

REPUBLIC OF RWANDA



NATIONAL INDEPENDENT REVIEW PANEL (NIRP)
PUBLIC PROCUREMENT

KN 3 AV, 2 KIGALI/RWANDA
10th FLOOR, GRAND PENSION PLAZA
P. O .Box: 4276,
E-mail: rppa@rwanda1.rw



Kigali, on 03 AOUT 2016
N° 010/2016-022/NIRP


THE MANAGING DIRECTOR RWANDA ENERGY
GROUP-ENERGY UTILITY CORPORATION LIMITED

Dear Sir,

SUBJECT: TRANSMISSION OF THE DECISION


Pursuant to Article 70 of the Law N° 12/2007 of 27/03/ 2007 on Public Procurement as modified and complemented to date, find herewith attached, the decision of the National Independent Review Panel "NIRP" related to the appeal introduced by TRANS-
AFRICAN SUPPLY SERVICES on tender N°11.07.053/1236/G/ICB/15/PROC-DEU-EUCL-MD/OM/aww FOR SUPPLY OF MAINTENANCE TOOLS AND EQUIPMENT.

Sincerely,


BUGINGO Emma Marie
Chairperson

CC:

- Director General of RPPA
- Manager of TRANS-AFRICAN SUPPLY SERVICES

Received.
Proven KAS
Tel 0786 254425.

08-08-2016.



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Kigali, on

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THE MANAGING DIRECTOR OF TRANS-AFRICAN SUPPLY SERVICES

Dear Sir,

Re: Response to your letter

We acknowledge receipt of your letter dated 04/07/2016, requesting NIRP to review the decision of RWANDA ENERGY GROUP-ENERGY UTILITY CORPORATION LIMITED (REG-EUCL), related to the tender N°11.07.053/1236/G/ICB/15/PROC-DEU-EUCL-MD/OM/aaw for Supply of Maintenance Tools and Equipment.

In the Article 1, 25° of Law N°05/2013 of 13/02/2013 modifying and completing the Law N° 12/2007 of 27/03/2007 on Public Procurement, a Procuring Entity is defined as:

“any organ of Central Government authority, Local Government authority, public institution, commission, Government project, parastatal, agency or any government entity charged by the chief budget manager to manage public funds engaged in a procurement process and entering in contract with the successful bidder”.

NIRP members noted that EUCL Ltd is a Limited liability Company registered in accordance with the Law n°07/2009 of 27/04/2009 relating to companies as modified and complemented to date, thus not classified as a Procuring Entity as stipulated in the above mentioned provision of the law on public procurement. Therefore, National Independent Review Panel does not have the mandate to review the appeal.


SANGANO YVES

Member


BIRANGWA Amri

Member


BUSINGO MARIE EMMA
Chairperson


MUNYURA Pierre

Member



MUKANTABANA Crescence

Member


KAYITESI Eugenia

Member