

Rwanda

Ministerial Instructions related to the Procurement of Information and Communications Technology Goods and Services by Rwanda Public Institutions

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Goods and Services by Rwanda Public Institutions
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The Minister in the Office of the President in Charge of Information and Communications Technology;

Pursuant to Organic Law n° 53/2008 of 02/09/2008 establishing Rwanda Development Board (RDB) and determining its responsibilities, organization and functioning as modified and complemented to date;

Pursuant to Law n° 12/2007 of 29/03/2007 on Public Procurement;

Considering the rapid development of ICT in Rwanda that has led to increased demand for a wide range of ICT goods and services by public institutions to respond to their growing demand in terms of informatization of their business processes, in a bid to improve their efficiency;

Considering that the completion of the national fiber optic backbone and the national datacenter, coupled with Rwanda's strategy to strengthen the integration of Government ICT systems, calls for coordination of procurement of ICT goods and services in order to mitigate any risk of duplication;

Considering the need to ensure that the implementation of the National ICT plan by public institutions is conducted in the most cost effective manner;

On the basis of the Cabinet resolutions of 04 November 2011

Issues the following instructions:

Chapter One General provisions

Article One – Purpose

Without prejudice to any existing laws and regulations pertaining to procurement procedures, these Ministerial instructions shall be applied by public institutions in the procedures of procuring ICT goods and services.

Article 2 – Definition of terms

For the purpose of these instructions, the following terms shall have the following meaning:

- 1° **Dark Fiber:** Optical Fiber infrastructure that is currently in place but is not being used;
- 2° **E1:** digital transmission technology used by Telecommunications operators to carry data at a rate of 2.048 Mega Bit per second;
- 3° **ICT:** Information and Communications Technology;
- 4° **ISP:** Internet Service Provider

- 5° **LAN:** Local Area Network
- 6° **MIS:** Management Information System;
- 7° **NDC:** National Data Center
- 8° **RDB:** Rwanda Development Board;
- 9° **RURA:** Rwanda Utilities Regulatory Authority
- 10° **VPN:** Virtual Private Network;
- 11° **WAN:** Wide Area Network

Chapter II

Integrated procurement plan

Article 3 – Alignment with national ICT plans

Central and Local Government institutions shall consult and share with RDB their ICT strategic plans, ICT procurement plans and annual action plans to ensure alignment with national ICT plans.

Article 4 – Harmonization of national ICT procurement plan

Central and Local Government institutions shall submit ICT annual procurement plans to RDB at least one month before the commencement of the financial year.

RDB shall subsequently compile a national ICT procurement plan to help identify and remove duplications where they occur, and improve efficiency in Government ICT expenditure.

Institutions shall continue to manage their ICT budgets in line with Government financial management guidelines in order not to affect the fiscal management aspect.

Chapter III

Standardized tender documents

Article 5 – Publication of specifications for ICT products and systems

Where applicable, RDB will publish technical specifications, standards and technical guidelines for ICT products and systems, which can be customized to specific needs by the procuring entity, where necessary. These specifications will be updated on an annual basis and whenever necessary.

Article 6 – Particular technical specifications

RDB shall collaborate with central and local Government institutions to prepare particular technical specifications if the products and services to be procured are not covered under the published reference specifications.

Article 7 – Requirements in preparing technical specifications

In all cases, technical specifications will be developed to respond to the requirements at hand, without exceeding reasonable and desired performance, for cost effectiveness.

Article 8 – Interoperability requirements

Through the integrated national ICT procurement plan, as well as technical standards and guidelines; RDB will ensure that the specifications for ICT systems and products meet interoperability requirements, where applicable.

Chapter IV Tender evaluation and contracting

Article 9 – Compliance with the national procurement procedures

Once the published tender document complies with the established guidelines and standards in terms of technical specifications, the procuring Institution will handle the tender evaluation and contracting processes in accordance with the national procurement guidelines. The procuring entity may request for RDB support in the tender evaluation process and contracting phase, if the institution lacks the required in-house capacity.

Article 10 – Standard bidding document

RDB will provide a standard bidding document to be used for all MIS procurement in Central and Local Government. This template and any other developed by RDB will be published and are to be used by Government institutions while procuring ICT goods and services.

Chapter V Upfront tendering of commonly procured equipments

Article 11 – Centralized procurement process

RDB will establish a fast-track process for commonly procured computing hardware, specifically, desktop computers, laptops, as well as tablet computers. After compiling the integrated procurement plan, RDB will initiate an annual centralized procurement process based on standardized specifications; the successful bidders and pricing will be valid for a period of one year during which procuring entities can order and purchase such equipment directly.

Chapter VI Connectivity and data services

Article 12 – Distribution and management of Internet bandwidth

The long-term supply of Internet bandwidth for a 10-year lease period starting in 2012 acquired by RDB with the support of the World Bank shall be distributed to Central and Local Government Institutions and other selected public institutions across the Country. It shall also be managed centrally and distributed via the National Backbone Optic Fiber infrastructure established by the Government.

Article 13 – Payment for fiber access

The beneficiary institutions will not be required to pay for the bandwidth procured by RDB, however, they will be expected to pay for the fiber access (bandwidth transport services) as well as technical support by the entity designated to manage and deliver the bandwidth.

Article 14 – Management of the National Backbone Optic Fiber

The company that manages and operates the National Backbone Optic Fiber shall manage and deliver the Internet Bandwidth at terms specified by a service level agreement between RDB and the company.

The pricing for fiber access shall be established in line with infrastructure sharing guidelines established by RURA, and the technical support fee shall also be negotiated with the managing entity, and published by RDB.

The pricing will be revised periodically, and beneficiary institutions shall comply with the pricing as published by RDB, while the managing company shall comply with the performance level as specified in the service level agreement.

Article 15 – Procurement of additional bandwidth

Government Institutions, which benefit from the Internet bandwidth centrally procured by RDB, may procure more bandwidth if needed. Such procurement will follow standard national procurement guidelines, and may be obtained from any licensed Internet Service Provider (ISP).

Procurement of additional bandwidth will only be done if an institution deems that the bandwidth provision, through centrally procured capacity, is not sufficient for their particular needs.

Article 16 – Security of Government critical data and systems

The National Data Center (NDC) shall ensure security of Government critical data and systems. The NDC, which was built in accordance with international standards and latest technology, shall also improve efficiency in data hosting, and shall be managed and run by the selected managing company, on a fee-for-service basis to Government institutions.

Article 17 – Hosting critical Government data and information

All Government IT systems and applications, which process, store and provide critical Government data and information shall be hosted in the NDC. These include, but are not limited to: website hosting, email hosting, shared applications such as Document management and e-archiving, and Government enterprise applications.

Some of the applications may require extra services such as WAN, VPN or other forms of managed services as part of the hosting requirements.

RDB will, on behalf of Government, negotiate the pricing structure with the NDC management and periodically publish the price list for hosting services.

Article 18 – Requirements for secure hosting

Government institutions that have their own data center facilities shall consult RDB to ensure that such facilities meet the required standards (minimum requirements for secure hosting).

In the cases where such institutions host applications in their own data centers (or server rooms), they shall be required to obtain disaster recovery (backup services) from the NDC.

Article 19 – Procurement of other connectivity services

Additional connectivity services, including but not limited to WAN, VPN, Dark Fiber, or E1, will not be included of Internet connectivity that is provided for by RDB.

These services shall be procured and paid for by the Government institutions acquiring such services.

Article 20 – Access to the National Backbone Optic Fiber

Government Institutions that require having the National Backbone Optic Fiber network extended to their premises, in order to be part of the e-Government wide area network, will obtain this service from the Internet Bandwidth managing company at cost.

Chapter VII Final provisions

Article 21 – Repealing provision

All prior provisions contrary to these instructions are hereby repealed.

Article 22 – Commencement

These instructions shall come into force on the date of their signature.