

REPUBLIC OF RWANDA



**NATIONAL INDEPENDENT REVIEW PANEL (NIRP)
PUBLIC PROCUREMENT**

KN 3 AV, 2 KIGALI/RWANDA
10th FLOOR, GRAND PENSION PLAZA
P. O .Box: 4276,
E-mail: rppa@rwanda1.rw



Kigali, on 25 AOUT 2016

N° 010/2016-041/NIRP

**THE MANAGING DIRECTOR RWANDA ENERGY
GROUP-ENERGY DEVELOPMENT CORPORATION
LIMITED**

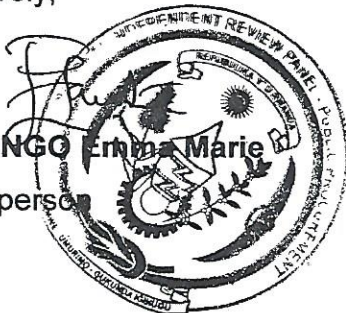
Dear Sir,

SUBJECT: TRANSMISSION OF THE DECISION

1. Pursuant to Article 70 of the Law N° 12/2007 of 27/03/ 2007 on Public Procurement as modified and complemented to date, find herewith attached, the decision of the National Independent Review Panel "NIRP" related to the appeal introduced by **BALTON RWANDA** on tender N° 11.07.023/1288/16/MD/EDCL/EK/rjg/ug FOR **SUPPLYING, INSTALLING, TESTING, COMMISSIONING AND MAINTENANCE OF THE SOLAR WATER HEATING SYSTEM IN RESIDENTIAL AND NON RESIDENTIAL SECTOR.**

Sincerely,

BUGINGO Erna Marie
Chairperson



CC:

- Director General of RPPA
- Manager of BALTON RWANDA

Message 15-16

29/8/2016

0788389060

Message end

20 AOUT 2016



NATIONAL INDEPENDENT REVIEW PANEL (NIRP)
PUBLIC PROCUREMENT
KN 3 AV. 2 KIGALI/RWANDA
10th FLOOR, GRAND PENSION PLAZA
P.O BOX:4276
E-mail: rppa@rwanda1.rw

Kigali, on 24 AOUT 2016
N° 010/2016-038/NIRP

THE MANAGING DIRECTOR OF BALTON RWANDA

Dear Sir,

Re: Response to your letter

We acknowledge receipt of your letter dated 23/08/2016, requesting NIRP to review the decision of ENERGY DEVELOPMENT CORPORATION LIMITED (EDCL), related to the tender N°11.07.023/1288/16/MD/EDCL/EK/rjg/ug for supplying, installing, testing, commissioning and maintenance of the solar water heating system in residential and non-residential sector.

In the Article 1, 25^o of Law N°05/2013 of 13/02/2013 modifying and completing the Law N° 12/2007 of 27/03/2007 on Public Procurement, a Procuring Entity is defined as:

“any organ of Central Government authority, Local Government authority, public institution, commission, Government project, parastatal, agency or any government entity charged by the chief budget manager to manage public funds engaged in a procurement process and entering in contract with the successful bidder”.

NIRP members noted that EDCL Ltd is a Limited liability Company registered in accordance with the Law n°07/2009 of 27/04/2009 relating to companies as modified and complemented to date, thus not classified as a Procuring Entity as stipulated in the above mentioned provision of the law on public procurement. Therefore, National Independent Review Panel does not have the mandate to review the appeal.


SANGANO YVES

Member


BIRANGWA Amri

Member




MUGINGO Emira Marie
Chairperson

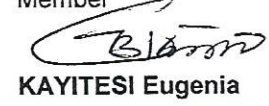

MUNYURA Pierre

Member



MUKANTABANA Crescence

Member


KAYITESI Eugenia

Member