

INDEPENDENT REVIEW PANEL

In the matter of:

JV-OTV/Colas (Maurice) Ltee/Veolia Water

(Applicant)

v/s

Central Water Authority

(Respondent)

(Cause No. 17/14/IRP)

Ruling on Preliminary Issues

At the sitting of 08 August 2014, Senior Counsel appearing for the above parties jointly moved that the Panel determines the following two preliminary issues:

- (i) Whether the successful bidder, in proposing two options, instead of one base bid and one alternative bid, in accordance with ITB 20.1, has failed to comply with the mandatory requirement of the bid.
- (ii) Whether the successful bidder has failed to comply with major technical specifications mentioned in the bidding documents.

The Panel has looked into the joint motion and, after going through the bundle of documents which have been communicated to them, and given the technicality involved, is of opinion that it would not be safe to make a determination at this stage of the hearing.

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The Panel has accordingly decided to hear all the parties thoroughly before deciding on the issues raised in the application.

The Panel wishes to be enlightened by experts in the relevant fields in the course of hearing.

The matter therefore is fixed for continuation to Friday 19 September 2014 at 14.00 hrs.

(Said Toorbuth)
Chairperson

(Siv Potayya)
Member

(Jacques C. Nauvel)
Member

Dated 10 September 2014