



**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](mailto:rppa@rwanda1.com)

**DECISION N° 82/2011/NIR ON TENDER N° 1.11/703/011/MSN/HQ FOR SUPPLY AND  
INSTALLATION OF OFFICE FURNITURE**

**COMPLAINANT: ABCOM SOLUTIONS LTD**

**AGAINST : RWANDA AGRICULTURE BOARD (RAB)  
COMPLAINT : APPEAL AGAINST ITS DISQUALIFICATION**

**1. INTRODUCTION**

Pursuant to article 70 of the Law N°12/2007 of 27/03/2007 on Public Procurement, members of the National Independent Review Panel, "NIRP", on 11<sup>th</sup> November, 2011, discussed the appeal introduced by **ABCOM SOLUTIONS LTD** contesting its disqualification.

**2. SUMMARY OF THE COMPLAINT**

**ABCOM SOLUTIONS LTD** is contesting the decision taken by RAB of disqualifying it basing on grounds that the proposed executive high back chair and colour of the executive cabinet do not comply with the tender requirements.

**3. SUMMARY OF FACTS**

- On 05/10/2011, RAB issued a provisional notification of tender award to ABCOM SOLUTIONS LTD;
- On 12/10/2011, ABCOM SOLUTIONS LTD made an administrative review before RAB;
- RAB responded to ABCOM SOLUTIONS LTD's concern in undated letter;
- On 21/10/2011, ABCOM SOLUTIONS LTD lodged its protest before NIRP;
- On 27/10/2011, NIRP requested for documents from RAB;
- On 01/11/2011, RAB provided NIRP with the requested documents.

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

Basing on the content of both the bidding document and the offer of ABCOM Solutions, NIRP members observed that ABCOM Solutions Ltd provided an executive high back chair and executive cabinet which did not fully comply with the provision of tender document. The ABCOM's catalogue shows the color of the executive high back chair and executive cabinet is not mahogany as requested by the bidding document.

#### **5. DECISION BY THE NIRP**

From the above background therefore, NIRP members found out that the complaint lodged by ABCOM SOLUTIONS LTD is baseless. Pursuant to Article 70 of the law N<sup>o</sup> 12/2007 of 27/03/2007 on Public Procurement, NIRP decides to dismiss its appeal.

**NSENGIYUMVA Silas**  
Vice Chairman NIRP

**BUGINGO Emma-Marie**  
Member

**KAZIMA Godfrey**  
Member

**BATETA Jane**  
Member