

REPUBLIC OF RWANDA



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

KN 3 AV, 2 KIGALI/RWANDA  
10<sup>th</sup> FLOOR, GRAND PENSION PLAZA  
P. O. Box: 4276,  
E-mail: [info@rppa.gov.rw](mailto:info@rppa.gov.rw)

Kigali, on

16 JAN 2018

N° 010/2018-091/NIRP




**THE EXECUTIVE SECRETARY OF  
RULINDO DISTRICT**

Dear Sir,

SUBJECT: TRANSMISSION OF THE DECISION

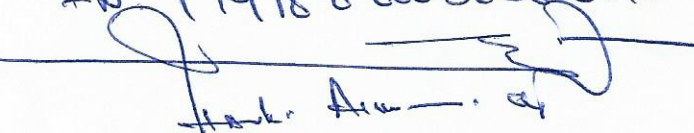
Pursuant to Article 70 of Law N° 12/2007 of 27/03/ 2007 on Public Procurement as modified and complemented to date, find herein attached, the decision of the National Independent Review Panel "NIRP" related to the appeal introduced by SRRD LTD on tender N°000004/W/NCB/2017/2018/RuI FOR "TRAVAUX D'INTERCONNECTION DU SYSTEME D'ADDUCTION D'EAU POTABLE NGOMA ET MASORO DANS LE DISTRICT RULINDO".

Sincerely,

  
**BUGINGO Emma Marie**  
Chairperson

CC:

- Director General of RPPA
- Manager of SRRD LTD

Received on 17/01/2018 by  
HAKIZIMANA Aimé Célestin  
SRRD Ltd Technical Director  
ID: 1 1978 8 000 3036 010  




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**DECISION N° 04/2018/NIRP ON THE TENDER N°000004/W/NCB/2017/2018/RuI FOR  
"TRAVAUX D'INTERCONNECTION DU SYSTEME D'ADDUCTION D'EAU POTABLE  
NGOMA ET MASORO DANS LE DISTRICT RULINDO"**

**COMPLAINANT : SOCIÉTÉ RWANDAISE DES DÉVOUES AU DÉVELOPPEMENT  
(SRRD LTD)**  
**AGAINST : RULINDO DISTRICT**  
**COMPLAINT : APPEAL AGAINST TENDER DISQUALIFICATION**

**1. INTRODUCTION**

Pursuant to Article 70 of Law N° 12/2007 of 27/03/2007 on Public Procurement as modified and complemented to date, members of the National Independent Review Panel (NIRP), on 16/01/2018 analysed the appeal introduced by **SRRD LTD** contesting the decision for the above tender.

**2. SUMMARY OF THE COMPLAINT**

SRRD LTD, is contesting the RULINDO DISTRICT Independent review Panel (DIRP) decision of dismissing their appeal arguing that the appeal fees were paid to NIRP (Kigali) instead of the District bank account for their appeal to be admissible.

**3. SUMMARY OF FACTS**

On 07/09/2017, RULINDO DISTRICT advertised the tender online;  
On 09/10/2017, Bids were opened online;



*[Handwritten signatures]*

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*[Handwritten signature]*

*[Handwritten signature]*

On 27/10/2017; RULINDO DISTRICT issued a provisional notification letter to SRRD LTD online;

On 02/11/2017 SRRD LTD wrote an initial appeal to RULINDO DISTRICT online;

On 08/11/2017, SRRD LTD appealed to the DIRP of RULINDO DISTRICT;

On 22/11/2017, RULINDO DISTRICT responded to SRRD LTD's second appeal;

On 13/12/2017; NIRP received an appeal from SRRD LTD;

#### 4. OBSERVATION BY THE PANEL MEMBERS

SRRD LTD did not pay the appeal fees to the bank account of RULINDO DISTRICT.

According to MINISTERIAL ORDER N° 001/14/10/TC .of 19/02/2014, Establishing Regulations on Public Procurement, Standard Bidding Documents and Standard Contracts Article 52 states that:

*"The fee for appeal shall be paid to the Government treasury if the appeal is to the Independent Review Panel at the National level, whereas when it is about a review at the District level, the fee for appeal shall be paid to the District concerned".*

#### 5. DECISION BY THE PANEL MEMBERS

Basing on the above background and observation;

Pursuant to Article 70 of Law N°12/2007 of 27/03/2007 on Public Procurement as modified and complemented to date, NIRP members decide to dismiss the appeal due to the breach of procedures by SRRD LTD for not paying the appeal fees to the DIRP of RULINDO.



**BUGINGO Emma Marie**  
Chairperson

**BIRANGWA Amri**  
Member

**KAYITESI Eugenia**  
Member

**MUKANTABANA Crescence**  
Member

**MUNYURA Pierre**  
Member