

DECISION N° 68/2011/NIRP ON TENDER N° 03/F/2011-2012/NO/RNP/MININTER/BO FOR SUPPLY OF SPARE PARTS FOR RWANDA NATIONAL POLICE VEHICLES IN THE YEAR 2011 – 2012;

COMPLAINANT: MULTI-TRADING COMPANY LTD

AGAINST : RWANDA NATIONAL POLICE

COMPLAINT : APPEAL AGAINST THE RWANDA NATIONAL POLICE DECISION OF NOT AWARDING IT SOME LOTS OF THE TENDER

1. INTRODUCTION

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 September, 15th 2011, discussed the appeal introduced by **MULTI-TRADING COMPANY LTD** complaining against the decision taken by Rwanda National Police of not awarding it bided lots.

2. SUMMARY OF THE COMPLAINT

MULTI-TRADING COMPANY LTD is contesting against the decision taken by Rwanda National Police on tender N° 03/F/2011-2012/NO/RNP/MININTER/BO for supply of spare parts for Rwanda National Police vehicles in the year 2011 – 2012, of not awarding lots N° 1, 3, 6, 9, 15, 16, 18, 26, and 27 basing on ground that its financial offer was not the lowest.

3. SUMMARY OF FACTS

- On 03/08/2011, MULTI -TRADING COMPANY LTD received provisional notification of tender award on lot 28 and provisional regret letter on lots 1, 3, 6, 9, 15, 16, 18, 26, and 27;
- On 08/08/2011, MULTI-TRADING COMPANY LTD made initial appeal before Rwanda National Police;
- On 15/08/2011, Rwanda National Police responded to its concern;
- On 19/08/2011, MULTI-TRADING COMPANY LTD lodged its appeal before NIRP;
- On 24/08/2011, NIRP requested for documents from Rwanda National Police;
- On 26/08/2011, Rwanda National Police provided NIRP with the requested documents;
- On 07/09/2011, NIRP reviewed the documents related to that tender and decided to request for an expert from MININFRA to give technical advice.

4. OBSERVATIONS MADE BY THE PANEL MEMBERS

Rwanda National Police did not award a tender to MULTI-TRADING COMPANY LTD because they found out that MULTI-TRADING COMPANY LTD exaggerated by quoting very high prices for the fast moving spare parts and low prices for the rarely ordered spare parts.

5. COMMENTS

After the review of the prices quoted by MULTI-TRADING COMPANY LTD in relation to the market price, NIRP agrees with the Rwanda National Police's decision of not awarding it lots N^o 1, 3, 6, 9, 15, 16, 18, 26, and 27. This is evident on some of the highlighted spare parts where it charged very high prices and very low prices on fast moving spare parts and rarely ordered spare parts respectively as shown in some examples below:

- a) Spare parts which are fast moving where MULTI-TRADING COMPANY LTD quoted very high prices and these, among others are: (Lot 1)
 - "*Filtre à huile*" where MULTI-TRADING COMPANY LTD quoted 50,000 Rwf yet the market price is around 15,000 Rwf;
 - "*Filtre à mazout*" where MULTI-TRADING COMPANY LTD quoted 50,000 Rwf yet the market price is around 32,000 Rwf;
 - "*Prefiltre*" where MULTI-TRADING COMPANY LTD quoted 50,000 Rwf yet the market price is around 29,000 Rwf;
 - "*Plaquette de frein (jeu)*" where MULTI-TRADING COMPANY LTD quoted 125,000 Rwf yet the market price is around t 70,000 Rwf;

- *“Bande frein”* where MULTI-TRADING COMPANY LTD quoted 125,000 Rwf yet the market price is around 60,000 Rwf...
- b) Spare parts which are rarely ordered where MULTI-TRADING COMPANY LTD quoted very low prices and these, among others are: (Lot 3)
- *“Turbo compresseur”* where MULTI-TRADING COMPANY LTD quoted 100,000 Rwf yet the market price is around 1,300,000 Rwf;
- *“Disque de frien”* where MULTI-TRADING COMPANY LTD quoted 1000 Rwf yet the market price is around 100,000 Rwf;
- *“Pare-choc”* where MULTI-TRADING COMPANY LTD quoted 800 Rwf yet the market price is around 150,000 Rwf.

6. DECISION BY THE NIRP

Basing on the above observations and Pursuant to the provisions of article 70 of the law N° 12/2007 of 27/03/2007 on Public Procurement NIRP decides to dismiss the appeal introduced by the MULTI-TRADING COMPANY LTD because it is baseless.

NSENGIYUMVA Silas

Vice Chairman NIRP

KAZIMA Godfrey

Member

BUGINGO Emma-Marie

Member

