

REPUBLIC OF KENYA

PUBLIC PROCUREMENT ADMINISTRATIVE REVIEW BOARD

APPLICATION NO. 99 OF 2018

BETWEEN

MAHAN LIMITEDAPPLICANT

AND

KENYA RURAL ROADS AUTHORITY.....PROCURING ENTITY

Review against the decision of the Kenya Rural Road Authority in the matter of Tender No. RWC 484 for the upgrading to Bituminous Standards and Maintenance of Sosera - Ekona - Ramas - Kiomiti Road and Tender No. RWC 485 for the upgrading to Bituminous Standards and Maintenance of Kemora - Kiendege - Eberege - Gachuba - Kiambu Road.

BOARD MEMBERS PRESENT

1. Mr. Hussein Were - Member in the Chair
2. Mr. Nelson Orgut - Member
3. Mrs. Rosemary Gituma - Member
4. Mr. Peter Bitu Ondieki, MBS - Member

IN ATTENDANCE

PRESENT BY INVITATION

Applicants - Mahan Limited

1. Kelly Malenya - Advocate

Procuring Entity- Kenya Rural Roads Authority

2. Justine Rapando - Advocate

BOARD'S DECISION

Upon hearing the representations of the parties and interested candidates before the Board and upon considering the information and all the documents before it, the Board decides as follows:-

When the application dated 8th August, 2018 came up for hearing, the Applicant was represented by Mr. Kelly Malenya advocate while the Procuring Entity was represented by Mr. Justin Rapando Advocate.

The Board has read through the application and the supporting statement dated 8th August, 2018 together with the memorandum of response dated 14th August, 2018 and more particularly the reasons given for the delay and the fact that the Procuring Entity intends to proceed with the entire process herein to conclusion.

In view of the above stated intention on the part of the Procuring Entity and there being no opposition to the application dated 8th August, 2018 the Board allows the application on the following terms:-

- a) **The Applicant's application dated 8th August, 2018 is allowed and the Procuring Entity is granted a further period of one hundred and twenty (120) days from 11th July, 2018, within which to complete the procurement process herein.**

- b) **The tender validity and the tender security validity period are extended by a further period of one hundred and twenty (120) days**

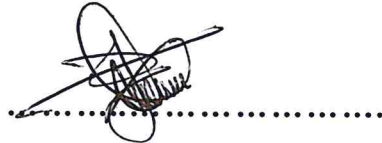
from 11th July, 2018, to enable the Procuring Entity complete the process.

c) Each party shall however bear its own costs of the application.

Dated at Nairobi on this 14th day of August, 2018.



CHAIRMAN
PPARB



SECRETARY
PPARB

