



**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° 046/2013/NIRP ON THE TENDER N° 015/IRST/2012-2013/S/NO
regarding the insurance against fire for "Laboratoire de Biocarburant de l'IRST"
located at MULINDI-KIGALI**

**COMPLAINANT : SORAS ASSURANCES GENERALES LTD
AGAINST : IRST
COMPLAINT : APPEAL AGAINST THE DECISION ON THE TENDER AWARD**

1. INTRODUCTION

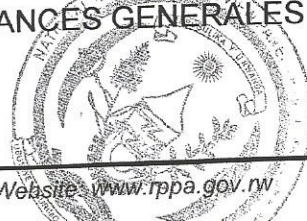
Pursuant to the article 70 of the Law N°12/2007 of 27/03/2007 on public procurement as modified and completed to date, on 17/06/2013 members of the National Independent Review Panel (NIRP) analysed the appeal introduced by SORAS ASSURANCES GENERALES LTD against the decision on the award of the tender mentioned above.

2. SUMMARY OF THE COMPLAINT

IRST notified SORAS ASSURANCES GENERALES LTD that its bid was not successful because it did not provide a certificate of site visit, power of attorney for the one who signed the bid. SORAS ASSURANCES GENERALES LTD appealed to IRST contesting the tender award decision and said that the site visit was not required and that the one who signed the bid was officially given the power. After the appeal to IRST was not successful, SORAS ASSURANCES GENERALES LTD appealed to the NIRP requesting for the review of the tender award decision.

3. SUMMARY OF FACTS

- On 09/05/2013, IRST provisionally notified SORAS ASSURANCES GENERALES LTD;
- On 14/05/2013, SORAS ASSURANCES GENERALES LTD appealed to IRST;
- On 28/05/2013, IRST responded to SORAS ASSURANCES GENERALES LTD;
- On 31/05/2013, SORAS ASSURANCES GENERALES LTD appealed to NIRP;



[Handwritten signatures]

4. OBSERVATIONS BY THE PANEL MEMBERS

NIRP members observed the following:

Proceedings for the tender N°015/IRST/2012-2013/S/NO of fire insurance for "Laboratoire de Biocarburant de l'IRST" located at Mulindi-Kigali were conducted by IRST Headquarters located in Huye District.

5. COMMENTS BY THE PANEL MEMBERS

Considering the article 14 of the Law N°05/2013 of 13/02/2013 modifying and completing the Law N°12/2007 of 27/03/2007 on Public Procurement, according to which article 21 of the latter was modified and completed as follows: "Review request on decisions taken in the jurisdiction of Kigali City shall be referred to the Independent Review Panel at the National level while those concerning decisions taken in other jurisdictions shall be referred to the respective Independent Review Panels at District level"; SORAS ASSURANCES GENERALES LTD request should be referred to the Independent Review Panel at Huye District level.

6. DECISION BY THE PANEL MEMBERS

Basing on the above irregularity;

Pursuant to article 70 of the Law N°12/2007 of 27/03/2007 on Public Procurement as modified and completed to date, NIRP members dismiss the complaint because it is not in its jurisdiction.


NSENGIYUMVA Silas
Vice Chairman of NIRP




BUGINGO Emma Marie
Member


KAZIMA Godfrey
Member