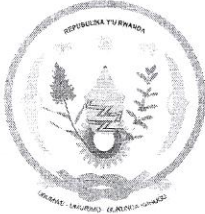


REPUBLIC OF RWANDA



NATIONAL INDEPENDENT REVIEW PANEL (NIRP)
PUBLIC PROCUREMENT

AVENUE DE LA PAIX, KIGALI-RWANDA
P. O .Box: 4276, Tel.: (250) 501403, 501404, 501405,
Fax: (250) 501402
E-mail: rppa@rwanda1.com



Kigali, on 08 AUG 2012

N° 010/2012- 180/NIRP

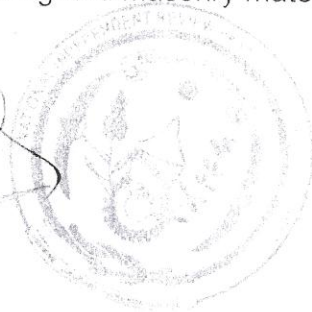
THE DIRECTOR OF HUMAN
RESOURCES & ADMINISTRATION
OF RWANDA REVENUE AUTHORITY

Dear Sir,

SUBJECT: TRANSMISSION OF THE DECISION

Pursuant to article 70 of the Law N° 12/2007 of 27/03/ 2007 on public procurement, find the decision of the National Independent Review Panel "NIRP" related to the appeal introduced by DAMOSSE DAFA LTD on tender N°108/G/RRA/2011-12, of Annual supply of electric plumbing and masonry materials for RRA.

Sincerely,



NSENGIYUMVA Silas
Vice Chairman of the NIRP



CC:

- Director General of RPPA
- Manager of DAMOSSE DAFA LTD

Pour réception
DAMOSSE DAFA LTD

REPUBLIC OF RWANDA



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

AVENUE DE LA PAIX, KIGALI-RWANDA
P. O .Box: 4276, Tel.: (250) 501403, 501404, 501405,
Fax: (250) 501402
E-mail: rppa@rwanda1.com

DECISION N° 58 /2012/ NIRP ON THE TENDER N° 108/G/RRA/2011-12 RELATED TO THE SUPPLY OF ELECTRIC, PLUMBING AND MASONRY MATERIALS FOR RRA FOR A PERIOD OF ONE YEAR.

COMPLAINANT : DAMOSSE DAFA LTD
AGAINST : RRA
COMPLAINT : APPEAL AGAINST DECISION ON THE TENDER AWARD

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 25/07/2012 and 01/08/2012 discussed the appeal introduced by DAMOSSE DAFA LTD contesting the decision taken by RRA on the above tender.

2. SUMMARY OF THE COMPLAINT

DAMOSSE DAFA LTD is contesting the cancellation of the tender by RRA due to lack of stock by the former (DAMOSSE DAFA LTD), and claim to be awarded the tender.

3. SUMMARY OF FACTS

- On 05/03/2012, RRA advertised the tender;
- On 04/04/2012, bids were publically opened;
- On 25/04/2012, RRA issued a provisional letter awarding tender to DAMOSSE DAFA LTD;
- On 06/06/2012, DAMOSSE DAFA LTD wrote to RRA inquiring why after the prescribed 7 days after provisional notification, has not been contacted;



- On 13/06/2012, RRA Tender committee recommended to cancel the tender;
- On 06/07/2012, RRA notified DAMOSSE DAFA LTD of the cancellation of the tender;
- On 10/07/2012, NIRP received the appeal from DAMOSSE DAFA LTD,
- On 11/07/2012, NIRP requested RRA to submit all documents related to this tender,
- On 17/07/2012, RRA submitted to NIRP all the requested documents;
- On 26/07/2012, NIRP requested DAMOSSE DAFA LTD to provide it with letter instituting initial appeal (if any).

4. OBSERVATIONS BY THE PANEL MEMBERS

NIRP members observed that DAMOSSE DAFA LTD did not reply the NIRP's request regarding the initial appeal;

Based on the lack of response from DAMOSSE DAFA LTD, and after analyzing all documents presented, NIRP members observed that DAMOSSE DAFA LTD did not introduce the initial appeal before RRA, but rather requested from RRA why it did not contact him after the prescribed seven days for provisional notification


5. DECISION BY THE NIRP

Pursuant to articles 69 and 70 of the Law 12/2007 of 27/03/2007 on Public Procurement, the NIRP rejects DAMOSSE DAFA LTD's appeal due to the procedures irregularity, because it did not introduce its initial appeal before the Procuring entity.


NSENGIYUMVA Silas
Vice Chairperson of NIRP




BATETA Jane
Member


Kazima Godfrey
Member