



MINISTRY OF FINANCE AND ECONOMIC PLANNING

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19 APR 2016
Kigali,

N°: 4404/1001/16/TC

The Chief Budget Manager (All)

Dear Sir/Madam,

Re: Use of public procurement to Support “Buy Made in Rwanda program”

As you are aware, the Government of Rwanda has launched the “Buy Made in Rwanda Program” to encourage Rwandans to buy products made in Rwanda. This is meant to contribute to the growth of Rwandan manufacturing capacity and reduce the gap between the value of exports and that of imports. It will also promote the growth of Rwandan enterprises.

Recalling the resolution taken at the meeting held on 25/2/2016 between MINECOFIN and the Chief Budget Managers regarding the leadership role that should be played by government institutions in promoting the program mentioned above;

Reference made to the Public Procurement law No 12/2007 of 29/03/2007 as amended and complemented by law No 05/2013 of 13/02/2013 and the Ministerial Order N° 001/08/10/Min of 16/01/2008 establishing Regulations on Public Procurement and Standard Bidding Documents;

This letter serves to request you to use the public procurement to support “Buy Made in Rwanda program” as follows:

1. Local preference:

Considering that the public procurement legal framework provides for local preference through Article 41 of the above Laws and the Ministerial Order, public institutions are requested to use the legal provisions above to support this program by applying the local preference provisions

during the acquisition of goods, works and services. When planning and executing tenders shown in the attachment, provision for local preference should be included to give advantage to local products and companies thereby supporting “Buy Made in Rwanda”.

Therefore, when preparing tender documents using standard bidding documents, local preference should be provided as follows:

- For small works, it should be indicated^a in the instruction to bidders (ITB) 31 and bid data sheet (BDS) 31.
- For large works, it should be indicated in the ITB 33.1 and BDS 31.1.
- For goods it should be indicated in the ITB 32 and BDS 33.
- For consultancy services, local preference should be indicated in the terms of reference which is part of the request of proposal.

During the evaluation of bids, the responsive bids shall be classified as follows in accordance with Article 22 of the Ministerial Order establishing Regulations on Public Procurement and Standard Bidding Documents.

- ***Category A: Bids to be granted local preference***
- ***Category B: Other bids***

Local preference for non-consultant services can be applied the same way as it is applied for goods and works.

When the evaluation process is complete, the value of each bid price of Category B should be increased by the percentage prescribed by law and the contract shall be awarded pursuant to article 39 of the Law on Public Procurement. This means that the comparison will be made using prices in Category B as they will have been increased by the percentage prescribed by law.

For consultancy services, the local preference shall apply after opening financial proposals (before making a combined score-technical and financial); this means that the total cost for the bidders who do not benefit from local preference shall be increased by the percentage prescribed by law and the new amounts shall be used to calculate the financial scores. This will also apply to least cost method of selection. For the quality based and fixed budget selection methods, local preference shall not be applied because the prime criteria is quality.

Where use of local preference cannot be applied, the procuring entity shall provide a written justification which shall be retained in the file of the goods, works or services to be procured.

2. Use of Art. 23 bis of the above law (seeking authorization of RPPA for less competitive methods, including single sourcing).
3. As much as possible, use of local construction materials in the design and construction of public buildings.
4. Use of Framework Agreements in accordance with art. 56 ter of the above law.

Yours Sincerely


Claver GATEETE
Minister



CC:

- Right Hon. Prime Minister
- Hon. Minister (All)
- Hon. CEO-RDB and Cabinet Member
- Hon. Minister of State (All)
- The Mayor of the City of Kigali
- The Governor of Province (All)
- Permanent Secretary and Secretary to the Treasury
- The Mayor of District (All)

ATTACHMENT: TENDERS WHERE LOCAL PREFERENCE SHOULD BE APPLIED

Works

1. Buildings
2. Roads
3. Dams
4. Water supply
5. Electricity generation and transmission
6. Irrigation
7. Marshland reclamation

Goods

1. Construction materials
2. Electricity generation equipment
3. Electricity transmission equipment and materials
4. Water supply equipment and materials
5. Furniture
6. Office equipment
7. Office supplies
8. IT equipment
9. Medical equipment
10. Medical supplies
11. Laboratory equipment
12. Laboratory Supplies
13. Agricultural equipment
14. Agricultural supplies
15. School Equipment
16. Books
17. Other school supplies
18. Technical equipment
19. Sports equipment

20. Sports supplies
21. Foods and beverages
22. Textiles

Services

1. Consultant services
2. Non-consultant services
 - 2.1. Transport services
 - 2.2. Cleaning services
 - 2.3. Security services
 - 2.4. Maintenance of buildings
 - 2.5. Maintenance of equipment
 - 2.6. Events Management
 - 2.7. Translation services
 - 2.8. Property Management Services
 - 2.9. Marketing Services