



**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° 06/2013/NIRP ON THE TENDER N°004/06/REB/2013-2014/NO FOR THE  
HIRING TENTS CHAIRS AND TABLES.**

**COMPLAINANT : VISION 2 REALITY  
AGAINST : REB  
COMPLAINT : APPEAL AGAINST THE 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 as modified and completed to date, the members of the National Independent Review Panel (NIRP), on 12/08/2013, analyzed the appeal introduced by VISION 2 REALITY contesting the decision on the Tender mentioned above.

**2. SUMMARY OF THE COMPLAINT**

VISION 2 REALITY is contesting the REB decision to disqualify its bid. It is arguing that another company appeared in their price schedule was an error of copy and paste because on the same schedule there is the stamp of Vision 2 Reality and that does not affect the substance of the bid.

**3. SUMMARY OF FACTS**

- On 01/06/2013, REB advertised the tender;
- On 02/07/2013, Bids were opened;
- On 17/07/2013, VISION 2 REALITY received the provisional notification from REB;
- On 19/07/2013, VISION 2 REALITY introduced the initial appeal before REB;
- On 24/07/2013, REB responded to the VISION 2 REALITY's initial appeal;
- On 25/07/2013, VISION 2 REALITY introduced the appeal to NIRP;
- On 25/07/2013, NIRP requested REB to suspend procurement process and submit all documents related to this tender;
- On 30/07/2013, REB submitted the requested documents to NIRP.



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#### 4. OBSERVATIONS BY THE PANEL MEMBERS

NIRP members observe the following:

- Initially, REB disqualified VISION 2 REALITY because the unit prices it provided were higher than those offered by the successful bidder on all items except on one item related to tents for 1,000 people);
- Following the initial appeal of VISION 2 REALITY, REB re-evaluated the tender and found out new reason of its disqualification: the price schedule provided belongs to another company (Murphy Chemicals (RWANDA) which has not bid for this tender; and the date for registration of VISION 2 REALITY is 19/06/2013 while the price schedule presented was signed on 02/06/2013;
- Among the content of the price schedule of the bid of VISION 2 REALITY there is the name of MURPHY CHEMICALS (RWANDA LTD), the stamp of VISION 2 REALITY and the date of 02/06/2013;
- There is no signature on the page of the price schedule in the bid of VISION 2 REALITY.

#### 5. COMMENT BY THE PANEL MEMBERS

The fact that in the price schedule of the bid of VISION 2 REALITY there is other name than VISION 2 REALITY and the date is prior to the date of registration of the company, NIRP members do agree with the decision taken by REB.

#### 6. DECISION BY THE PANEL MEMBERS

Basing on the above background and comment;

Pursuant to article 70 of the Law 12/2007 of 27/03/2007 on Public Procurement as modified and completed to date, NIRP members decide to dismiss this appeal because it is not founded.



**NSENGIYUMVA Silas**  
Vice Chairman of NIRP



**BUGINGO Emma Marie**  
Member



**KAZIMA Godfrey**  
Member



**BATETA Jane**  
Member