

REPUBLIC OF KENYA
PUBLIC PROCUREMENT ADMINISTRATIVE REVIEW BOARD

REVIEW NO. 19/2012 OF 14TH MAY, 2012

BETWEEN

**RAYOVAC INDUSTRIES
LIMITED.....APPLICANT**

AND

**KENYA MEDICAL SUPPLIES
AGENCY (KEMSA).....PROCURING ENTITY**

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Review against the decision of the Tender Committee of the Kenya Medical Supplies Agency dated 12th April, 2012 in the matter of Tender No. KEMSA/OIT 72/2011-2012 for the Supply of HIV/ AIDS Commodities.

BOARD MEMBERS PRESENT

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_Mr. P.M Gachoka - Chairman
Mr. Joshua Wambua - Member
Mrs. Loise Ruhiu - Member
Ms. Judith Guserwa - Member
Mr. Sospeter Kioko - Member

IN ATTENDANCE

Mr. C.R Amoth - Secretary
Mrs. Maurine Kinyundo - Secretariat
Mr. L. Otieno - Secretariat

PRESENT BY INVITATION

Applicant, Rayovac Industries Limited

Mr. Peter Mungai - Associate Muriu Mungai & Company
Advocates
Mr. Peter Kamero - Lawyer, Muriu Mungai advocates

Procuring Entity- Kenya Medical Supplies Agency

Mr. Charles Juma - Director Procurement, KEMSA
Mr. John Kibuchi - Procurement Manager, KEMSA
Mr. Fred Wanyonyi - Director Legal Service, KEMSA

Interested Candidates

Mr. B. Mbugua - Director, Total Healthcare Solutions

THE REVIEW

This Request for Review was lodged on 14th May, 2012 by Rayovac Industries Limited against the decision of the Tender Committee of Kenya

Medical Supplies Agency dated 12th April, 2012 in the matter of Tender No. KEMSA/OIT 72/2011-2012 for the Supply of HIV/AIDS commodities.

The Applicant was represented by Mr. Peter Mbuga, Associate Muriu Munga Advocates while the Procuring Entity was represented by Mr. Fred Wanyonyi, Director Legal Services, Mr. Charles Juma, Director Procurement and Mr. John Kibuchi its Procurement Manager. The interested candidate present was Total Healthcare Solutions represented by Mr. B. Mbugua.

At the commencement of the hearing, the Applicant informed that it had filed a Notice of Withdrawal of its Request for Review on 6th June, 2012 and had no intentions of pursuing the matter. The Procuring Entity indicated that it had no objection to the withdrawal.

BOARD'S DECISION

Having considered the submission of the Applicant, the Board hereby marks the Request for Review withdrawn. Accordingly, the procurement process may proceed.

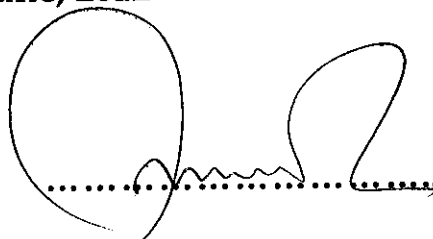
Dated at Nairobi on this 7th day of June, 2012



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CHAIRMAN

PPARB



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SECRETARY

PPARB

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