

**DECISION N° 51/2011/NIRP ON TENDER N° 028/S/11-N/RBS FOR MAINTENANCE SERVICES OF COMPUTER EQUIPMENTS**

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**COMPLAINANT: YKM GROUP LIMITED**

**AGAINST : RWANDA BUREAU OF STANDARDS (RBS)**

**COMPLAINT : APPEAL AGAINST THE TECHNICAL DISQUALIFICATION**

Pursuant to article 70 of the Law N°12/2007 of 27/03/2007 on Public Procurement, the members of the National Independent Review Panel, "NIRP", on July 20<sup>th</sup>, 2011, discussed the appeal introduced by **YKM Group Ltd** contesting against the RBS's decision of disqualifying it.

### **SUMMARY OF THE COMPLAINT**

**YKM Group Ltd** is contesting against the decision taken by RBS of rejecting its bid on tender N° 028/S/11-N/RBS for maintenance services of computer equipments.

#### **1. SUMMARY OF FACTS**

- On 06/06/2011, YKM Group Ltd received a notification of unsuccessful bid;
- On 13/06/2011, YKM Group Ltd made initial appeal before RBS;
- On 20/06/2011, RBS responded to the YKM's appeal;
- On 27/06/2011, YKM group Ltd lodged its protest before NIRP.

#### **2. OBSERVATIONS MADE BY THE PANEL MEMBERS**

NIRP Members observed that:

- YKM Group Ltd submitted certificates from Rwanda Revenue Authority and Rwanda Social Security Board that are stamped with the seal of Public Notary, but not signed against. RBS Tender Committee should verify the Authenticity of those documents in question.

#### **3. COMMENT**

Rwanda Revenue Authority certificates are available online and easy to verify its authenticity upon using someone's Tax Identification Number (TIN).

#### **4. DECISION BY THE NIRP**

Pursuant to article 71 Para.1, 5° of the law N°12/2007 of 27/03/2007 on Public Procurement, NIRP orders re-evaluation of bids and consider YKM Group Ltd in the process after verifying the Authenticity of the certificate from Rwanda Social Security Board.

**NSENGIYUMVA Silas**

Vice Chairman NIRP

**KAZIMA Godfrey**

Member

**BUGINGO Emma-Marie**

Member

**BATETA Jane**

Member