# THE REPUBLIC OF UGANDA IN THE PUBLIC PROCUREMENT AND DISPOSAL OF PUBLIC ASSETS APPEALS TRIBUNAL AT KAMPALA

### APPLICATION NO. 9 OF 2022

#### BETWEEN

KIBAKUTEIREHO GODFREY:::::: APPLICANT

#### AND

HOIMA DISTRICT LOCAL GOVERNMENT:..::RESPONDENT

APPLICATION FOR ADMINISTRATIVE REVIEW IN RESPECT OF THE TENDER FOR BUSERUKA MAIN MARKET; PROCUREMENT REFERENCE NUMBER HOIM509/SVCS/2021-22/00020.

BEFORE: FRANCIS GIMARA S.C. CHAIRPERSON; NELSON NERIMA; THOMAS BROOKES ISANGA; GEOFFREY NUWAGIRA KAKIRA; PAUL KALUMBA; CHARITY KYARISIIMA; AND PATRICIA K. ASIIMWE, MEMBERS.

## RULING OF THE TRIBUNAL

Hoima District Local Government undertook a procurement process under Procurement Ref No: HOIM509/SVCS/2021-22/00020 for procurement for enforcement of collection of revenue from Buseruka Main Market using Open Domestic Procurement Method. The Applicant Kibakuteireho Godfrey and Bigirwa Wilson Atwooki submitted bids in the said procurement. The evaluation process was completed where Bigirwa Wilson Atwooki was named as the Best Evaluated Bidder.

The Applicant being aggrieved by the procurement process applied for an administrative review with the Accounting Officer of the Entity on February 24, 2022. The Application was dismissed by the Accounting Officer on March 3, 2022. The Applicant being aggrieved by the decision of the Accounting Officer, filed the instant application with the Tribunal on March 11, 2022, seeking to review the decision of the Accounting Officer.

On March 11, 2022, the Applicant being aggrieved by the decision of the Accounting Officer, filed this instant application for administrative review at the Tribunal, seeking to review the decision of the Accounting Officer.

However, on 28th March 2022, the Applicant filed a notice of withdrawal of the matter. The Tribunal held a hearing on 28th March 2022, which was attended by the applicant, the Respondent represented by Elias Byamungu (the Chief Administrative Officer/Accounting Officer), and Bigirwa Wilson Atwooki (the Best Evaluated Bidder). The Applicant confirmed that he had filed the Notice of Withdrawal, dated 28th March 2022, of the matter and stood by his application to withdraw the matter. The representative of the Respondent, Mr. Elias Byamungu said he had no objection to the withdrawal of the matter. The Best Evaluated Bidder also stated that he had no objection to the withdrawal of the matter.

Since all parties have agreed to the withdrawal of the matter, the notice of withdrawal is accordingly approved in accordance with Regulation 16 (3) of the Public Procurement and Disposal of Public Assets (Tribunal) (Procedure) Regulations No. 16 of 2016 with each party to bear its own costs.

Dated at Kampala this 28th day of March 2022.

FRANCIS GIMÁRA S.C CHAIRPERSON

THOMAS BROOKES ISANGA

A MAR AT

PAUL KALUMBA MEMBER

MEMBER

NELSON NERIMA MEMBER

GEOFFREY NUWAGIRA KAKIRA MEMBER

> CHARITY KYARISIIMA MEMBER

PATRICIA K. ASIIMWE MEMBER