

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 20 JAN 2015
N° 010/2015-009/NIRP

**THE SECRETARY GENERAL OF NATIONAL
PUBLIC PROSECUTION AUTHORITY**

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 WOMEN TRANSPORT LIMITED contesting the decision taken on the tender N° 009/F/07/14-06/15/N/NPPA/OB for Provision of transport service for National Public Prosecution Authority Staff in Kigali City for 2014-2015 year.

Sincerely,

BUGINGO Emma Marie
Chairperson

CC:

- Director General of RPPA
- Manager of WOMEN TRANSPORT LIMITED



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DECISION N° 05 /2015/NIRP ON THE TENDER N° 009/F/07/14-06/15/N/NPPA/OB FOR
PROVISION OF TRANSPORT SERVICE FOR NATIONAL PUBLIC PROSECUTION
AUTHORITY STAFF IN KIGALI CITY FOR 2014-2015 YEAR.

COMPLAINANT : WOMEN TRANSPORT LIMITED

AGAINST : NATIONAL PUBLIC PROSECUTION AUTHORITY (NPPA)

COMPLAINT : APPEAL AGAINST THE DECISION ON THE CONTRACT CANCELLATION

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 13/01/2015 analyzed the appeal introduced by WOMEN TRANSPORT LIMITED contesting the decision on the above tender.

2. SUMMARY OF THE COMPLAINT

WOMEN TRANSPORT LIMITED is contesting the cancellation of the contract by NPPA.

3. SUMMARY OF FACTS

- On 26/08/2014, NPPA advertised the tender;
- On 30/09/2014, Bids were opened;
- On 21/10/2014, WOMEN TRANSPORT LIMITED received the provisional notification;
- On 10/11/2014, WOMEN TRANSPORT LIMITED signed contract with NPPA;
- On 13/11/2014, WOMEN TRANSPORT LIMITED informed NPPA about the vehicle replacement;
- On 24/11/2014, NPPA notified WOMEN TRANSPORT LIMITED the contract cancellation;
- On 25/11/2014, WOMEN TRANSPORT LIMITED contested the NPPA's decision for contract cancellation.

- On 03/12/2014, WOMEN TRANSPORT LIMITED requested NPPA to discuss on the issue of cancellation;
- On 12/12/2014, WOMEN TRANSPORT LIMITED received the provisional notification from NPPA to STRONG SOLUTION SERVICES LTD;
- On 16/12/2014, NPPA received another appeal from WOMEN TRANSPORT LIMITED ;
- On 23/12/2014, NIRP received the appeal from WOMEN TRANSPORT LIMITED ;
- On 24/12/2014, WOMEN TRANSPORT LIMITED received a NPPA's letter requesting for Performance guarantees seizure;
- On 29/12/2014, NIRP requested NPPA to suspend procurement process and submit all documents related to this tender;
- On 05/01/2015, NPPA submitted the requested documents.

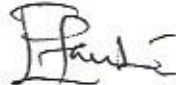
4. COMMENT BY THE PANEL MEMBERS

NIRP members find out that WOMEN TRANSPORT LIMITED lodged their appeal before NIRP after the contract signature and the ligation is related to the contract execution, which is not in the NIRP's mandate.

5. DECISION BY THE PANEL MEMBERS

Basing on the above background and comment;

Pursuant to article 41, para 2, 4^o 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, NIRP members dismiss the WOMEN TRANSPORT LIMITED appeal.



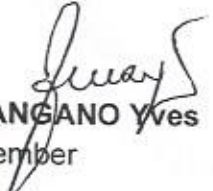
BUGINGO Emma Marie
Chairperson



BAGILIZINA Emmanuel
Vice Chairperson




MUKANTABANA Crescence
Member



SANGANO Yves
Member



BIRANGWA Amri
Member