



**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° 87/2011/NIRP ON THE TENDER N° 14/G/2011-ICB/EARP-DF FOR SUPPLY
OF WOODEN POLES, CONCRETE AND STEEL POLES FOR EWSA**

COMPLAINANT : CREST TECHNOLOGIES
AGAINST : EWSA
COMPLAINT : APPEAL AGAINST THE DECISION OF 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 18th November 2011, discussed the appeal introduced by Crest technologies contesting the decision taken by EWSA of not awarding it the above tender.

2. SUMMARY OF THE COMPLAINT

Crest technologies is claiming that EWSA did not open its tender because the complainant submitted its offer on to EWSA's office located at Lake Ihema street instead of submitting it to EWSA's office in Birembo.

3. SUMMARY OF FACTS

- On 06/09/2011, EWSA advertised the tender in tender notice N° 14/G/2011-ICB/EARP-DF;
- On 27/10/2011, Crest technologies complained as to why its offer was not opened;
- On 01/11/2011, EWSA responded to its complaint;
- On 07/11/2011, Crest technologies introduced its appeal to NIRP.

4. OBSERVATIONS BY THE PANEL MEMBERS

Crest technologies did not pay appeal fees.

5. DECISION BY THE NIRP

Considering that Crest technologies did not pay the required appeal fees;

Given the article 34 of the Ministerial Order N° 001/08/10/MIN of 15/01/2008 establishing Regulations on Public Procurement and Standards Bidding Document;

The NIRP decides to reject the appeal introduced by Crest technologies because of the appeal procedure's irregularity.

NSENGIYUMVA Silas
Vice Chairman NIRP

BUGINGO Emma-Marie
Member

KAZIMA Godfrey
Member

BATETA Jane
Member