



INDEPENDENT REVIEW PANEL
PUBLIC PROCUREMENT
PO.BOX: 4276 Kigali
Tel: +250-501403/501404 Fax: +250-501402



1-5 JUN 2010

DECISION N° 26/2010/IRP ON TENDER N° 017/S2010-I/MININFRA/RPPA FOR «SERVICE DE CONSULTANCE POUR LES ETUDES DETAILLEES ET L'ELABORATION DU DAO POUR LES ADDUCTIONS D'EAU POTABLE DANS LES DISTRICTS DE GAKENKE, GICUMBI ET NGORORERO».

COMPLAINANT : SHER INGENIEURS –CONSEILS SA
AGAINST : MINISTRY OF INFRASTRUCTURES, “MININFRA”/RPPA.
COMPLAINT : REQUEST FOR A TECHNICAL REEVALUATION.

I. INTRODUCTION.

Pursuant to the article 70 of the Law N°12/2007 of 27 March 2007 on Public Procurement, the members of the National Independent Review Panel, “NIRP”, on 07th June 2010, discussed the appeal introduced by SHER INGENIEURS-CONSEILS SA on tender 017/S2010-I/MININFRA/RPPA.

II. SUMMARY OF THE REQUEST.

SHER INGENIEURS-CONSEILS SA is requesting for a review of its technical score because, based on the details of the evaluation report, the company believes its technical offer was not fairly evaluated.

III. OBSERVATION MADE BY THE MEMBERS OF THE NRP.

Taking into consideration the article 34 of the Ministerial Order N° 001/08/10/MIN of 15th January 2008 Establishing Regulation on Public Procurement and Bidding Document which requires the payment of the appeal' fees for an appeal to be

registered, the NIRP underlined that the SHER did not pay the appeal fees before submitting its appeal.

IV. DECISION OF THE NIRP

Given the article 34 of the Ministerial Order mentioned above;

Given the article 71 of the Law 12/2007 of 27/03/2007 on Public Procurement;

The National Independent Review Panel decides to reject the appeal introduced by SHER INGENIEURS-CONSEILS SA due to the procedure defect.

Done at Kigali, on 15 JUN 2010

BIZIMANA.RUGANINTWALI Pascal.

President of the National Independent Review Panel.



MUBILIGI Paul.

Member.

NYAKULAMA Rhona

Member.