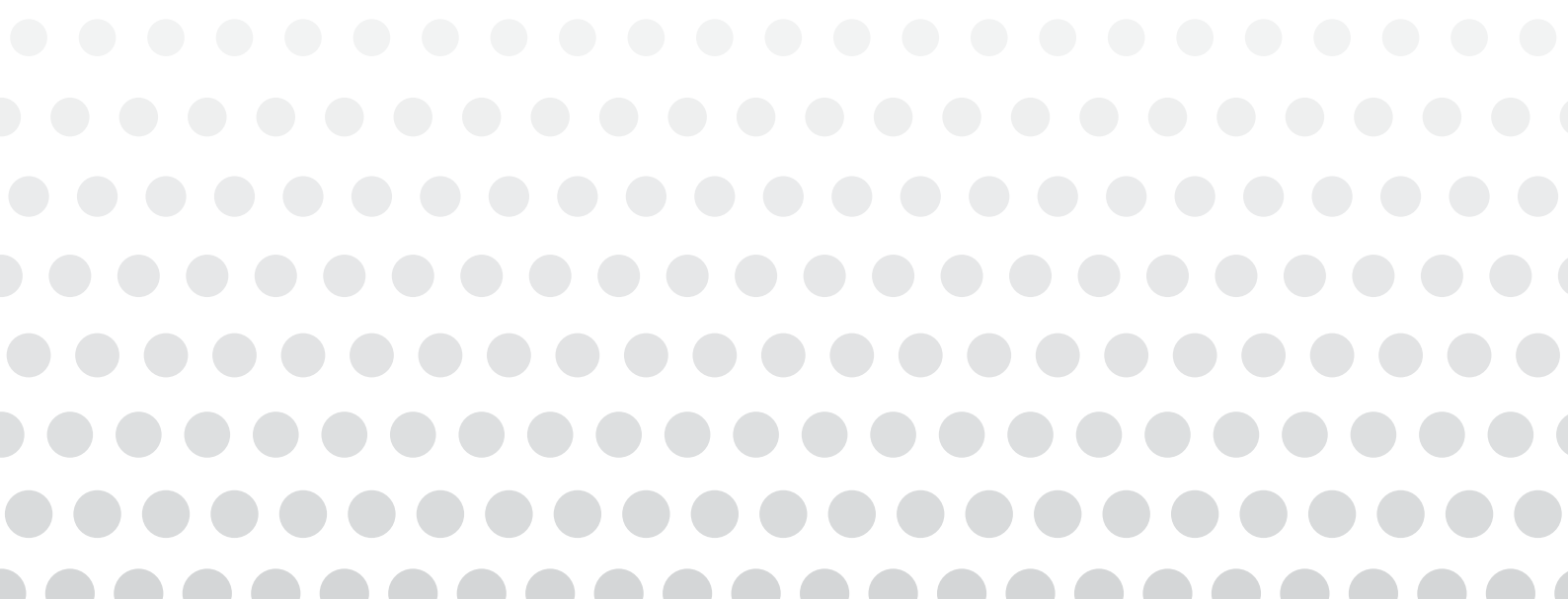


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