

DECISION N° 59/2011/NIRP ON TENDER OF N° 014/2011/F/Mn/TBI/NUR FOR SUPPLY OF SMARTBOARDS AND MACBOOKS TO THE NATIONAL UNIVERSITY OF RWANDA

COMPLAINANT : @globe Tech
AGAINST : NATIONAL UNIVERSITY OF RWANDA (NUR)
COMPLAINT : APPEAL AGAINST ITS DISQUALIFICATION

1. INTRODUCTION

Pursuant to the 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 August 18th 2011, discussed the appeal introduced by @globe Tech contesting against the NUR’s decision of disqualifying it.

2. SUMMARY OF THE COMPLAINT

@globe Tech is contesting against the decision of not awarding it a tender yet it claims to be the only technically qualified bidder to supply the procured items.

3. SUMMARY OF FACTS

- On 06/07/2011, NUR wrote provisional notification of unsuccessful bid to @globetech;
- On 13/07/2011, @globetech wrote to NUR contesting against the provisional notification of unsuccessful bid;
- On 22/07/2011, NUR wrote to @globetech via e-mail informing it to receive its response in a letter dated 18/07/2011;
- On 28/07/2011, @globetech lodged its appeal before NIRP;
- On 29/07/2011, NIRP wrote to NUR suspending procurement proceedings and requestinfg for documents related to this tender;
- On 12/08/2011, NUR provided NIRP with requested documents.

4. OBSERVATIONS MADE BY THE PANEL MEMBERS

NIRP members observed that both the complainant and the provisional successful bidder were technically qualified;

Panel members also observed that the complainant was eliminated because its financial offer was not the lowest evaluated.

5. DECISION BY THE NIRP

Pursuant to article 39 Para 3 and article 70 of the law N° 12/2007 of 27/03/2007 on Public Procurement;

NIRP decides to dismiss the appeal lodged by @globetech because it is baseless.

NSENGIYUMVA Silas

Vice President of NIRP

BUGINGO Emma-Marie

Member

KAZIMA Godfrey

Member

BATETA Jane

Member