

REPUBLIC OF KENYA
PUBLIC PROCUREMENT ADMINISTRATIVE REVIEW BOARD
APPLICATION NO.55 OF 2022 DATED 29THJUNE 2022

BETWEEN

RENTCO AFRICA LIMITED.....APPLICANT

AND

**THE ACCOUNTING OFFICER,
KENYA ELECTRICITY TRANSMISSION CO. LTD 1STRESPONDENT**

KENYA ELECTRICITY TRANSMISSION CO. LTD...2NDRESPONDENT

Review against the decision of the Accounting officer of Kenya Electricity Transmission Co. Ltd with respect to Tender No KETRACO-ST 009-2021 for Request for Proposals for Design, Construction and Commercial Operation of Tier IV Data Centre on a Revenue Share Model.

BOARD MEMBERS PRESENT

- | | |
|--------------------------|-------------|
| 1. Ms. Faith Waigwa - | Chairperson |
| 2. Ms. Irene Kashindi - | Member |
| 3. Ms. Rahab Chacha - | Member |
| 4. QS. Hussein Were- | Member |
| 5. Mr. Nicholas Mruttu - | Member |



IN ATTENDANCE

Mr. Philip Okumu- Acting Board Secretary

FINAL ORDER

Pursuant to an order of mandamus compelling the Board to exercise its powers under Section 173(b) of the Public Procurement and Asset Disposal Act, 2015, to extend the tender validity period of Tender No KETRACO-ST 009-2021 for Request for Proposals for Design, Construction and Commercial Operation of Tier IV Data Centre on a Revenue Share Model for a period of 60 days or such period that the Board deems necessary for the 1st Respondent to conclude the tender process, issued by Judge A.K. Ndungu as Order 2) in Judicial Review Miscellaneous Application No.E100 of 2022 Republic v Public Procurement Administrative Review Board and The Accounting Officer, Kenya Electricity Transmission Company Limited; Ex Parte Rentco Africa Limited **IT IS HEREBY ORDERED;**

- 1. THAT the tender validity period of Tender No KETRACO-ST 009-2021 for Request for Proposals for Design, Construction and Commercial Operation of Tier IV Data Centre on a Revenue Share Model be and is hereby extended for a period of 182 days from 28th May 2022.**

Dated at Nairobi this 27th Day of September 2022.



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CHAIRPERSON
PPARB



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SECRETARY
PPARB