



OFFICE OF THE CONTRACTOR-GENERAL

THE TWENTY-FIFTH ANNUAL REPORT



JAMAICA



THE TWENTY-FIFTH ANNUAL REPORT

OF

THE CONTRACTOR-GENERAL OF JAMAICA

JANUARY TO DECEMBER 2011

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OFFICE OF THE CONTRACTOR-GENERAL OF JAMAICA



Any reply or subsequent reference to this communication should be addressed to the Contractor-General and the following reference quoted:-

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October 11, 2012

The Hon. Michael Peart, MP
Speaker of the House of Representatives
Houses of Parliament
Gordon House
81 Duke Street
Kingston

Rev. Senator the Hon. Stanley Redwood
President of the Senate
Houses of Parliament
Gordon House
81 Duke Street
Kingston

Dear Honourable Speaker and Honourable President:

I am privileged to write directly to you in this matter.

In accordance with the provisions of Section 28 (2) of the Contractor General Act, I have the good honour to submit, to you, One Hundred and Ten (110) copies of the Twenty-Fifth Annual Report of the Independent Parliamentary Commission of the Contractor General of Jamaica for calendar year 2011.

As you will recall, Section 28 (3) of the Contractor General Act mandates that Reports of the Contractor General "... shall be submitted to the Speaker of the House of Representatives and the President of the Senate who shall, as soon as possible, have them laid on the Table of the appropriate House."

I, therefore, so respectfully advise and avail myself of this opportunity to renew to you the assurance of my highest considerations.

Very respectfully yours,

Greg Christie (Signed)

Greg Christie
Contractor General

OFFICE OF THE CONTRACTOR-GENERAL

ANNUAL REPORT 2011

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CONTRACTOR GENERAL'S INTRODUCTORY REMARKS

1. OPENING COMMENTS

In keeping with the requirements of Section 28 (2) of the Contractor General Act, I am privileged to formally submit to the Honourable Houses of the Parliament of Jamaica, the 25th Annual Report of the Commission of the Contractor General for calendar year 2011 – the penultimate year of my seven (7) year term as the Contractor General of Jamaica.

As the holder of the Independent Parliamentary Anti-Corruption Commission of the Contractor General of Jamaica, I am mandated by Section 4 (1) (a) of the Contractor General Act to monitor the award and the implementation of Government of Jamaica contracts to ensure, among other things, that they are awarded impartially and on merit and in circumstances which do not involve impropriety or irregularity.

A similar obligation, with respect to the issue of prescribed Government licences, is also imposed upon me by Section 4 (1) (b) of the Act.

In addition to the foregoing, a Contractor General is also empowered by Sections 15 (1) and 16 of the Contractor General Act, at his discretion, to conduct formal Investigations into matters that are associated with the award of Government contracts, the issue of Government licences, tender procedures, the registration of Government contractors, and the like.

In consequence of an amendment that was effected to the Contractor General Act in 1999, the Office of the Contractor General (OCG) is also mandated to provide the National Contracts Commission (NCC) with the requisite technical and administration support resources which it requires, to enable it to execute its contractor registration and Government contract endorsement functions.

The OCG, which, during the year that is under review, had a combined staff complement of 59, discharges its mission and core operating functions through four (4) operating Divisions.

They are the Construction Contracts Division, the Non-Construction Contracts, Licenses and Permits Division, the Special Investigations Division and the Technical Services Division. The functions of these Divisions receive critical administrative and other support through the operations of the OCG's two (2) other divisions, the Information Systems Division and the Corporate Services Division.

2. REFLECTIONS

The year 2011 marks a significant milestone for the OCG. The Commission has now served the People and Taxpayers of Jamaica for (25) years, having been operationalized in 1986 by way of the Contractor-General Act of 1983.

Having taken, and formally communicated to the Governor General, my decision not to seek or to accept an extension to my seven (7) year contract term as the Contractor General of Jamaica, 2011 is also a significant year for me as this, my Annual Report for the year 2011, will stand as the final one that will be published and submitted to the Houses of Parliament by me.

As I write these remarks, I, therefore, feel obliged to place upon the record some of my reflections, particularly recognizing that I have just a few more weeks in office before my contract comes to an end on November 30, 2012.

Background – The Office of the Contractor General

The OCG, as it is commonly known in Jamaica today, was established 28 years ago, in 1983, amid widespread public outcries that were prompted by allegations of corruption in the award and implementation of Government of Jamaica contracts.

The Contractor General was mandated by Section 4 of the Contractor General Act to monitor the award of Government of Jamaica contracts, to “*ensure*” that they were awarded ‘impartially and on merit, and in circumstances which did not involve impropriety or irregularity’. The issue of Government licences and permits was also cascaded under his jurisdiction.

In addition, the Contractor General was also vested with a discretionary power to conduct formal investigations into a range of associated matters.

To facilitate the effective discharge of his functions, the Contractor General was, among other things, accorded the powers of a Judge of the Supreme Court of Jamaica, with wide quasi-judicial powers of enquiry, search, discovery and subpoena.

However, and in spite of the foregoing, and after 25 years of its operational existence, the OCG has been unable to effectively attain its stated objectives. Today, primarily because of its structural deficiencies, it is viewed by many, and quite correctly so, as a paper tiger.

Despite its inadequacies, the OCG has nevertheless carried on with its work. Today, the OCG's jurisdiction, with a staff complement of 59, covers the activities of roughly 200 ministries, agencies, departments and statutory corporations of Government.

Together, these Public Bodies issue more than 600 different categories of licences and permits, and award in excess of 11,000 high-value construction, goods, services and asset divestment Government contracts, each year, valuing as much as an estimated \$110 billion, or an amount which is equivalent to roughly one-fifth of the overall annual expenditure budget of the Government of Jamaica.

OCG Accomplishments – General Overview

As the country's fourth Contractor General, I believe that my time with the OCG, over the past seven (7) years, has been productively and energetically spent.

The OCG's operating and organizational attainments, during my tenure, have been driven by the four (4) strategic and operating objectives that I had set for the OCG, and for myself, from the very outset.

These were – transforming the Commission into a ‘best in class’ anti-corruption institution; reducing corruption in Government contracting; ensuring compliance with the Government's Procurement Procedures; and significantly enhancing transparency, accountability and probity in Jamaica's contract award and license issue processes.

It is my considered view that, despite the OCG's legislative and operating constraints, we have succeeded, in great measure, to prosecute the attainment of all of our stated strategic objectives. We believe that we have also made substantial inroads in the fight to eliminate corruption, fraud, impropriety, irregularity, waste and inefficiency from Government contracting and licensing in Jamaica.

With a substantially new work force, a new work ethic, and a new cutting-edge work environment, we have rebuilt the OCG from the ground up, and we have transformed it into what is today recognized as a ‘best in class’ institution, and one which we believe is among the most respected organizations in the country's anti-corruption and law-enforcement institutional framework.

In part support of our beliefs, we can proudly point to the results of a national Don Anderson-Market Research Services Poll, which was conducted, in November 2011, in 180 communities island-wide.

The Poll, which was commissioned by the independent National Integrity Action Limited (NIAL), ranked the OCG, from among Jamaica's seven (7) leading law-enforcement and anti-corruption agencies, as having earned the highest level of public satisfaction in the fight against corruption in the island.

The other six (6) national agencies, which were ranked, were the Anti-Corruption Branch of the Jamaica Constabulary Force, the Corruption Prevention Commission, the Office of the Auditor General, the Office of the Director of Public Prosecutions, the Parliamentary Integrity Commission and the Office of the Commissioner of Customs.

The revamped Commission of the Contractor General, which I have been privileged to lead, is today constructed upon a number of key foundation pillars.

These include a new institutional culture which places professional work ethics and values at its forefront; the commitment and support of a specially recruited cadre of highly qualified and dedicated staff who fully understand the sanctity of the OCG's mandate, and that the interest of Jamaica must at all times be served; rigidly enforced workplace policies, procedures, processes and disciplinary codes; and, of course, the utilization of technology as a cutting-edge cost reduction platform to optimize the Commission's attainment of its statutory mandates, as well as its strategic and business operating objectives.

I can assure you that my staff and I have worked assiduously to elevate the profile of the OCG to what it should be, which is a highly visible, active, independent, professional and apolitical anti-corruption organization, and we have successfully developed and deployed a plethora of organizational, strategic and operating initiatives.

These have enabled us to increase, in exponential terms, our levels of productivity and efficiency, our contract monitoring and investigative capabilities, as well as transparency and accountability in a broad range of government commercial transactions.

There is also no question that we have heightened the level of public awareness about the OCG's work activities, its interventions, its considered remedial recommendations, its concerns, and the innumerable challenges that we have faced in our faithful discharge of our statutory mandates.

Additionally, we take immense pride in the fact that we have been dispassionate in the discharge of our mandates, and that we have never hesitated to call a spade a spade, or to bring to the fore the incidence of corruption, irregularity or impropriety in public contracting in Jamaica, wherever and whenever we have seen it.

Finally, in our quest to uphold the Rule of Law, we have held all Public Officers equal before the law, and, in so doing, we have substantially increased the levels of compliance, on the part of Public Officers, with the provisions of the Contractor General Act and the Government Procurement Procedures.

OCG Accomplishments – Some Empirical Operating Benchmarks and Metrics

In empirical terms, however, the operating accomplishments of the OCG, under my watch, have been many. While I cannot address all of them in my Introductory Remarks, I will, however, outline some of the principal ones.

In terms of our Government contracts monitoring mandate, the OCG currently monitors more than 11,000 Government contracts each year, with 1,092 of these having been monitored on a sustained basis during 2011. This contrasts with a maximum of 350 contracts that were monitored, on an annual basis, for the years which preceded my appointment.

With respect of our Investigations mandate, our accomplishments have been equally impressive. In the past seven (7) years, the OCG has completed 58 Special Investigations, 40 Enquiries and 24 Audits. This contrasts with only two (2) Investigations that were conducted during the three (3) year period which preceded my appointment.

To facilitate our monitoring and investigation of the Government's licensing activities, in 2009 we successfully developed a comprehensive on-line database portal. The database, which is the only one of its kind in the country, contains continuously updated information about the country's 200 Public Bodies, and the more than 600 different classifications of Prescribed Licences that are routinely issued by 75 of them. Prior to this, the OCG was unable to comprehensively discharge its license monitoring mandate.

Over the past three (3) years, we have also significantly reduced the high incidence of fraud that we have detected in the Government Works Contractor Registration Process. Since 2010, as many as 80 works contractors have been removed from the National Contracts Commission's (NCC's) Register of Approved Contractors for falsely representing their resources and technical competencies, with some having been referred, by us, to the Fraud Squad for criminal investigation and prosecution.

Regrettably, however, associated with our work, in the foregoing regard, have been threats of violence to our staff, inclusive of at least two (2) death threats, and an alleged thwarted execution attempt at one of our staff members. Additionally, we have faced significant opposition from one (1) local contractor grouping.

Quite surprisingly, the OCG, in its efforts to root out irregularity, fraud and corruption from the Government contracting and contractor registration processes, has also become the target of misguided public criticism from the newly elected President of the Jamaica Chamber of Commerce (JCC), Mr. Francis Kennedy, who, in a Jamaica Gleaner Newspaper article of October 9, 2012, reportedly branded the approach of the OCG as one that *'was not conducive to growth and development'*.

Although clearly ill-conceived and confounding, Mr. Kennedy's statement nevertheless raises the very serious question of whether the JCC is, for example, now supportive of the preservation of fraud and corruption in the award of lucrative Government contracts, to private sector contractors, who, by reason of their fraudulent representations, have been graded and registered as Government contractors despite the fact that they are neither adequately qualified, competent nor resourced, based upon the National Contracts Commission's own contractor registration criteria, to effectively execute the contracts that they are 'registered' to tender upon.

The fact that Mr. Kennedy has also failed to grasp the basic principle that the very growth and development which he seeks for the country will never be realized unless and until the perception of corruption in Jamaica is excised from the minds of the foreign private investment community, should also be cause for concern, if only because he is now the head of one of Jamaica's pre-eminent private sector groups.

One of the OCG's other outstanding operating accomplishments has to do with its development and implementation, in May 2006, of what is called the OCG's Quarterly Contracts Award (QCA) Report Regime.

The Regime, which requires the country's 200 Procuring Public Bodies to file quarterly electronic reports of their contract awards with the OCG, has now succeeded in registering a 100% compliance filing rate for the past 14 consecutive quarters, save one (as at the time of the final editing of this Report in October 2012). At the outset, the highest compliance rate that was ever recorded by the OCG was a mere 13%.

This dramatic shift in Public Body compliance culture was due, in great measure, to the inflexible enforcement, by me, over the past five (5) years, of a Zero Tolerance Policy which calls for the automatic referral, for criminal prosecution, of any non-compliant Public Body or Accountable Officer.

In terms of our many information technology breakthroughs, we have now made it possible for the contract award particulars of all Government contracts, above \$275,000 in value, which have been awarded since May 2006, to be freely scrutinized in spreadsheet format on the OCG's revamped website at www.ocg.gov.jm. Currently, these contracts number in excess of 70,000.

To facilitate the cultural transformation that was required to prosecute the strategic objectives that I had set for the OCG, and to ensure that the OCG possessed the requisite professional and technical skill-sets to enable it to more effectively discharge its mandates under the law, we developed and implemented, in 2006, a comprehensive personnel recruitment policy to facilitate the OCG's objective and transparent recruitment of the best available talent in the Jamaican job market.

Since then, 45, or more than 75%, of the OCG's current 59 staff member complement, have been recruited through the utility of the referenced policy.

The policy requires, among other things, the public invitation of job applications for vacant OCG positions which cannot be filled internally. Additionally, every prospective OCG employee must successfully undergo an average of two (2) to three (3) documented OCG interview assessments, that are administered by different OCG multi-disciplinary panels, before being cleared to be interviewed by the Contractor General himself.

Today, the OCG's contract monitoring and investigation staff includes five (5) engineers, two (2) construction managers, three (3) architects, three (3) lawyers, two (2) accountants/auditors at the masters degree level, two (2) MBAs in finance, three (3) MScs in Governance and Public Policy, and one (1) MSc in Sociology.

All told, the OCG's current 59 staff member complement, which has an average age of 36, has, in its tool-box, 37 bachelors degrees, 14 masters degrees (inclusive of 5 MBAs), and 72 other professional and technical certifications.

These assets have been routinely supplemented, enhanced and built upon by varied programmes of managerial, administrative, professional and technical training which the OCG, during the past six (6) years, and despite its limited annual budgetary resources, has proactively identified and provided for its employees.

	OCG ORGANIZATION OVERVIEW							Total /Average
	The Contractor General's Office	Special Investigations Unit	Inspectorate		Technical Services Department	Corporate Services Department	Information Systems Department	
			Construction	Non-Construction				
Number of staff	4	3	8	8	11	20	5	59
Average Age	40	29	37	31	41	40	35	36
Average Work Experience (Years)	15	8	14	9	17	15	12	13
Total Bachelors Degrees	3	3	8	8	6	6	3	37
Total Masters Degrees	2	2	1	3	4	2	0	14 (Includes 5 MBAs)
Total other Professional Certifications	5	2	8	12	9	23	13	72
Total Number of Staff/Total Number of Degrees and Professional Qualifications	4/10	3/7	8/17	8/23	11/19	20/31	5/16	59/123*

**There are currently five (5) staff vacancies in the established 64 person OCG Organization*

Office of the Contractor General

Employee Training Summary 2006-2011

	2006	2007	2008	2009	2010	2011	Total
Management	3	4	1	15	14	8	45
Administrative	4	4	9		4	11	32
Anti-Corruption	3	1	2	6	5	1	18
Procurement	1	6	3	2	46	5	63
Information Technology	2	3	2	3		3	13
	13	18	17	26	*69	28	171

** Special training initiative for the OCG's 12-member Inspectorate Team*

Local	12	18	14	24	65	26	159
Overseas	1	0	3	2	4	2	12

Finally, in our efforts to keep our stakeholders fully informed about those of our initiatives, positions and concerns, which were of sufficient public interest to warrant their immediate publication, we have so far issued as many as 267 Media Releases, and written 25 Letters to the Editors of the Print Media, during my tenure.

In the foregoing context, it is also worthy of note that, each year, since my appointment in 2005, the OCG has substantially increased the volume and the quality of the information which is presented in its Annual Reports to Parliament.

Previously, the OCG's Annual Reports typically ranged between 10 and 160 pages. By contrast, however, the OCG's Annual Reports for 2011, 2010 and 2009 have each provided more than 1,000 pages of content, while the Reports for 2005 to 2008 have ranged between 380 and 570 pages.

The Problem of Corruption in Jamaica and the Lack of 'Political Will'

But despite all of these accomplishments, I must hasten to caution that the reality is that both the OCG, and Jamaica, still have a considerable way to go before the battle against the scourge of corruption in Jamaica can be won.

The point that I wish to make is incapable of being overemphasized, for despite the persistent governance challenges that continue to plague Jamaica, and the pervasive corruption that the country is perceived to be mired in, successive Administrations have paid little more than lip service to the issue of corruption in Jamaica.

Time and time again, seemingly sincere statements of commitment, about strengthening the country's anti-corruption institutional framework, are made by our Prime Ministers. However, the expected corrective actions, and the promised bold new leadership, to decisively and forthrightly tackle the issue, have just not emerged.

In the interim, while political expedience and obfuscation take center stage, the perception of corruption continues to exact its heavy toll upon our beloved country, at the expense of the many, and at the expense of the country's socio-economic development.

Today, as a country, and in spite of all that we have achieved on the international stage with our music, our athletes, our food, and our hospitality, we have somehow managed to earn the indecorous label of being one of the world's most corrupt countries.

Indeed, and as the table below will show, for the past five (5) years, we have consistently scored no higher than 3.3 on Transparency International's Corruption Perception Index (CPI), where '1' is considered to be 'most corrupt' and '10' as 'clean'. But what have we done about it?

Transparency International Annual Corruption Perception Index – Jamaica Rankings				
Year	CPI Score	Country Rank	Total Countries Ranked	Independent Surveys Used
2011	3.3	86	182	7
2010	3.3	87	178	5
2009	3.0	99	180	5
2008	3.1	96	180	5
2007	3.3	84	180	5
2006	3.7	61	163	5
2005	3.6	64	159	6
2004	3.3	74	145	6
2003	3.8	57	133	5
2002	4.0	45	102	3

As I have warned before, corruption is considered today by many to be the largest single impediment to our country's attainment of sustained economic growth and development. Many are also of the belief that there are substantial links in Jamaica between politics, corruption, Government contracting, political campaign financing, political tribalism and organized crime.

Corruption erodes the quality of life of the society. It denies the poor access to basic entitlements, such as water, electricity, roads, health care, housing and education. Corruption leads to human rights violations, hijacks political elections and reduces investor confidence in the country. And corruption also undermines critical public institutions and enables organized crime and other threats to human security to flourish.

Given the magnitude of its potential impact, and its alarming and corrosive effects, the issue of corruption, is, therefore, something which should not be treated lightly.

As Contractor General, I must confess that I have become extremely despondent about the deafening silence of our leaders, both within and without the political divide, and the vacuous absence of the 'political will' that is now desperately required to decisively combat corruption in Jamaica, and to empower and support the OCG in its efforts to ensure that its mandates are effectively discharged.

'Political will', of the type that I speak, requires that the State, led by the incumbent Administration, must take the requisite steps to ensure that good governance structures that are compliant with international best-practices, as well as a comprehensive and independent anti-corruption institutional framework, are firmly set in place.

These, in turn, must be reinforced by adequate resources; effective laws which are lucid and unambiguous, and which are continuously reviewed to close emerging loop-holes; tough criminal custodial and pecuniary sanctions for breaches of those laws; and, of course, anti-corruption institutional leaders who are prepared to dispassionately discharge their respective mandates and to forthrightly enforce the said laws, and who are fully supported by the political directorate of the State.

Imperatives for Continuing the OCG's Fight Against Corruption in Jamaica

And it is against this back-drop, that the question about the imperatives for continuing the fight against corruption in Jamaica, need to be urgently and decisively examined, and addressed.

While the approach must be a multi-dimensional one, with critical roles being played by the State, the private sector, civil society, the media, and the individual, absolutely nothing of substance will, however, come to fruition until and unless a bold, new, forthright and honest political dispensation, which is prepared to do right by Jamaica, rises to the fore.

As it relates to the OCG, and the operational and structural obstacles which it continues to face, the imperatives for going forward are precisely the same. Without 'political will', the OCG will remain the toothless bulldog that every Jamaican knows that it is.

But there is no question, however, that the OCG has pushed, and is still pushing the envelope in terms of the effective and efficient discharge of its statutory mandates – at least to the extent that the laws by which it is circumscribed have allowed.

We have been forthright, aggressive and dispassionate in the execution of our mandates, for this is the only way that corruption, particularly in a corrupt, politically tribal and polarized country, can be effectively fought. Those of the OCG's critics, who have, therefore, characterized my approach as being overzealous, or over-reaching, have, unfortunately, been misguided, or are unenlightened.

Some of them, I am sure, would have absolutely no idea of the dimensions of what we were up against and what we are still up against. Indeed, the majority of them might never know.

Others, on the other hand, have shamelessly and disingenuously attacked the OCG for the simple reason that their own questionable or non-compliant conduct has warranted the Statutory Investigative intervention of the OCG.

Among these are both public officials, as well as private sector individuals, who have had their boats rocked by an OCG which has dared to disturb the tranquil bliss of their status quo, or which has interfered with that which was previously perceived by some to be the inviolable preserve of Jamaica's 'untouchables'.

Right throughout, however, the OCG was never moved or intimidated, nor was it perturbed. We consistently refused to be bullied, for we knew that we were on the side of right, honesty and the truth.

We have also taken full comfort in the fact that our considered positions, findings, recommendations and/or referrals are amply substantiated and documented for posterity, and will withstand the rigours of any objective, dispassionate or informed analysis.

It must also be appreciated that the fight against corruption is just that. It is a fight. It is not a ballroom dance. It is a battle, and battles cannot be fought by the weak or by the faint of heart. Likewise, the battle against corruption cannot be effectively led by leaders who are fearful or submissive, or who are reluctant to offend or to confront those who must be confronted; or who wish to be popular or to become friends with everyone.

But the truth is that there are inherent and fundamental flaws in the Contractor General Act, as well as long-standing loop-holes and deficiencies in the Government Procurement Procedures, and other associated laws. These must be repaired, if the OCG is to become more effective in the discharge of its prescribed mandates.

One of the referenced flaws which readily comes to mind has to do with the efficacy of Section 4 (1) of the Act. Section 4 (1) binds a Contractor General to a solemn oath to “**ensure**” that Government contracts and licences are issued ‘impartially, and on merit, and in circumstances that do not involve impropriety or irregularity’.

However, and in spite of this obligation, Parliament has failed to grant to the Contractor General the corresponding power to enable him to halt a Government contracting process that is exhibiting signs of impropriety, irregularity or corruption, or to give to him the power to prosecute or to hold to account an offending Public Officer.

In a deliberate effort to fix these and several other structural impediments which have prevented the OCG from effectively discharging its statutory mandates, scores of remedial recommendations have been tabled by me before the Executive and the Legislative arms of the State.

These recommendations were crafted by the OCG, among other things, (a) to significantly enhance transparency, competition, accountability and probity in public contracting in Jamaica; (b) to ensure compliance with the Government’s Procurement Procedures; (c) to eliminate waste and inefficiency in the award and implementation of contracts; (d) to prevent fraud and corruption in Government contracting, (e) to strengthen the OCG; and (f) to generally win the battle against corruption in Jamaica.

Regrettably, however, the overwhelming majority of them, although repeatedly made, have so far been ignored.

In the circumstances, the destiny of the OCG, and whether and to what extent Jamaica will succeed, in the fight to secure probity, transparency, accountability and value for money in the award of its public contracts, and to root out the scourge of corruption from its midst, is a destiny which now lies firmly, not within the hands of the OCG, but within the hands of the Government, our Parliament and, ultimately, in your hands – the hands of the Jamaican People.

In more ways than one, the OCG’s challenges can be likened to that of an athlete in a 4X100 metres relay race. No matter how vigourously and aggressively he runs his leg of the relay, there will come a point at which he must pass the baton to another participant in the race. If that participant, however, fails to run his leg of the race with equal vigour or passion or, for that matter, fails to run at all, then the race can never be won. This is the reality of the OCG.

These challenges and the problems that I have outlined will, therefore, remain for the OCG, and for my successor-in-office, as long as the OCG’s many remedial recommendations to the State continue to be ignored. At a minimum, they will remain with us until and unless the following are accomplished:

- (1) The OCG is significantly strengthened, whether as a stand-alone institution, or as a major component of the single independent national anti-corruption agency that I had first formally proposed in March 2010.
- (2) The OCG is granted criminal investigation powers, criminal prosecutorial powers, police powers of arrest, and the power to halt or to regularize a Government contracting or licensing process which it believes is exhibiting the signs of corruption, impropriety or irregularity.
- (3) The Contractor General Act is revised to lucidly and unequivocally articulate the jurisdictional boundaries of the OCG and its mandates, so that there is no ambiguity about what they are.
- (4) Tough criminal sanctions, inclusive of stiff custodial sentences, for breaches of the Contractor General Act and corruption related offences, are imposed.
- (5) The OCG is entrenched in the Constitution to protect it from arbitrary political interference.
- (6) Decisions regarding the OCG’s budgetary and resource allocations are removed from the purview of the Ministry of Finance, and vested in a Special Bi-Partisan Committee of Parliament to be chaired by the Parliamentary Opposition; and

(7) A Special Corruption Court is established, or, failing that, corruption related offences are given precedence, in the existing Jamaican court system, over all other offences, save and except for capital offences.

And now, a final observation.

At least two (2) senior politicians that I am aware of, each from either side of the political divide, have, tongue in cheek, disingenuously questioned why is it that Jamaica's Corruption Perception Index (CPI) has not improved over the years, despite the aggressive and highly publicized anti-corruption work of the OCG.

The answer is quite simple, and the two (2) politicians are well aware of it.

To begin with, fighting corruption in Jamaica is not the exclusive province of the OCG – far from it. There is a Corruption Prevention Commission, there is a Parliamentary Integrity Commission, there is the Director of Public Prosecutions, there is a Police Force, there is the Judiciary, there is the Ministry of Finance's Financial Investigations Division (FID), there is the Ministry of National Security's Major Organized Crime and Anti-Corruption Task Force (MOCA), there is the Jamaica Constabulary Force's Anti-Corruption Division, there is an Auditor General, there is a Commissioner of Customs, there is a Public Defender, there is the Electoral Commission, there is a Political Ombudsman, there is the Media, there is Civil Society and finally, and above all, there is the Government and the Parliament of Jamaica at whose feet the buck stops!

Jamaica's CPI rankings have not improved because despite the efforts of the OCG and that of a number of other institutions, the perception and the reality is that absolutely nothing is being done by the Government, the Parliament and some of the other elements of the country's anti-corruption institutional framework, to implement the fundamental institutional reforms that are necessary, and to take the bold and dispassionate steps that must be taken, to decisively, effectively and forthrightly combat the scourge of corruption that has now infiltrated the very life blood veins of the country.

It is, for example, an indisputable fact that the OCG's many remedial recommendations have, for the most part, been consistently ignored by successive Administrations and by successive Parliaments. Likewise, the innumerable criminal prosecutorial and other referrals that the OCG has made to a variety of State authorities to get them to hold offending Public Officials and others accountable for their irregular, improper or corrupt conduct, have also been summarily and consistently sidestepped.

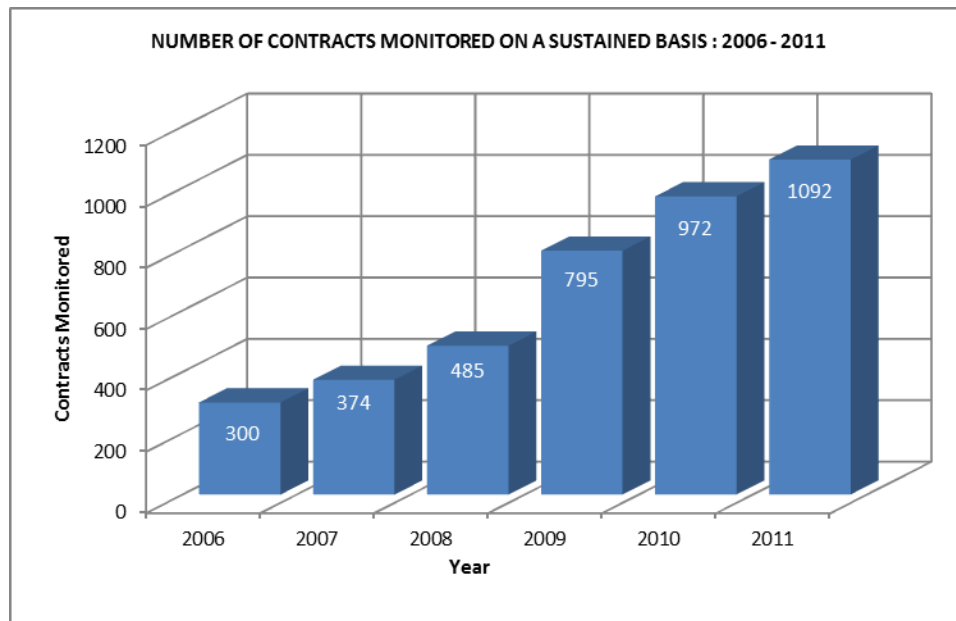
Since we live in a global village in which information reaches everyone instantly, this, therefore, is what Transparency International is seeing. It is also what the international commercial and foreign direct investment community is seeing. And it is also what Jamaica's multi-lateral and bi-lateral partners are seeing.

Nothing further, therefore, needs to be said about the issue since, barring fundamental changes to the way in which we are currently dealing with the problem of corruption in Jamaica, 50 years from now we will not only be still here talking about the same things, but we will also be here doing the same things as we are now.

3. OVERVIEW OF YEAR 2011 - CONTRACTS MONITORING AND PORTFOLIO MANAGEMENT

As was mentioned earlier, the OCG, in year 2011, monitored a total of one thousand and ninety-two (1,092) procurement undertakings on a sustained basis. Of this number, six hundred and eighty-two (682) were non-construction projects, while the remaining four hundred and ten (410) were construction projects.

While it would be ideal to monitor all Government of Jamaica procurement opportunities, on a sustained basis, such an undertaking is obviously neither realistic nor possible and, as such, the OCG undertakes strategic monitoring within the confines of its available resources, as well as general monitoring of an additional 10,000 to 11,000 contracts each year, using computerized technology, via the utility of its Quarterly Contract Awards (QCA) electronic system.



Quarterly Contract Awards (QCA) Report Submissions

During calendar year 2011, the OCG's QCA Report Regime enabled the OCG's Inspectorate Division to monitor in excess of 11,000 Government contracts awards which were valued at more than \$16.1 billion.

These contracts fell beneath the National Contracts Commission's \$10 million contract value threshold, but above the \$275,000 value floor at which all tendering contractors are required to possess a valid Tax Compliance Certificate, as well as to seek registration with the NCC – both as a pre-qualification to the tendering on Government of Jamaica contracting opportunities.

A Zero Tolerance Policy which was first introduced by me in October 2006 to combat Public Body Heads who were refusing to comply with the lawful Requisitions of the OCG, to submit QCA Reports within the prescribed time-line, has, as at the end of calendar year 2011, succeeded in producing an unprecedented and record 100% compliance rate for the twelfth consecutive quarter running.

During 2011, all 190-plus Public Bodies, that were being monitored by the OCG throughout the year, submitted their QCA Reports within the required timelines and, consequently, must be commended for their timely responses as well as for their disciplined efforts to comply with the lawful Requisitions of the OCG.

Since 2009, the OCG has been assessing QCA Reports based upon the level of compliance, on the part of the relevant Public Bodies, with the Government's Procurement Procedures, that the Reports disclose.

Public Bodies are placed in one of four levels, with Level 1 being the highest, covering a compliance rate of between 96% and 100%, and Level 4, the lowest, which addresses a compliance rate below 60%. A compliance rate below 60% indicates evidence of a fundamental, critical and/or substantial failure, on the part of the relevant Public Body, to comply with the Government of Jamaica Procurement Procedures.

QCA Reports were assessed by the OCG for the first three (3) quarters of 2011. An aggregate average of ninety-one (91) Public Bodies attained a Level 1 compliance rate, and an average of one (1) Public Body attained a Level 4 compliance rate. The other Public Bodies attained either Level 2 or 3 compliance rates.

It is instructive to record that since the OCG has commenced its QCA ratings of Public Bodies, there has been greater vigilance, on the part of Public Bodies, with respect to their completion of the QCA Reports as well as with respect to the accuracy of the information that they represent to the OCG.

Particulars of the QCA reported contract awards for 2011 are discussed in the section of this Report which is entitled **Monitoring of Non-Construction Contracts, Licences, Permits and Concessions**. Further details regarding same are also outlined in **Appendix VIII to the Report**.

4. OVERVIEW OF YEAR 2011 - OCG'S INSPECTORATE DIVISION

The monitoring of procurement opportunities is carried out by the OCG's Inspectorate Division, which also has the responsibility for the management of multiple Portfolios; namely, the QCA Portfolio, the Constituency Development Fund (CDF) Portfolio, the Licences and Permits Portfolio, the Asset Divestment Portfolio, the Land Divestment Portfolio, the Enquiry Management Portfolio, the Procurement Audit Portfolio, the Force Account Portfolio and the Jamaica Development Infrastructure Programme (JDIP) Portfolio.

Each Portfolio is assigned to one (1) of the OCG's Inspectors, who is primarily responsible for same and receives support from at least one (1) other Inspector. In all instances, therefore, each Inspector has the responsibility for more than one Portfolio, along with other multiple monitoring projects.

Of significant note, is that the OCG's Inspectorate Division has a staff complement of only sixteen (16). The Division is divided into two units, namely the Construction Unit, and the Non-Construction Contracts, Licences and Permits Unit.

The Inspectorate Division's sixteen (16) staff member complement is broken out into: Ten (10) Inspectors - broken out into five (5) Construction and five (5) Non-Construction Inspectors; two (2) Senior Inspectors – one (1) Construction and one (1) Non-Construction, who are essentially Supervisors; a Director of Construction Projects; and the Senior Director of Monitoring Operations, Corporate Communications and Special Projects.

The Team is ably supported by two (2) Administrative Assistants – one (1) Construction and one (1) Non-Construction. All Monitoring and Portfolio Management activities are undertaken by the ten (10) Inspectors.

Issues Arising Out of Monitoring

The OCG has noted that there has been some amount of improvement among Public Bodies in relation to compliance levels, relative to their procurement activities. While Public Bodies should be commended for their efforts in meeting the Government of Jamaica (GOJ) Procurement standards, there is, however, still room for improvement, as some Public Bodies continue to deviate from standard procurement procedures, as outlined in the Government of Jamaica Handbook of Public Sector Procurement Procedures.

Some noted deviations, were the failure by some Public Bodies to comply with the requirement to:

- i. Utilize the Standard Bidding Document;
- ii. Obtain documented approval from the Head of Entity;
- iii. Obtain documented approval from the Procurement Committee, where applicable;
- iv. Utilize the Bid Receipt Form or to ensure that same is properly completed;
- v. Prepare Contract Documents;
- vi. Prepare Comparable Estimates or, where prepared in some instances, failure to conduct the necessary due diligence to prepare a realistic Comparable Estimate; or to disclose Comparable Estimates at Tender Opening Ceremonies;
- vii. Ensure sufficient time is given for submission of Tenders;
- viii. Provide sufficient information in the Tender Notice;
- ix. Prepare Evaluation Criteria for procurement opportunities or, in some instances, prepare detailed Evaluation Criteria; and
- x. Conduct evaluation of Tenders in accordance with established Evaluation Criteria.

In all instances where the stated deviations were identified, the OCG communicated same to the offending Public Body and made appropriate recommendations in keeping with the GOJ's Procurement standards.

Further, in an effort to eliminate such occurrences, the OCG has prepared a procurement-related presentation to be delivered, in 2012, to the roughly 200 Public Bodies that fall within the jurisdiction of the OCG.

It should be noted that, as at December 31, 2011, one (1) presentation had already been made to a Public Body upon its request, and preparation was being made for all other Public Bodies to be notified of the OCG's intention to present to them in 2012.

Notwithstanding the OCG's decision to make the referenced presentation to Public Bodies, it is being recommended that all Public Bodies take advantage of the 'GOJ Procurement Policies and Procedures' training programme which is offered by the Management Institute for National Development (MIND), in an effort to reinforce their adherence to the GOJ's prescribed procurement standards.

There are other matters of concern to the OCG, specifically as they pertain to construction-related contracts.

Time and Cost Overruns

Among these concerns, are the continued occurrences of time and cost overruns. Where the Evaluation process is protracted, the end result is that Bidders are asked to extend their Tender Validity Period, in which case a Bidder may not agree.

The effect may very well be that the Public Body may have to abort the Tender process, which clearly would result in the procurement opportunity being re-tendered.

Other noted issues which occurred during the Pre-Contract Stage of various construction projects, during 2011, had to do with the failure of Public Bodies to properly review the project site or to conduct Soil Tests, which resulted in Bills of Quantities and Drawings having to be revised or extensive time delays being experienced, as remedial works had to be performed owing to unfavourable results of Soil Tests. There were also delays owing to the requisite approvals or permits not being obtained prior to the works being carried out.

The OCG also identified instances where delays occurred during the project implementation stage. Ideally, it is recommended that projects are implemented as soon as possible after the contract is signed, as failure to do so, more often than not, results in increased costs on the part of the Contractor, thus costing the Public Body more than the agreed amount, as the Public Body would be the party that is faulted for the delay.

Post-Contract issues of concern to the OCG included poor project management and/or poor performance on the part of Contractors or Consultants, which ultimately resulted in increased costs to the respective Public Bodies. There were also instances where Contractors experienced delays in receiving payment from Public Bodies, owing to the unavailability of funds.

Of the four hundred and ten (410) Construction projects that were monitored by the OCG on a sustained basis throughout the reporting year, it was noted that fifteen (15) were affected by cost overruns, which amounted to J\$1.2 billion – an exorbitant amount by any standard.

Bearing in mind that the number of construction projects that were monitored by the OCG was minimal, when compared to the number of projects that were undertaken by Public Bodies, overruns on projects generally should be cause for great concern. If the total for overruns on all Government projects were to be captured and added, the resulting amount may be very frightening, to say the least.

Stringent measures need to be, therefore, set in place to guard against such occurrences. Where these overruns could have been avoided, the culpable parties should be held accountable and, the appropriate penalties imposed. The same should also apply to instances of Variations on projects.

Misuse and Abuse of 'Emergency Contracting' Procurement Methodology

Section 1.1.5 of the Government of Jamaica Handbook of Public Sector Procurement Procedures (October 2010), states that for the Emergency Contracting methodology to be utilized, *"the need for such procurement must be sudden, unexpected and a pressing necessity or exigency."*

The OCG remains concerned that Public Bodies continue to award contracts utilising the Emergency Contracting facility, when the respective projects could have been awarded utilising a more appropriate methodology.

In awarding contracts using this methodology, the Public Body by-passes the proper procurement procedure and thus may not get value for money, or may otherwise engage an entity which is not registered with the NCC, or which is registered to perform projects of a lower grade and, as such, is incapable of carrying out the job to the best possible standards.

It is not lost on the OCG that this methodology can also be deliberately used by Public Bodies to avoid the scrutiny of the respective regulatory agencies, inclusive of the OCG, and also to award contracts to 'preferred' or 'connected' Contractors.

Reported contracts that were awarded by Public Bodies in 2011, using the Emergency Contracting Methodology, amounted to J\$4.1 billion.

Jamaica Development Infrastructure Programme (JDIP)

JDIP was a programme that was entered into between the Government of Jamaica (GOJ) and China Harbour Engineering Company Limited (CHEC), to enhance/rehabilitate and/or upgrade the land-based transport infrastructure across Jamaica, and was implemented in 2010. The then Ministry of Transport and Works was the implementing agency, and the National Works Agency (NWA) acted as Project Managers for JDIP.

The programme was to be carried out over a five (5) year period, at a cost of US\$400M. Funding is provided by the China Exim Bank and the GOJ, and the Loan Agreement between the GOJ and China Exim Bank, which financed US\$340 million of the contract sum, was signed in February 2010.

The original contract between the GOJ and CHEC, however, was signed in August 2009. CHEC was awarded the US\$400M contract, on a Sole-Source basis by the GOJ. The OCG's monitoring of JDIP projects commenced in 2010 and continued into 2011.

In February of 2011, the OCG convened a meeting with representatives from the National Works Agency (NWA). This meeting was deemed necessary, as the OCG sought to get a clear understanding of JDIP, in an effort to properly monitor the project.

Following the meeting, the OCG requisitioned information regarding the programme from the NWA, under cover of letter dated February 18, 2011. It should be here noted, that some of the items were previously requested in November of 2010, but were not received. After much 'back and forth', the request for all items was finally satisfied in June 2011.

I will end any further reference to JDIP at this point, as detailed information which surrounds the developments that are relative to the OCG's monitoring of JDIP can be found under the heading: "Major Projects", which falls under the "**Monitoring of Construction Contracts**" section of this Report.

Unsolicited Proposals and the Sole Source Procurement Methodology

I have long argued that the utilisation of Unsolicited Proposals is a corruption-enabling tool, as the competitive tender process is 'ignored' in favour of a system which, when scrutinised, enables parties to 'award' contracts to 'selected' parties without the market being 'tested' in order for value for money to be assured.

The reality is that when a proposal is submitted by a party who wishes to be contracted by the GOJ, to provide to the GOJ the said deliverables proposed, unless the opportunity is opened up to other interested parties, the GOJ will have no way of knowing whether it is receiving the best possible value, or whether it will obtain the best possible quality.

Further, under such circumstances, the general *'modus operandi'* is that no studies are carried out to determine even the estimated value of the proposed deliverables, in order to make an informed decision regarding the award of the contract.

Inasmuch as the OCG is concerned about the use of 'Unsolicited Proposals' to award Government contracts, of equal concern is the utilisation of the 'Sole-Source' procurement methodology in instances in which the contracted party is not the sole provider of the goods, service or Works.

As with 'Unsolicited Proposals', where entities are contracted utilising this methodology, there can be no guarantee that 'value for money' will be obtained, as there will be no competitive process to determine same.

While the OCG appreciates that expedition should be a factor in the procurement process, this cannot be prioritised over and above ensuring that value for money and quality deliverables are obtained. Further, proper procurement planning, in most cases, will eliminate the need for immediacy in securing deliverables.

The OCG is aware that the 'Sole Source' procurement methodology has been subsumed under the 'Direct Contracting' procurement methodology, as is indicated in the GOJ Handbook of Public Sector Procurement Procedures (October 2010).

However, this does not nullify the reality that existing contracts have been awarded using this methodology. Moreover, in much the same way that the 'Sole Source' procurement methodology is being misused, the same could obtain with the use of the 'Direct Contracting' procurement methodology.

In the circumstances, Government procuring entities should make every effort to set in place the requisite checks and balances to ensure that these methods of awarding contracts are not misused or abused.

Constituency Development Fund (CDF)

As in previous years, the OCG monitored several approved projects that were awarded under the Constituency Development Fund (CDF) programme. The CDF is a fund which provides Members of Parliament with monies to fund approved social and economic programmes within their respective Constituencies.

Projects are undertaken on a yearly basis and the Office of the Prime Minister (OPM) is responsible for the management and disbursement of funds. As such, the projects are managed/monitored by the Constituency Development Fund Programme Management Unit (CDFPMU), which is the office established in the OPM for coordinating the operations of the CDF.

Projects are approved by the CDF Parliamentary Committee, which is a Sub-Committee of the House of Representatives, that is tasked with granting final approval for CDF projects and Constituency Plans.

Section 1.4 of the Revised Constituency Development Fund Operational Procedures (January 2011), states that *"The Fund shall for each F/Y (Financial Year) amounts (sic) to no more than 2.5% of gross Estimates of Expenditure after debt amortisation and interest."* Section 1.5 of said publication states, *"The Fund shall be divided equally for each constituency and shall be provided under the Capital 'A' budget of the Office of the Prime Minister (OPM)."*

For the 2010/2011 financial year, the CDFPMU advised that a total of seven hundred and ninety-three (793) projects were approved, the combined value of which amounted to J\$1,157,839,201.29. Of this number, the OCG monitored a total of one hundred and three (103) projects at an aggregated value of J\$236,164,031.68.

The section of the Report, that is entitled “**Monitoring of the Constituency Development Fund**”, details the CDF monitoring activities of the OCG over the reporting period, and the associated challenges that were identified relative to the CDF.

In spite of the limited number of its personnel, the Inspectorate Division of the OCG continues to do a tremendous job in the monitoring of the procurement opportunities that are undertaken by the country's 200 Procuring Public Bodies.

Further details that are relative to the monitoring activities of the Division in 2011, can be found in the sections of this Report that are entitled “**Monitoring of Non-Construction Contracts, Licences, Permits and Concessions**” and “**Monitoring of Construction Contracts**” respectively.

5. OVERVIEW OF YEAR 2011 - OCG SPECIAL INVESTIGATIONS

The OCG, through its Special Investigations Division (SID), completed four (4) Special Investigations in 2011. The Special Investigations that were completed were as follows:

- i. Special Report of Investigation Conducted into Allegations of Improper Procurement Practices at the Sugar Company of Jamaica (SCJ).
- ii. Special Report of Investigation Conducted into the Circumstances Surrounding the Alleged Contractual Agreements between the Petroleum Corporation of Jamaica (PCJ) and Caribbean Protective Security Management and Services Company Limited.
- iii. Special Report of Investigation Conducted into the Allegations Regarding the Proposal for the Financing, Development, Ownership and Operation of a FSRU LNG Re-Gasification Terminal and Natural Gas Transportation System.
- iv. Special Report of Investigation Conducted into Allegations of Impropriety and/or Irregularity in the Award of Certain Contracts to Strathairn Construction Company Limited by the St. Catherine Parish Council, the National Works Agency and the Ministry of Transport & Works.

Coming out of the Investigations that were conducted, the OCG identified, among other things, varying deviations from the standard procurement procedures and, as such, made several recommendations to the relevant State authorities to address same. Further, formal referrals were also made to the relevant authorities regarding the offending Public Officers, for the appropriate action to be taken.

A complete overview of the referenced Investigations that were conducted by the SID, the common issues that were identified, and a summary of the key recommendations made, may be found in the section that is entitled “**Special Investigations Division**”.

Also, the complete Reports, copies of which have been formally tabled in the House of Representative and in the Senate, may be viewed on or downloaded from the OCG website at <http://www.ocg.gov.jm>.

6. OVERVIEW OF YEAR 2011 - OCG'S TECHNICAL SERVICES DIVISION

The Technical Services Division (TSD) of the OCG performs dual roles. As the Secretariat to the National Contracts Commission (NCC), it provides the NCC with secretarial, administrative and technical support services. On the other hand, the Division also monitors the operations of the NCC, for and on behalf of the OCG.

The TSD's core functions include:

1. The verification of registration information that is submitted by Contractor applicants who are desirous of being awarded Government contracts, in the appropriate categories and at the appropriate grade levels;

2. The provision of administrative and technical support to the NCC, inclusive of the management of associated correspondence; and
3. Being the NCC's and the OCG's representative on NCC Sector Committees.

The NCC is an independent, anti-corruption Commission, whose primary objective is to ensure transparency and equity in the awarding of Government contracts. This objective is generally satisfied by the NCC through its review and endorsement of recommendations for the award of Government contracts which value above J\$10M.

The NCC is also the body that is responsible for registering and classifying Contractors who are desirous of tendering on Government contracts.

The Commission is comprised of a panel of eight (8) members, all of whom are appointed by the Governor General of Jamaica. Each panel of the Commission serves for a term of seven (7) years. OCG representatives sit in on all NCC meetings as resource personnel and also as observers to ensure that the Commission's endorsement and Contractor registration processes are free from impropriety and irregularity.

All recommendations for the award of Government contracts are vetted by NCC Sector Committees prior to being reviewed by the NCC. Sector Committees are subsets of the NCC and were established to assist the NCC in evaluating recommendations for the award of government contracts in a timely manner.

There are seven (7) Sector Committees, to which all Procuring Public Bodies are assigned, for the preliminary review of their respective contract award recommendations. The NCC is notionally represented on each Sector Committee by a member of the staff of the Technical Services Division of the OCG.

In 2011, the TSD's staff complement was eleven (11) persons.

As was reported by the OCG in its 2010 Annual Report, a decision was taken, by the OCG, in September 2010, to implement a 100% due diligence assessment of all registration and re-registration applications that are submitted by Contractor applicants to the NCC.

The decision arose from the OCG's discovery, in 2008, of the high incidence of fraud, forgery and false information that was detected in Contractor application documentation. The referenced OCG due diligence efforts, which continued into 2011, not unexpectedly, resulted in an extended registration process for all Contractor applicants, many of whom were obviously dissatisfied with the process, and lodged complaints with the NCC.

While the OCG is cognisant of the fact that the NCC's Contractor registration and re-registration processes are currently somewhat protracted, the reality is that with the OCG's limited TSD staff, and the failure of the Government to assign additional staff to the OCG, despite innumerable requests having been made over the past three (3) years, the issue will continue to be of concern to the OCG, Contractors, and the OCG's other stakeholders alike.

The bald fact, however, is that the OCG has been doing its best under extremely trying and difficult circumstances and has received absolutely no assistance whatsoever from the Government, or support from the NCC, in its quest to secure additional staffing resources to effectively address the problem.

Indeed, the situation has become so grave that often times the OCG has had to remove staff from other function-critical OCG Divisions, and temporarily assign them to the OCG's TSD, so as to satisfy the overwhelming work demands of the NCC.

But be that as it may, during 2011, and with the invaluable support and assistance of the OCG's TSD, there was a total of one thousand three hundred and ninety-six (1,396) Contractors who were registered with the NCC for the provision of Goods and Services; two hundred and nineteen (219) Contractors who were registered in the Works Contractor 1 – 4 Grade categories; and nineteen (19) Contractors who were registered as Grade 5 Works Contractors.

The combined total for registered Contractors in 2011 was one thousand, six hundred and thirty-four (1,634), of which two hundred and fifty-two (252) were newly-registered Contractors.

Likewise, with the indispensable support and technical assistance of the OCG, the number of recommendations for contract awards that were endorsed by the NCC, during the reporting year, was five hundred and fifty-five (555), with a cumulative value of thirty billion, eleven million, one hundred and seventy-eight thousand, one hundred and three dollars (J\$30,011,178,103.00).

In its Annual Report of 2010, the OCG reported that plans were afoot, by the Government, to separate the NCC from the OCG. As at the time of the writing of this Report, however, the operations of the OCG and the NCC have remained undisturbed. Whether there will be any significant change in the matter in 2012 is left to be seen.

More detailed information on the operations of the OCG's TSD, in its provision of support services to the NCC, during 2011, can be viewed in the section of this Report that is entitled "**Technical Services Division**".

7. OVERVIEW OF YEAR 2011 – ISSUE OF OCG MEDIA RELEASES AND LETTERS TO THE EDITOR

In 2011, the OCG issued fifty-two (52) official Media Releases and one (1) Letter to the Editor of a daily newspaper, the Jamaica Observer. Once issued, all OCG Media Releases and Letters to the Editor are generally published, within the hour, on the OCG's official website at <http://www.ocg.gov.jm>.

The regular dissemination of information, via the medium of OCG Media Releases, is the OCG's preferred method of communicating its activities, in real time, to the members of the Jamaican public to whom the OCG is ultimately accountable.

Once again, I would, therefore, like to use this opportunity to publicly thank both the print and the electronic Media for their continued invaluable assistance and support to the OCG.

As it has been said, transparency is the antithesis of corruption. Consequently, without the assistance of the Media in exposing matters that fall within the jurisdiction of the OCG, the battle against impropriety, irregularity and corruption in public contracting, in Jamaica, would have already been half-way lost.

As an aside, the OCG is not unmindful of the fact that there are those in its midst who are opposed to the OCG's issue of Media Releases which announce the commencement of its Special Investigations into certain specified matters that are related to the award of Government contracts, or the divestment of lucrative State assets.

For those who are so disposed in their thinking, I would like to take this opportunity to respectfully remind them that, as an Independent Parliamentary Anti-Corruption Commission, the OCG is duty-bound to keep the People and Taxpayers of Jamaica, to whom the OCG's obligations alone are owed, fully informed of matters that are of concern to them in respect of the expenditure of their tax dollars by the Government of the day.

And it is solely in this context that I am particularly obliged to mention the Jamaica Observer Newspaper. The Observer has taken issue with the OCG's publication of Media Releases, particularly those in which the OCG has sought to inform the public about the commencement of its Special Investigations and its reasons therefor.

Quite instructively, however, the Observer's attacks upon the OCG have occurred, and have occurred with uncharacteristic venom, only whenever the matter of the construction and the divestment of the Sandals Whitehouse Hotel have come under the public scrutiny of the OCG.

The hotel, which was previously majority-owned by the Government, and which was constructed at a cost of approx. US\$110 million in 2005, was, in 2011, divested by the Government, under highly questionable circumstances, to a company, Gorstew Ltd., that is owned and controlled by the very owner of the Jamaica Observer Newspaper itself, the Hon. Gordon 'Butch' Stewart, OJ.

The hotel was divested to Gorstew at a sales price of only US\$40 million – some US\$70 million below its initial construction cost value – with an associated proviso for \$32.5 million of the sales price to be financed by a Government provided mortgage, which is to be repaid by Gorstew in 30 equal quarterly instalments, over 7 ½ years, at an annual interest rate of only 6%.

The circumstances surrounding the divestment, have been under investigation by the OCG since January 2011, but has now become the subject of a law-suit which was filed on September 7, 2012, by Gorstew, in which Gorstew is seeking to block the OCG's investigation into the matter.

In the circumstances, the obvious self-serving and conflicted motives of the Observer, in attacking the OCG on the propriety of its issue of Media Releases regarding the matter, must, therefore, be called into question and should be seen for what it is.

There is no place on the OCG's agenda for the concealment or withholding of information which pertains to the lawful discharge of the OCG's Statutory mandates. Further, one of the fundamental pillars on which the OCG stands, is that of 'Transparency'.

As such, inasmuch as the OCG expects all Public Bodies to be transparent in their daily operations, particularly as it relates to matters which concern their procurements and their divestment of State assets, the expectation must also be the same for the OCG as it seeks to faithfully, fearlessly and dispassionately discharge its mandates under the Contractor General Act.

The misguided, double-standard and unfounded nature of the criticisms that have been levelled against the OCG, in the foregoing regard, have been extensively addressed by me at pages 33 to 44 of my 2010 Annual Report to the Parliament. A copy of that Report can be perused on the OCG's website at <http://www.ocg.gov.jm>. I have also already fully ventilated the matter, and have comprehensively defended my postures regarding same, in person, on February 17, 2011, before a Joint Select Committee of the Parliament of Jamaica.

I must, therefore, reiterate that the OCG has absolutely no apologies whatsoever to make to any person, authority or entity, regarding the issue. Indeed, I would, instead, wish to use this medium to reassure all well-thinking Jamaicans that, so long as I shall remain the Contractor General of Jamaica, the OCG will continue, at its sole discretion, to lawfully issue, without fear or without favour, Media Releases in its quest to keep the Jamaican public informed of its work and its anti-corruption activities.

For ease of reference, and to provide an insight into the extent to which the OCG has gone, in 2011, to keep its stakeholders apprised of its work, its concerns and its positions on a variety of pertinent issues, I have set out, hereunder, the titles of the OCG Media Releases and the Letter to the Editor that were issued during the year.

Please also note that the content of all of the referenced documents can be viewed or downloaded from the OCG's official website at <http://www.ocg.gov.jm>.

Media Releases

1. Government Fails To Comply With OCG Requisition Regarding Allegations Of Secret Talks For Sale Of Sandals Whitehouse Hotel (January 7, 2011)
2. Government Complies In Part With OCG's Requisition Regarding Sale Of Sandals Whitehouse Hotel - Formal OCG Investigation To Be Launched - Immediate Steps To Be Taken To Submit Interim Report To Parliament (January 7, 2011)
3. Office Of The Contractor General Writes To Prime Minister To Recommend Halt Of Sale Of Sandals Whitehouse Hotel To Gorstew Limited (January 19, 2011)
4. OCG Challenges Statement Made By Minister Of Information Regarding Sandals Whitehouse Issue (January 26, 2011)

5. OCG Launches Searchable Internet Database Covering All NCC Government Contract Endorsements Going Back To June 2000 (January 29, 2011)
6. Statement Of The Office Of The Contractor General Regarding Editorial Of The Observer Newspaper (January 31, 2011)
7. OCG Registers Unprecedented 100% QCA Report Compliance Rate For The Eighth Consecutive Quarter - Contractor General Thanks Public Bodies (February 1, 2011)
8. OCG's Chief Investigator Selected As Jamaica's Sole Representative To Attend Major Corruption Control Programme In Singapore (February 2, 2011)
9. Inaccurate Statements Made By The Minister Of Information At Post Cabinet Press Briefings Regarding Documentation Furnished To Office Of The Contractor General By The Government In The Sandals Whitehouse Hotel Matter (February 3, 2011)
10. Office Of The Contractor General To Audit All Parish Councils (March 3, 2011)
11. Keynote Presentation By The Contractor General On "The Need For Political Will And Effective Law Enforcement In The Fight Against Corruption In Regional Jurisdictions - Jamaica Case Study: Proposal For A Single Independent National Anti-Corruption Agency" - First Regional Law Enforcement Anti-Corruption Conference In Kingston (March 23, 2011)
12. Office Of The Contractor General Concludes Investigation Into Allegations Of Improper Procurement Practices At The Sugar Company Of Jamaica (March 29, 2011)
13. OCG Succeeds Substantially In Removing Corruption From The Government Works Contractor Registration Process And Clears Backlog Of Applications (April 5, 2011)
14. OCG Renews Call For More Aggressive Action In The Fight Against Corruption In Jamaica - Points To Arrest Of Chief Organizer Of 2010 Delhi Commonwealth Games Following Corruption Probe (April 25, 2011)
15. Office Of The Contractor General Concludes Special Investigation Into Questionable Security Contract Entered Into By The PCI (May 3, 2011)
16. Office Of The Contractor General Registers Unprecedented 100% QCA Report Compliance Rate For The Ninth Consecutive Quarter (May 3, 2011)
17. Contractor General Responds To Chairmen Of Pac And Infrastructure Committees Of Parliament Regarding Questions And Concerns Raised About Jamaica Development Infrastructure Programme (JDIP) (May 6, 2011)
18. OCG Writes To NWA Outlining Particulars Of Its Failure To Comply With OCG Requisitions For The Provision Of Information On JDIP Project (May 16, 2011)
19. OCG Concludes Investigation Into Circumstances Surrounding The Selection Of The Exmar Consortium As The Preferred Bidder For Jamaica's FSRU LNG Project (May 17, 2011)
20. Keynote Presentation Of The Contractor General Delivered At The 68th Annual Joint Central Conferences Of The Jamaica Police Federation At Breezes Trelawny Hotel, Falmouth, Jamaica (May 25, 2011)
21. OCG Uncovers Evidence Of Corruption And Another Major Fraud In The Award Of Government Contracts (May 30, 2011)
22. OCG Extends Probe To All Contractors Who Have Received Contracts From Parish Councils - Sends Additional Information To Police Commissioner (May 31, 2011)

23. OCG Issues Statutory Demand For The Provision Of Project Particulars Regarding \$800 Million One (1) Km Christiana Roadway (June 3, 2011)
24. OCG Disassociates Itself From False Claim Made By The Observer Newspaper On The LNG Matter - Reiterates Positions Outlined In Investigation Report (June 8, 2011)
25. Statement Of The OCG Regarding Mr. Stephen Wedderburn, The Government Of Jamaica's LNG Project Coordinator (June 14, 2011)
26. OCG Moves To Correct False Inferences Made In Sunday Observer About Disappearance Of Witness In KSAC Matter And To Clarify Its Positions (June 20, 2011)
27. OCG Responds To Call For Investigation Into Alleged 'Financial Relationship' Between The Prime Minister And Contractor Y.P. Seaton And Associates (June 22, 2011)
28. OCG Publishes Particulars Of JDIP Sub-Contractors And Contract Awards (June 27, 2011)
29. US State Department Invites Contractor General To Attend High Level International Meeting On Open Government Partnership To Speak On 'Fighting Corruption' (June 30, 2011)
30. OCG To Launch Special Investigation Into Award Of Us\$400 Million JDIP Contract To CHEC After Works Permanent Secretary Fails To Substantiate Public Statements Made By Works Minister Mike Henry (July 22, 2011)
31. OCG Secures Dramatic Culture Shift In Public Body Compliance And Discipline In Jamaica - Registers 100% Report Compliance Rate For The Tenth Consecutive Quarter (August 3, 2011)
32. Court Actions Brought By Three Former Office Of The Contractor General Employees Dismissed By Court Of Appeal (August 24, 2011)
33. OCG Makes Disclosure Regarding Its LNG Investigation Following Issue Of DPP's Opinion In The Matter (September 22, 2011)
34. Contractor General Writes To The Jamaica Observer Newspaper To Express Concerns Regarding False And Libellous Claims Made By It Against The OCG (September 25, 2011)
35. OCG Concludes Investigation Into Government Contract Awards To Company Allegedly Owned By MP Everaldo Warmington, Strathairn Construction Company Limited (SCCL) (September 28, 2011)
36. Contractor General Selected To Deliver The Seventh Annual Caribbean International Network (CIN) Lecture At New York's Schomburg Center (September 30, 2011)
37. Contractor General Submits 2010 Annual Report To Parliament - Accepts Invitation To Appear Before PAAC To Review Status Of OCG's Accounts (October 11, 2011)
38. Contractor General Writes To Prime Minister To Express Increasing Concerns About Divestment Of State Assets Without Transparency And Competition (October 18, 2011)
39. UDC To Request Termination Of Bashco Contract - OCG Commends UDC (October 20, 2011)
40. Contractor General Argues That There Is No Political Will To Fight The Scourge Of Corruption In Public Contracting In Jamaica (October 27, 2011)
41. Contractor General Initiates Discussions With Prime Minister About Perception Of Corruption In Jamaica And OCG's Remedial Recommendations (October 31, 2011)
42. OCG Registers Unprecedented 100% QCA Report Submission Compliance Rate For The Eleventh Consecutive Quarter (November 1, 2011)

43. OCG Expands Ambit Of Investigation Into UDC's Attempted Divestment Of 35 West Parade - Another Tenant Alleges That It Made Offers To Purchase Property (November 2, 2011)
44. OCG Launches Investigation Into Alleged Scrap Metal Export Breaches (November 4, 2011)
45. OCG Makes Unannounced Visit At Jamaica Customs To Secure Scrap Metal Documents (November 7, 2011)
46. Statement Of The OCG Regarding The UDC's Decision To Complete The Sale Of Its Property To Bashco Trading Co. Ltd. (November 10, 2011)
47. OCG Believes That Political Parties Should Publicly Debate Corruption And Governance Deficits And Commit To Corrective Actions To Deal With The Problem (November 21, 2011)
48. Landmark Decision And Convictions Handed Down In The Criminal Courts For Failure To Comply With A Lawful Requisition Of A Contractor General (November 24, 2011)
49. OCG Expresses Alarm At DPP's Responses To Its Media Release And Produces Documentary Proof Of The Veracity Of Its Assertions (November 25, 2011)
50. OCG Commences Enquiry Into Procurement By The NWA Of J\$62 Million Worth Of Office Furniture Utilizing Palisadoes Shoreline Protection Project Contract Funds (November 29, 2011)
51. The Perception Of Corruption In Jamaica Remains Unchanged - Transparency International Scores Jamaica At 3.3 Out Of 10 In Its 2011 CPI Rankings (December 1, 2011)
52. OCG Refers Danville Walker For Criminal Prosecution For Obstructing The OCG's Scrap Metal Investigation And For Failing To Provide Requisitioned Information (December 15, 2011)

Letter to the Editor

1. Letter to the Editor Of The Observer Newspaper - Re Article Entitled "No Evidence Linking Moore, Wedderburn to Corruption, DPP tells Christie" (September 25, 2011)

8. OVERVIEW OF YEAR 2011 - COURT ACTIONS BROUGHT BY THREE FORMER OFFICE OF THE CONTRACTOR GENERAL EMPLOYEES

The appeals that were brought by three (3) former Office of the Contractor General (OCG) employees, against an April 2010 Ruling of the Supreme Court which struck down their actions to have their "*dismissals*" from the OCG quashed, were, in turn, dismissed by the Court of Appeal on July 29, 2011.

Costs, to be taxed or agreed, were also awarded against the three (3) employees, in favour of the Contractor General.

The three (3) former employees, two of whom were represented by former Contractor General, Mr. Derrick McKoy, and the third, who was represented by Mr. Carlton Williams, instructed by McKoy's Law Firm, Williams, McKoy & Palmer, had, in June 2009, instituted *ex parte* civil proceedings in the Supreme Court against the Contractor General, in which they claimed that they were unlawfully dismissed.

However, in an April 30, 2010 Ruling, Mr. Justice Andrew Rattray found that the procedural failure of the Attorneys for the Applicants to file the required Claim for Judicial Review within 14 days of the receipt, on July 3, 2009, of Leave to Apply for Judicial Review, had violated Rule 56.4 (12) of the Civil Procedure Rules and had, accordingly, struck a fatal blow for the claims of the Applicants.

In relying upon the Jamaica Court of Appeal's April 2008 decision in the case of **Orette Bruce Golding and the Attorney General of Jamaica v. Portia Simpson Miller**, Justice Rattray emphasized that *"There is no shortcut to obtain access to the corridors of Justice. The procedural rules must be obeyed"*.

In patent contradiction to the allegations which they had made, the three (3) employees' contracts of engagement with the OCG were terminated on April 30, 2009, by the Contractor General, in strict compliance with Clause 9 thereof. Clause 9 provided, verbatim, as follows: *"TERMINATION – The Contractor General may at any time, terminate the engagement of the employee by giving three (3) months' notice in writing or by giving three (3) months' salary in lieu of notice"*.

The contracts of the three (3) – two (2) Managers and one (1) Technical Services Officer – were terminated after a brief internal OCG Investigation was conducted into allegations that they had received, but had failed to further communicate, a report that an attempt was made by a Government Contractor to bribe a subordinate OCG employee.

The Government Contractor had allegedly offered the subordinate OCG employee \$75,000 to assist him to register his company with the National Contracts Commission (NCC). The subordinate OCG employee had, in turn, claimed to have reported the matter to the three (3) referenced staff members, who took the matter no further.

Contrary to the claims that have been made by a Jamaica Observer Newspaper Editorial of September 2012, in which the Observer falsely contended that *"Mr. Christie (the Contractor General) had to fire three members of staff of the OCG for corruption"*, the contracts of the three (3) members of staff were terminated, not for *"corruption"*, but primarily for their failure to further report, to the Contractor General, the matter that was brought to their attention. These are matters that are unequivocally substantiated by the OCG's court filings in the case.

As I have indicated previously, the OCG, since 2009, has instituted aggressive measures in a proactive effort to root out corruption from the NCC's Government Contractor registration and re-registration processes, after a former long-serving OCG employee was asked to resign in April 2008 on suspicion of involvement in a massive Contractor registration corruption conspiracy.

The employee was subsequently arrested by the Fraud Squad on multiple criminal charges of corruption, forgery, conspiracy, and obtaining money by means of false pretences – all of which were related to several irregular NCC Government Contractor registration applications.

Scores of Government Works Contractor files have since been internally scrutinized by the OCG, on a 'Zero Tolerance' basis, to determine if the applicants are scam or fraudulent Contractors. Additionally, certain covert OCG systems and procedures have been developed and activated to isolate any forged, fraudulent or otherwise irregular Contractor registration applications that are likely to be submitted to the NCC through the OCG.

9. OVERVIEW OF YEAR 2011 - LANDMARK DECISION HANDED DOWN IN THE LOCAL CRIMINAL COURTS FOR BREACHING CONTRACTOR-GENERAL ACT

The year 2011 saw a landmark decision, in favour of the OCG, being handed down in the Corporate Area Criminal Courts in November. The Presiding Judge ruled that a failure by the then Chief Executive Officer of the National Works Agency (NWA), to comply with a lawful requisition of a Contractor General, without lawful justification or excuse, was a *"strict liability"* offence under the Contractor-General Act.

The defendant was found guilty on two (2) counts under Section 29 (b) of the Contractor-General Act, and the relevant sanctions were applied accordingly. Though the sanctions, under the Law, were paltry (viz. a mere J\$5,000.00 or 30 days in prison for each count), the Ruling, nevertheless, was significant, since the OCG, over the previous three (3) year period, had formally conveyed several similar referrals to the incumbent Director of Public Prosecutions, but without any success.

The OCG had always insisted that such prosecutions should be pursued with vigour, notwithstanding the *de-minimis* nature of the penalty, for the simple reason that the conduct in question had been outlawed by the Criminal Code and, as such, the Rule of Law should be upheld.

The Ruling was welcomed by the OCG, particularly since it has presumably sent a clear signal to Public Officials, and to private citizens alike, who might have previously held the misguided view that OCG Referrals of like nature, although well grounded, would never be acted upon by the State's criminal prosecutorial authorities.

Notwithstanding the referenced conviction, the OCG, however, continues to maintain that much more needs to be done to deter those who are bent on breaching the State's procurement laws for their personal gain.

Until and unless significantly increased custodial and pecuniary sanctions are promulgated into law, and enforced, would-be perpetrators will not be sufficiently deterred. The urgency for such legislation, cannot, therefore, be over-emphasized.

10. PROPOSAL FOR A SINGLE INDEPENDENT ANTI-CORRUPTION AGENCY FOR JAMAICA

On May 10, 2012, during the Governor General's Throne Speech to the Parliament, the Government announced its intention to pass legislation in the current Legislative Year to "*rationalize Jamaica's institutional arrangements for fighting corruption, by consolidating them under a single anti-corruption agency having strong powers*".

The proposal for the establishment of a single Anti-Corruption Commission (ACC), for Jamaica, was one that was first formally advanced by me, in my capacity as Contractor General, from as early as March 22, 2010.

Following the Governor General's pronouncements, by way of letter that was dated May 24, 2012, the Minister of Justice, Senator the Hon. Mark Golding, wrote to me to advise that he had established an Advisory Committee, chaired by retired Supreme Court Judge, Mr. Justice Karl Harrison, to formulate legislative proposals for the aforementioned purpose.

The Minister further advised that the Committee would contact me in due course "*so that they can benefit from your views and recommendations in relation to the proposed reform*".

I subsequently received a letter that was dated June 18, 2012, from the Chair of the Advisory Committee, in which my comments on the above-referenced proposal were invited. I now set out, hereunder, for the record, a verbatim transcript of my letter of response, dated June 18, 2012, to the Chair of the Minister's Advisory Committee.

"June 18, 2012

Mr. Justice Karl Harrison
Chairman
Advisory Committee – Proposed Single Independent Anti-Corruption Commission
Ministry of Justice
NCB (South) Tower, 2 Oxford Road
Kingston 5

Dear Chairman Harrison:

Re: Proposed Establishment of Single Independent Anti-Corruption Commission (ACC)

I am, indeed, privileged to write to you, in the captioned regard, to convey my gratitude for your letter of the 13th instant in which you have, among other things, invited my comments or views on the proposals which are embodied in your letter "or on any other area/matter which (I) might consider relevant", to the subject at hand.

The proposal for the establishment of a single Anti-Corruption Commission (ACC) for Jamaica was one that was first formally advanced by me, in my capacity as Contractor General, from as early as March 22, 2010.

The proposal was then embodied in an open letter, dated March 22, 2010, which was directed by me to the then Prime Minister of Jamaica, the Hon. Bruce Golding, with copy to the then Leader of the Opposition, the Speaker of the House and the President of the Senate.

My expressed intention to advance the referenced proposal, and the reasons for so doing, are also extensively documented at pages 15-19 of the Office of the Contractor General's (OCG's) 2009 Annual Report to the Parliament of Jamaica. A copy of this Report is enclosed herewith.

The referenced proposal has since been repeated and substantiated by me in several subsequent publications, inclusive of the OCG's 2010 Annual Report to Parliament at pages 14 through 21 (copy also enclosed), as well as in the following two (2) Presentation documents:

- (1) Key-Note Presentation entitled '**The Need for Political Will and Effective Law Enforcement in the Fight Against Corruption in Regional Jurisdictions – Jamaica Case Study: Proposal for a Single Independent National Anti-Corruption Agency**', delivered by me at the First Regional Law Enforcement Anti-Corruption Conference, on March 23, 2011, at the Pegasus Hotel, Kingston.
- (2) Lecture Presentation entitled '**The Fight to Secure Integrity, Transparency and Accountability in the Award of Government Contracts in Jamaica**', delivered by me as the Seventh Annual Lecture in The Caribbean International Network (CIN) Lecture Series, on October 26, 2011, at The Schomburg Center, New York City, New York.

The first Presentation above examines, among other things, the problem of corruption generally, why and how it must be relentlessly fought, the failings of Jamaica's present anti-corruption institutional system, and the reasons why the OCG is of the considered view that the Government's proposal, for the establishment of an **Office of the Special Prosecutor**, as presently conceptualized, is not one which will effectively or efficiently resolve Jamaica's challenging corruption problems.

Most importantly, however, the Presentation goes further to substantiate and to renew the earlier proposal that I had made for the establishment of single independent ACC for Jamaica, merging, at a minimum, the functions of the Parliamentary Integrity Commission, the Corruption Prevention Commission and the OCG, and vesting in same, full criminal investigation, arrest, detention and prosecutorial jurisdictional powers in respect of all corruption related matters.

The second Presentation, among other things, has itemized, in summary form, some twenty-six (26) remedial Recommendations that have been formally submitted by the OCG, throughout my tenure as Contractor General, to the Executive and Legislative arms of the State, over the past few years, but in respect of which little or no satisfactory actions have yet been taken.

The Recommendations have been made, in a concerted and diligent effort on the part of the OCG (a) to significantly enhance transparency, competition, accountability and probity in public contracting in Jamaica, (b) to ensure compliance with the Government's Procurement Procedures and Guidelines, (c) to eliminate waste and inefficiency in the award and implementation of contracts, (d) to prevent fraud and corruption in Government contracting, (e) to strengthen the independence of the OCG, and (f) to generally win the battle against corruption in Jamaica.

It is my considered and respectful view that any reform of the current legislative regime, which involves the Commission of the Contractor General, inclusive of the proposed ACC, should, as a matter of course, also address the referenced recommendations.

In a proactive move to ensure that your Committee was duly apprised, at the earliest possible opportunity, of the OCG's views on the subject of the proposed single independent ACC for Jamaica, I have already proactively made copies of the above-referenced two (2) Presentation documents, together with a copy of the **Sierra Leone Anti-Corruption Act (2008)**, available to the Hon. Minister of Justice, Senator Mark Golding. The Minister has advised me in writing that he has since conveyed the said documents to you.

In keeping with your request, in summary, and in addition to what has already been outlined by me in the foregoing documents, I would now, therefore, like to emphasize and highlight the following **minimum** considered OCG recommendations, to assist your Committee in its deliberations:

- (1) At a minimum, the OCG would respectfully recommend that the Parliamentary Integrity Commission, the Corruption Prevention Commission, and the OCG, should be merged into a single entity which should become Jamaica's National **Independent** Anti-Corruption State Agency or, otherwise, what your Committee has referred to as the ACC.
- (2) Subject to Section 94 of the Constitution, the proposed ACC should then be vested with the **exclusive** statutory authority to criminally investigate and prosecute all corruption related offences, and to otherwise perform all of the other functions that are now being discharged by the referenced three (3) Commissions. The ACC should also be vested with police powers of arrest and detention.
- (3) Since one of the primary objectives of the subject proposal is to bring all of the State's corruption related criminal investigatory and prosecutorial authorities **under a single authority that is wholly independent of the Executive Arm of the State**, it follows that agencies such as the Ministry of Finance's Financial Investigations Division (FID), the Ministry of National Security's Major Organized Crime and Anti-Corruption Task Force (MOCA), and the Jamaica Constabulary Force's Anti-Corruption Division – to the extent that some or all of their current functions involve the investigation and/or prosecution of corruption related offences – should be re-structured to divest the said functions to the proposed ACC.
- (4) Since another primary objective of the proposal is also to bring the current core functions of the OCG, the Integrity Commission and the Corruption Prevention Commission under the umbrella of a single independent State authority, it is respectfully recommended that the proposed ACC should also be so structured, organized and resourced to ensure that the referenced functions can be cost-effectively and efficiently administered by the new single independent ACC.

The functions of the proposed ACC, should, therefore, necessarily include the monitoring and investigation of the award of Government contracts and licences, and the receipt, review, and investigation of the annual statutory declarations of income, liabilities and assets that are currently required to be filed by public officials, inclusive of parliamentarians.

- (5) In recognition of the fact that certain societal considerations, such as culture, values, attitudes, ethics and principles, do play a significant role in the fight against the scourge of corruption, the proposed ACC must also be so organized to ensure that one of its primary functions is the development and deployment of community-based corruption prevention and education programmes that are aimed at not only enlisting the assistance of the wider society in changing the culture that promotes corruption, but also of educating the society about the debilitating and destructive effects of corruption.

- (6) It is further recommended that the proposed ACC should be established as an independent Commission of Parliament. In the exercise of its powers and functions, the proposed ACC should not be subject to the direction or control of any other person or authority. The appointment procedure for the head of the ACC, and its staff, should necessarily be removed entirely from the influence and control of the political directorate.
- (7) It is also further recommended that the ACC, its staff, their compensation, their tenure, the ACC's resources, its functions, etc., are fully insulated from interference by the Executive arm of the State. If not at the outset, then as soon as is reasonably possible, the establishment of the proposed ACC should be entrenched in the Constitution, as opposed to Statute, so as to protect the ACC, its staff, its organization, its resources and the discharge of its functions from arbitrary interference by the Executive arm of the State or by the Government of the day.
- (8) The proposed ACC and its leadership should be subjected to certain institutional checks and balances, inclusive of appropriate recall mechanisms for the leadership of the ACC to ensure the ACC's operational probity, accountability, efficiency and effectiveness.
- (9) The proposed ACC should be adequately resourced with the requisite specialist assets, skill-sets and independent criminal investigatory and prosecutorial resources, to enable it to deal independently with all corruption offences in a novel, focused, professional and significantly more efficient and effective way, to that which currently obtains.
- (10) The proposed ACC should be comprehensively staffed with a highly trained cadre of specialist anti-corruption criminal investigators, intelligence gathering officers, investigating attorneys and special operations team members, who should be entitled, under the law, to bear arms and to detain and effect criminal arrests of persons who are suspected to have committed acts of corruption.
- (11) Of critical importance is that provision must also be made for a cadre of highly trained specialist anti-corruption criminal prosecutors.
- (12) Additionally, provision must also be made for a full complement of technical, administrative and back-office support personnel. This should include forensic auditors, accountants, information technology experts, government contract and licence inspectors and investigators, and data analysts and researchers.
- (13) In a deliberate effort to secure optimum economies of scale and to eliminate the overlaps and duplicity of resources which are now a glaring feature of the present anti-corruption institutional framework – an institutional framework which is not only disjointed and splintered in its constituent elements and approaches, but which has proven to be highly ineffective, inefficient, under-resourced and non-responsive in combating the increasing levels of corruption that are perceived to be present in Jamaica – the proposed ACC should be designed from the ground up to ensure that the most independent, cost effective and efficient organizational structure and solution is secured.

Consequently, it is respectfully recommended that to approach the task by merely vesting “the assets and liabilities of the Integrity Commission, Commission for Prevention of Corruption and the OCG” in the proposed ACC, and *carte blanche* transferring all of the employees of the three (3) Commissions to the proposed ACC, would not only be counter productive to the above-stated objective, but would also be the wrong way of developing a major new organization such as the one that is being proposed.

The organization of the proposed ACC should be first designed, independently of the structures of the pre-existing Commissions and other institutions. Thereafter, the recruitment process could then take advantage, where appropriate, of the best proven skill-sets that the said pre-existing Commissions and institutions would have to offer.

- (14) As I have previously indicated, the establishment of the proposed ACC should not proceed in ignorance of the deficiencies, other than the lack of criminal investigatory and prosecutorial powers, that are currently existing in the legislative and institutional arrangements for the Integrity Commission, the Corruption Prevention Commission and the OCG.

In so far as the OCG is concerned, there are several areas of the Contractor General Act regime which are currently in need of legislative reform to ensure the improved effectiveness of the OCG in the discharge of its core function which is to ensure that Government contracts and licences are awarded impartially and on merit, and in circumstances that do not involve impropriety or irregularity.

- (15) To complement the proposed ACC, and to ensure expedition and seamless efficiency and effectiveness in the fight against corruption – from detection through to investigation, from investigation to prosecution, and from prosecution to judicial adjudication – the OCG would respectfully propose that favourable consideration should also be given to the contemporaneous implementation of one of the following judicial adjudication options:

- (a) the establishment of a special ‘Corruption Court’ in Jamaica to adjudicate upon all corruption related offences;
- (b) the assignment of special magistrates and judges to deal with the said matters or;
- (c) the giving of precedence, in the current courts’ system, to the adjudication of all corruption related matters, save and except for capital and other serious offences.

- (16) The final element to the OCG’s proposal, which, it is respectfully recommended, should also be addressed by the State, as a matter of urgency and necessity, is the OCG’s oft-repeated call for the imposition of significantly tougher criminal sanctions, inclusive of mandatory custodial and economic based penalties where appropriate, for all corruption related offences, inclusive of the offences which are currently specified under the enabling legislation for the three (3) above-referenced Commissions.

I trust that the foregoing comments and recommendations will be of assistance to you and the members of your Committee and I ask that you accept my assurances that my staff and I, here at the OCG, will stand ready to meet with your Committee at your earliest possible convenience.

I have taken the liberty of enclosing, herewith, a copy of the OCG’s’ 2009 and 2010 Annual Reports, for your information. I trust that it will place your Committee in a position to be more appropriately advised of the details of not only the work of the OCG, but also the particulars of its concerns and the challenges that it currently faces in the discharge of its mandate and its functions under the Contractor General Act.

I avail myself of this opportunity to renew to you the assurance of my highest considerations.

Very respectfully yours,

Greg Christie (Signed)

Greg Christie
Contractor General

Copy: Senator the Hon. Mark Golding, Minister of Justice.

11. KEYNOTE SPEAKER ADDRESS BY THE CONTRACTOR GENERAL TO THE FIRST REGIONAL CARIBBEAN LAW ENFORCEMENT AND ANTI-CORRUPTION CONFERENCE

On March 23, 2011, I delivered the Key-Note Speaker Presentation at the First Regional Law Enforcement and Anti-Corruption Conference, which was convened at the Jamaica Pegasus Hotel in Kingston.

The full text of my Presentation, which is entitled - '**The Need for Political Will and Effective Law Enforcement in the Fight Against Corruption in Regional Jurisdictions – Jamaica Case Study: Proposal for a Single Independent National Anti-Corruption Agency**', is now reproduced, herein, as follows:

"A. INTRODUCTION - WHY THE BATTLE AGAINST CORRUPTION MUST BE FOUGHT AND WON AT ALL COSTS

By all accounts, corruption is one of the most frightening and ominous threats that we face as a people and as a region today. Indeed, corruption is, without doubt, one of the greatest obstacles which continue to stand, in particular, in Jamaica's path to sustained economic growth and development.

But corruption is not a scourge which is confined to Jamaica, or to our region alone.

It is a global concern if only because there is abundant evidence that it has the capacity to undermine democracy, stability and the rule of law, as well as to drive fragile countries towards State capture or State failure. Indeed, the cancerous and corrosive impact of corruption is alarmingly horrendous and devastating in its reach.

Corruption:

- (a) erodes the general quality of life of the populace;
- (b) widens the division between the privileged and the under-privileged;
- (c) denies the poor access to basic entitlements, such as water, electricity, roads, health care, housing and education;
- (d) leads to human rights violations;
- (e) re-directs lucrative State contracts, licenses and assets into the hands of friends, supporters and financiers of crooked politicians;
- (f) results in the sub-standard execution of government contracts;
- (g) endangers public health and safety;
- (h) steals customs revenues;
- (i) adulterates ethical standards in the society;
- (j) hijacks and expropriates political elections;
- (k) distorts financial markets;
- (l) reduces investor confidence;
- (m) drives up the price of goods and services;
- (n) undermines or destroys confidence in critical public institutions; and
- (o) enables organized crime, terrorism and other threats to human and national security to flourish.

Defined generally as the abuse of public office for private gain, and fuelled primarily by greedy and immoral public officials and politicians, corruption, for the most part, is insidious in its very nature and in the way that it operates.

Bribery, extortion, kickbacks, graft, fraud, blackmail, embezzlement, nepotism, cronyism, links between politicians and organized criminal elements, influence peddling, and the abuse of one's public office for political gain, or to pervert the course of justice, are but a few of its direct and indirect manifestations.

Generally speaking, corruption will typically involve at least two (2) criminally culpable parties – the third party who pays the bribe, and the public officer who receives the bribe.

Although most jurisprudential systems do not distinguish between types of corruption, there are, also, degrees of corruption, such as petty corruption and grand corruption.

The former arises in instances in which relatively small sums of money are paid to corrupt public officials, to either 'grease the wheels', forego police enforcement action for infractions of the criminal law, or simply to cut through bureaucratic red tape.

Grand corruption, on the other hand, is typically exhibited in instances in which huge sums of money are fraudulently paid to politicians, or to top ranking public officials, in order to win high value government contracts, to secure the divestment of lucrative state assets, or to benefit from the grant of priceless government licences and permits.

Irrespective, however, of what form it takes, or irrespective of its magnitude, the cancer of corruption, wherever it is allowed to take root and diffuse, can only spell doom for the socio-economic and political fortunes of a country and its people.

B. INSTITUTIONALIZED AND SYSTEMIC CORRUPTION

When corruption is presumed to have permeated deeply into a country's institutions, and across all of its socio-economic spheres, or is considered to have become a societal way of life, it is no longer considered to be just a matter of a few greedy public officials, or dishonest citizens, feeding upon the system. At this stage, corruption can be likened to an aggressive cancer and is characterized as institutionalized or systemic corruption.

The phenomenon of systemic corruption is significantly related to poor standards of governance, accountability and transparency in government.

It will typically thrive in instances where anti-corruption and law enforcement institutions are either non-existent, weak or ineffective, where institutional checks and balances on entrusted power are missing, where governmental decision-making is obscure, where the rule of law is neither fully enforced nor respected, and where there is an absence of Political Will to do something about it.

From all indications, it appears that Jamaica is today at this place and, indeed, has been at this place for a long time.

In a 2008 ***Don Anderson Poll***, "*Too much corruption*" was ranked by Jamaicans as the "*Main Thing Wrong with Jamaica*". This was second only to "*Too much crime and violence*".

However, and quite alarmingly, in 2010, in a "*Most Negative Thing about Jamaica*" Poll, which was also conducted by ***Don Anderson***, "*Corruption*" shot to the top of the rankings, easily beating other public concerns such as the breakdown in law and order, bad examples set by leaders, dishonesty in general, and violence and crime.

The fact that corruption was viewed, in 2010, as the "*Most Negative Thing about Jamaica*", should be cause for great concern for all Jamaicans.

I say this particularly because the 2010 ***Don Anderson Poll*** came on the heels of the closure of year 2009 when Jamaica recorded 1,682 murders, its highest ever tally of murders in any single year.

Not surprisingly, the clear indications of the ***Don Anderson Polls***, were further corroborated only last week, on March 16, when the highly respected ***Latin American Public Opinion Project (LAPOP) Poll*** ranked Jamaica, in 2010, as the 2nd most perceived corrupt country in the Americas, after Jamaicans scored their own country at 81.7 points on a 100 point scale, where 0 indicates 'no perceived corruption', and 100 means 'perceived widespread corruption'.

But it is also instructive to note that the highly negative perception that Jamaicans have about corruption, in Jamaica, is by no means one that is confined to themselves.

Transparency International (TI), the International Anti-Corruption Watchdog, which currently ranks 178 countries in terms of the degree to which corruption is perceived to exist among their public officials, politicians and public institutions, has, over the years, consistently ranked Jamaica, not only as a "*highly corrupt*" country, but also as the most corrupt country in the English Speaking Caribbean – second only to Guyana.

Indeed, between 2003 and 2010, TI ranked Jamaica at no higher than 3.8, and as low as 3.1, on its annual Global Corruption Perception Indices (CPI), where a score of 10 is considered to be clean and 0, most corrupt.

In particular, in 2010, Jamaica was ranked at a CPI score of 3.3 and 87th out of 178 countries, after suffering a consistent four (4) year decline in the rankings when it scored 3.7 in 2006, 3.3 in 2007, 3.1 in 2008 and 3.0 in 2009.

By comparison, in 2010, Barbados was ranked 17th with a CPI score of 7.8, Dominica 44th with a CPI score of 5.2, Trinidad and Tobago 73rd with a CPI score of 3.6 and Guyana at 116th with a CPI score of 2.7.

But you might ask, exactly how does a country such as Jamaica, or any other country for that matter, overcome the scourge of systemic and institutionalized corruption?

Most, if not all, anti-corruption practitioners will tell you that the last two (2) features which I have enumerated above, in respect of States that are experiencing systemic corruption – namely the inadequate enforcement of anti-corruption laws, and the absence of Political Will – are the two (2) most significant issues which must be effectively tackled in any reformatory effort which seeks to decisively deal with the scourge of corruption.

C. POLITICAL WILL TO FIGHT CORRUPTION DEFINED

What, then, is Political Will?

Political Will is about the demonstrated desire, sincerity and actions of the Government of the Day not only to fight, but also to win, the battle against corruption.

Political Will requires that the State, led by the incumbent Administration, must take all requisite steps to put in place a comprehensive and independent anti-corruption institutional framework which is backed by:

- (a) adequate resources;
- (b) effective laws;
- (c) tough criminal custodial and pecuniary sanctions for breaches of those laws; and
- (d) anti-corruption institutional leaders who are prepared, without fear and without favour, to dispassionately and to forthrightly enforce those laws.

Political Will is, therefore, about walking the talk, not talking the talk. It is about action, not words, not tokenism, not pious rhetoric, or empty sloganeering and electioneering, but real action!

Political Will also means the demonstrated preparedness to take strong, courageous and decisive action against your own people and colleagues.

In particular, it demands that a Prime Minister must hold his Cabinet ministers and senior public officials fully accountable for their deviant conduct, or breach of trust, irrespective of the sacrifices that must be made, and irrespective of whether a penal institution must be their final destination.

Political Will, therefore, is not about a slap on the wrist, nor is it the doing of that which is politically expedient. It is about doing the **right** thing, and ensuring that the interest of the State will always have pride of place.

One of the indispensable and critical subsets of Political Will is what is called Corporate Will. This means ensuring that the right leadership exists at the top levels of each of the State's law enforcement and anti-corruption institutions.

Corporate Will calls for strong, fearless, independent, apolitical and ethical leadership that will not bow to the demands of the political directorate, nor to the dictates or desires of special interest groups, but who will forthrightly, fearlessly and dispassionately discharge his or her mandate at all times in the interest of the State.

Whenever there is a deficiency of Corporate Will in the State's anti-corruption institutional framework, Political Will demands that immediate steps should be taken to remedy the situation by, among other things, recalling or removing the leadership of the Agency from his or her office.

It is also important to recognize that the lack of Political Will can manifest itself in the deliberate creation of State anti-corruption structures, mechanisms and institutions, which are intended by the political directorate to appease the desire of its domestic and international stakeholders, but which are in effect mere facades.

Such structures are easily identifiable. While on paper they may look good, upon closer examination they will be found, either to be ineffective, weak, structurally deficient, lacking in teeth, lacking in critical resources, and/or led by political implants that are there to do the bidding of the political directorate.

Once this happens, the effectiveness of the State's anti-corruption institutional framework will be undermined, and the institution or the mechanism in question will be rendered literally useless.

In the final analysis, therefore, the concept of Political Will demands that the battle against corruption must be a State led initiative and imperative – one that is steered proactively and decisively from the top down.

Lee Kuan Yew, the former Prime Minister of Singapore, a country which has been consistently ranked by Transparency International as one of the least corrupt countries in the world, and which, in 2010, was ranked alongside Denmark and New Zealand as the world's least corrupt country, spoke quite aptly, succinctly and eloquently to the matter of Political Will, and corruption, when he put it this way:

“The moment key leaders are less than incorruptible, less than stern in demanding high standards, from that moment the structure of administrative integrity will weaken, and eventually crumble. Singapore can survive only if ministers and senior officers are incorruptible and efficient”.

D. EFFECTIVE ENFORCEMENT OF ANTI-CORRUPTION LAWS

The other imperative which must be regarded as a mandatory pre-requisite if systemic corruption is to be successfully combated in any regional jurisdiction, is that of the effective enforcement of the anti-corruption laws of the State.

This pre-requisite is, however, inextricably linked to the other imperative which I have just discussed – namely the Political Will of the State to ensure that a comprehensive and independent anti-corruption institutional framework is firmly in place, and is backed by:

- (a) adequate resources;
- (b) effective laws;
- (c) tough criminal custodial and pecuniary sanctions for breaches of those laws, and
- (d) anti-corruption institutional leaders who are prepared, without fear and without favour, to dispassionately and to forthrightly enforce those laws.

If any of the foregoing criteria is missing, then it must be clearly understood that effective enforcement cannot take place.

Effective enforcement will, therefore, and as a matter of course, require the following:

- (1) Anti-corruption laws which are effective, failing which the very laws themselves will hamper or obstruct enforcement.

To begin with, the State's anti-corruption laws must not only clearly define acts of corruption, but they must also be otherwise lucid and unequivocal in their meaning and import.

Anti-corruption laws must also be constantly reviewed in a proactive effort by the State to cauterize any loopholes which are indentified, criminalize any new developments in deviant behaviour which may be detected, and strengthen and impose existing sanctions so as to force conformance in instances in which the levels of compliance are less than that which is desired.

- (2) There must also be effective adjudication.

This means that the judicial process must be, and perceived to be, impartial, efficient and transparent. The rule of law must be enforced against all and respected by all. Put another way, the system must be one which is based on a *'Zero Tolerance'* approach.

Effective adjudication will also require speedy and effective investigation of suspected acts of corruption and, above all, aggressive, dispassionate and fearless prosecution.

Indeed, if the criminal investigative, prosecutorial and judicial arms of the State are not operating in lock-step with the relevant anti-corruption agencies, there will be no effective enforcement.

It stands to reason, therefore, that adequate provision should be made for corrective adjustments to be effected to the anti-corruption and law enforcement institutional framework, and for the recall or removal from office of the leadership of any constituent institution, whenever or wherever minimum standards of probity or accountability, or functional effectiveness and efficiency, are not being met.

- (3) An environment of deterrence must also be deliberately created and maintained.

What this means is that there must be such a high perception of risk, about engaging in corrupt activities, that anyone who contemplates the commission of an act of corruption, irrespective of his station in life or his status in society, must anticipate that in all likelihood he will be promptly detected, investigated, prosecuted and convicted.

However, without the taking of proactive and strategic steps to achieve such an outcome, any such desire will reside solely within the domain of the wishful thinking.

An environment of deterrence will only be effectively created where anti-corruption laws with powerful custodial sanctions are first promulgated and then forthrightly, swiftly and dispassionately enforced, to deter acts of corruption, and to aggressively force into conformance those deviant members of the society who are either unwilling to submit to the State's voluntary compliance systems, or who believe that they are above the law.

It is a fact that whenever a criminal's perception of the attendant risks is too low, he will proceed with his criminal conduct for the simple reason that his *risk/benefit analysis* of the situation will suggest to him that it will be beneficial for him to proceed.

It is also an incontrovertible fact that human beings will persist in a given course of deviant behaviour only if the State allows them to do so.

- (4) Anti-corruption institutions, law enforcement agencies, and the Judiciary must also be adequately resourced.

However, even in a low-resourced environment, some measure of effective law enforcement can still be achieved.

This can be accomplished by employing deliberate operating strategies which are designed to deter corrupt conduct and to drive *'the living fear'* into the hearts of those who would otherwise believe that they can successfully *'test'* the system.

In this regard, there is an old Chinese proverb which is instructive. It states, quite intuitively, *"Kill one and frighten 10,000"*.

E. JAMAICA CASE STUDY – WHY A SINGLE INDEPENDENT NATIONAL ANTI-CORRUPTION AGENCY FOR JAMAICA?

It is against the background of the foregoing principles, about why and how institutionalized corruption must be fought, that I will now turn to the situation in Jamaica, and the reiteration and substantiation of the call that was previously made by me, for the urgent establishment of a single Independent National Anti-Corruption Agency for Jamaica.

First, it is critically important for the Government and Parliament of Jamaica to recognize that their respective efforts, so far, at tackling Jamaica's systemic corruption, have been simply inadequate.

Indeed, and quite apart from the *Don Anderson, LAPOP and Transparency International Surveys*, the evidence that Jamaica's anti-corruption institutional framework has failed miserably to get the job done, is suggestively overwhelming and incontrovertible.

For years, and despite having on paper what some might regard to be a relatively comprehensive anti-corruption institutional framework, corruption in Jamaica, particularly the corruption that is perceived to be taking place in high places, has enjoyed a field day.

One of the reasons for this is that there is credible evidence that Jamaica's law enforcement and anti-corruption institutions, on the whole, have been ineffective in reigning in the *'big fish'* and the so called *'untouchables'* of the Jamaican society.

In my **2009 Contractor General's Report to the Parliament of Jamaica**, which was formally tabled in the **House of Representatives** on September 21, 2010, and in the **Senate** on October 29, 2010, I expanded on this issue by pointing out that, among other things, *"... we must be candid and concede that while much is often heard about the filing of charges against members of the police force for corruption offences, surprisingly very little is heard about the arrest and/or prosecution, on corruption charges, of the so called white-collar criminal ... such as members of the privileged classes of society, politicians, public officials and business-persons"*.

I went further and stated that *"... no one can credibly defend the proposition that police officers are the primary or only category of persons in our society who are involved in (corrupt) practices. But, curiously, the main focus of the fight against corruption in Jamaica, so far, seems to be directed towards members of the police force"*.

In my Annual Report, I also raised the following two (2) questions for reflection and consideration, both of which are still currently relevant and instructive:

- (1) *"How often, has anyone heard of a public official, (in Jamaica), being investigated, charged, arrested or prosecuted for the commission of the corruption offence of Illicit Enrichment which is specified under Section 14 (5) of the Corruption Prevention Act?"*

"Section 14 (5) of the Act provides that 'Where there is a significant increase in the assets of a public servant which cannot be reasonably explained, having regard to his lawful earnings, the significant increase shall be deemed to be an illicit enrichment and that public servant shall be deemed to have committed an act of corruption'; and

- (2) *"Why is it that corruption offences, such as that which is specified under Section 14 (1) (b) of the Corruption Act, are not being more widely employed by the investigative and prosecutorial authorities to aggressively tackle corruption right across the board in the (Jamaica) Public Sector?"*

"Section 14 (1) (b) of the Corruption Prevention Act provides, in overly simple terms, that a public servant commits an act of corruption 'if, in the performance of his public functions, he does any act or omits to do any act for the purpose of obtaining any illicit benefit for himself or (for) any other person".

Another primary reason why corruption has been having a free reign in Jamaica is that it has historically competed unsuccessfully for the attention of the Jamaica Constabulary Force (JCF), the Office of the Director of Public Prosecutions (ODPP) and the Judiciary.

In what has become an alarmingly imbalanced arrangement that is now seriously hurting Jamaica, corruption has repeatedly lost out, for attention, to offences against the person and, in particular, to an average national murder rate which now stands at more than 1,500 per annum for the past ten (10) years.

As a matter of fact, Jamaica's per capita murder rate, of 60 per 100,000 for 2009, and 51 per 100,000 for 2010, has now earned for it the indecorous title of *'One of the Leading Murder Capitals of the World'*.

It is also an irrefutable fact that the country's inordinately high rates of crime have literally swamped the already limited resources and assets of the JCF, the 41 attorney staffed ODPP and the local courts system.

Indeed, it was only on Monday last, on March 14, that prosecutors from the ODPP proceeded to initiate industrial action by staying away from work for as much as three (3) days.

In a story, which appeared in the *Gleaner Newspaper* on March 15, which was entitled ***"Sick" prosecutors cause retrial of murder accused***, it was alleged that the prosecutors had resorted to the "sick-out" action *"because they said they were overburdened with work and the Government has refused to deal with the issue of increased salary and allowances"*. (My emphasis)

The relatively low clear-up rate for serious crimes, as well as the massive backlog of cases which are currently before the Jamaican courts, and which some estimates have placed as high as 400,000, also paint a telling picture of the disturbing and unacceptable inadequacies of Jamaica's anti-corruption, law enforcement and criminal justice systems.

But as if to deepen the problem regarding corruption in Jamaica, it is also arguable that neither the JCF nor the ODPP, was, in the first place, structured, or adequately resourced, to effectively and efficiently investigate and prosecute sophisticated crimes of corruption, or other potentially complex white collar crimes which have now come to the fore.

The situation is perhaps vividly illustrated by a very high-profile corruption case that involves a former Minister of State, which has been proceeding before the Jamaica Resident Magistrate's court for the better part of the last two (2) years, and which has suffered from innumerable adjournments and legal contentions.

Despite the fact that the accused persons were arrested more than three (3) years ago on February 26, 2008, following the submission, on February 4, 2008, of an Office of the Contractor General's Report of Investigation into the matter, and despite the fact that the prosecution of the case is being undertaken by the DPP, to date only three (3) of some 21 witnesses for the Crown have been reportedly called to give evidence.

But this is not all. There is also very persuasive evidence that the issue, in Jamaica, of the relative paucity of criminal prosecutions for offences involving corruption, as well as for other related offences, has now reached disproportionate if not crisis levels.

In the last four (4) months alone, the Anti-Corruption Branch of the JCF, the Office of the Contractor General (OCG), and the Commission for the Prevention of Corruption, have all publicly lamented the fact that several criminal matters which they have separately referred to the ODPP have not been prosecuted.

In the case of the JCF, on December 9, 2010, on International Anti-Corruption Day, the Assistant Commissioner of Police, Mr. Justin Felice, who oversees the JCF's Anti-Corruption Branch, while publicly acknowledging the JCF's outstanding successes in laying corruption charges against several low-ranking police officers, raised concerns, during a press conference, about referrals regarding senior police officers of the JCF which had been conveyed to the ODPP, but which had not resulted in criminal prosecutions.

On February 17, 2011, while appearing before a Joint Select Committee of Parliament, I, myself, tabled before the Committee, a formal written Report of the OCG, in which it was asserted that of the roughly 40 criminal Referrals which had been formally sent by the OCG to the incumbent DPP, in the preceding three (3) year period, not one has to date been brought before the courts to test its judicial efficacy.

Further, in a February 18, 2011 Jamaica *Gleaner Newspaper* story, which was entitled, '**Anti-Corruption Body Dissatisfied With DPP – Wants more public servants charged with statutory breaches**', the Commission for the Prevention of Corruption reportedly expressed concerns about the failure of the ODPP to prosecute literally thousands of matters, involving public officials, which had been referred to it by the Commission.

The following verbatim assertions, which were made in the news story, are instructive:

1. *"The Corruption Prevention Commission was established under the Corruption Prevention Act of 2000 and started operation in 2003. To date, the commission reports that more than 18,000 persons have been referred to the DPP. Of this number, (only) 512 have been acted on by the DPP.*
2. *For the period 2009-2010, the commission reports that 42 per cent of public servants ignored the statutory requirements under law.*
3. *In its annual report to Parliament, the commission raised serious concern about the small number of public-sector workers who had been brought before the court for violating the law.*
4. *During the year under review, the director of public prosecutions (DPP) hauled 51 public servants before the courts for infringing the law. Of this number, 28 have been fined for not submitting their statutory declarations on time whereas the DPP withdrew charges against 23 alleged delinquents.*
5. *In a swipe at the Office of the Director of Public Prosecutions, the commission signaled that it was dissatisfied with the number of matters thrown out by the DPP, noting that this frustrated the oversight body's efforts at reducing corruption".*

The above-referenced Agencies which, together, substantially constitute the vanguard of Jamaica's anti-corruption institutional framework, and which must rely **exclusively** upon the ODPP for the prosecution of all corruption and corruption related offences, do not stand alone in their views on the subject of the relative failings of Jamaica's current anti-corruption, law enforcement and criminal law prosecutorial systems.

The **United States of America (USA)**, which is, among other things, Jamaica's largest strategic ally and trading partner, has also publicly expressed similar concerns in terms of what it perceives to be the unacceptable levels of corruption which have overtaken Jamaica, as well as the inability or unwillingness of the Jamaican State to deal with the problem in a decisive, efficient and effective manner.

In its **2011 Department of State International Narcotics Control Strategy Report**, which was published world-wide on March 3, 2011, the United States Government (USG) stated quite matter-of-factly that *"...corruption (in Jamaica) is entrenched, widespread, and compounded by a judicial system that is poorly equipped to handle complex criminal prosecutions in a timely manner"*.

Consequently, and while the JCF may have succeeded substantially in securing corruption charges against several police officers, over the past two (2) years, it should now be crystal clear that the battle against Jamaica's systemic corruption cannot be effectively won, unless and until the anti-corruption institutional framework is **radically and comprehensively** transformed, and the country's anti-corruption gun sights are turned fearlessly, vigourously and dispassionately towards the hallowed recesses of Jamaica's public, private and political institutions.

E. JAMAICA CASE STUDY – THE CONCEPT OF THE SPECIAL PROSECUTOR DOES NOT GO FAR ENOUGH

Consistent with the foregoing positions, and by way of an open letter, which was dated March 22, 2010, I wrote to the Prime Minister, the Leader of the Opposition, the Speaker of the House of Representatives and the President of the Senate, to recommend that urgent consideration should be given to the establishment of a National Independent Anti-Corruption State Agency for Jamaica, encompassing the Parliamentary Integrity Commission, the Corruption Prevention Commission and the OCG, and to vest in that Agency the exclusive constitutional law authority, among other things, to criminally investigate and prosecute all corruption related offences.

My proposal was subsequently substantiated and rationalized in the OCG's 2009 Annual Report to Parliament which was tabled in the House of Representatives on September 21, 2010, and in the Senate on October 29, 2010.

The *USG's March 2011 Department of State International Narcotics Control Strategy Report* has, to some extent, also underscored the proposal of the OCG.

The Report has observed that although *“A bill creating an Anti-Corruption Special Prosecutor (for Jamaica) was drafted in 2009 and remains under review prior to introduction before Parliament, there has not been legislative action to create a National Anti-corruption Agency which is required by the Inter-American Convention against Corruption to which Jamaica is a signatory”*. (My emphasis)

The latter reference in the Report supports, in principle, the positions of the OCG that although the concept of the Office of the Special Prosecutor, which is now very advanced towards becoming law, is a step in the right direction, it simply does not go far enough because, despite the fact that it will have arrest and limited criminal prosecutorial powers, it has sought only to merge the Jamaica Parliamentary Integrity Commission, and the Corruption Prevention Commission, but has excluded, from its purview, the OCG.

But how could, or why would, the Government of Jamaica (GOJ) conceptualize an Office of the Special Prosecutor to be Jamaica's all-embracing National Anti-Corruption Agency, but yet deliberately exclude from its ambit the OCG?

The question, which raises very serious concerns, is an extremely pivotal one for two (2) very germane and critical reasons.

First, the OCG is presently Jamaica's leading anti-corruption Commission. It is vested with the exclusive statutory authority, on behalf of the Parliament of Jamaica, to monitor and to investigate the award of all government contracts, licenses and asset divestments, with a view to ensuring probity, propriety and regularity in the said award processes.

Secondly, and although the OCG has extensive quasi-judicial powers of search, discovery, enquiry, subpoena and investigation, it is, however, well known that the OCG has absolutely no criminal investigation, arrest or prosecutorial powers, nor does it have any lawful authority to bring to a halt a government procurement or asset divestment process which is exhibiting signs of corruption, impropriety or irregularity.

Consequently, by refusing to address the shortcomings of the OCG in the Special Prosecutor anti-corruption institutional framework, the GOJ has curiously, and alarmingly, side-stepped the universally recognized fact that the largest opportunity that exists, in monetary terms, for corruption in any country, lies in the illicit manipulation of the award of government contracts and licenses, and the divestment of State assets.

Indeed, in an attempt to monetize the massive costs that corruption in public procurement can exact from a people, Transparency International, in a May 2010 publication, which is entitled *‘Corruption in Procurement’*, estimated that, based upon surveys at the country level, the cost of corruption in public contracting, expressed as a percentage of the value of the contract, was an average of 10-25% and, in the worst cases, as much as 50%.

Against the background of TI's survey findings, it is instructive to note that, in the case of Jamaica, more than J\$90 billion was expended in 2009 by over 190 public bodies, in their procurement of works, goods and services contracts. What is critically important to highlight, however, is that the referenced sum of J\$90 billion constituted virtually all of the disposable income that was available to the government in that year!

The State's exclusion of the OCG from the purview of the concept of the Special Prosecutor, and its inexplicable failure to give the OCG *real teeth*, is, therefore, in the above-referenced circumstances, not only mind-boggling, but it has raised very worrying questions about the depth of the Political Will of the Administration to deal forthrightly, comprehensively and convincingly with the problem of corruption in Jamaica.

The other primary and critical point which should be brought to the public fore, concerning the inadequacy of the proposed Special Prosecutor as the solution to Jamaica's corruption woes, is that, as currently conceptualized, it will not be an independent Agency but will, instead, be subjected to the prosecutorial directives and control of the ODPP.

This is, in the OCG's considered and respectful view, a step in the wrong direction, for, if we are all to call a spade a spade, we would have already seen that the ODPP, for a variety of reasons, is unable to efficiently and effectively deal with corruption related matters in Jamaica.

Beyond that, it is also now widely known in Jamaica that the referenced ODPP related issues are the identical issues which have led countries, such as *Sierra Leone*, to establish national independent anti-corruption agencies, with *exclusive criminal investigation and prosecutorial jurisdiction* over all corruption related offences.

Other countries, such as *Indonesia*, that are also seeking to wage an all out and relentless battle against endemic corruption, have vested in their national anti-corruption agencies the legal authority to take over corruption related investigations, as well as prosecutions, from the State's traditional police and prosecutorial authorities.

Indonesia's Corruption Eradication Commission, the Komisi Pemberantasan Korupsi (KPK), for example, is expressly authorized by law to step in and to take over criminal investigations and prosecutions in any of the following circumstances:

- (a) where a public corruption report is not being acted upon;
- (b) where there is incompetence or delay in corruption cases without sufficient reason;
- (c) where there is suspected bias in favour of the perpetrator;
- (d) where there are indications of corrupt elements in the conduct of corruption investigations;
- (e) where there are obstructions to the handling of a corruption case due to executive, judicial, or legislative intervention; and
- (f) where there are other circumstances which have hindered the capability of the Police or the Prosecutor's Office to conduct a proper investigation.

However, unlike the above-referenced countries, and despite Jamaica's systemic corruption difficulties, it would seem that the Jamaican Government has decided to adopt an anti-corruption posture that has not only defied logic and reason, but which has moved in a direction that is bound to raise legitimate concerns about its objectives and its commitment to fighting corruption.

The OCG is of the strong belief that, given Jamaica's unique corruption challenges, any single National Anti-Corruption Agency, for the country, should be an autonomous Agency, designed from the ground up, and having absolute independent criminal investigation and prosecutorial powers, subject only to the imposition of certain institutional checks and balances, to ensure its operational probity, accountability, efficiency and effectiveness.

This, it is respectfully submitted, should be the way forward unless the Executive and Legislative arms of the State are of the view that they can arrive at a new and effective anti-corruption dispensation for Jamaica, by essentially doing the same old things substantially the same way.

As has been the case with several other countries around the world, inclusive of *Sierra Leone and Indonesia*, which compelled themselves to take a hard, dispassionate and radical look at how the battle against corruption was being fought, and what they had to do differently to effectively over-come the problem, so too must Jamaica release itself from the chains of its traditional anti-corruption arrangements, for there is no doubt that these arrangements have proven to be abysmally ineffective in fighting the scourge of corruption in Jamaica.

G. JAMAICA CASE STUDY – KEY ELEMENTS OF THE OFFICE OF THE CONTRACTOR GENERAL’S PROPOSAL FOR A SINGLE INDEPENDENT NATIONAL ANTI-CORRUPTION AGENCY FOR JAMAICA

Ladies and gentlemen, it is, therefore, because of the foregoing considerations that the OCG has respectfully proposed that the solution for fighting corruption in Jamaica cannot be the Office of the Special Prosecutor as it is presently conceptualized, but must be an all-embracing, all-encompassing and autonomous National Anti-Corruption Agency, which is wholly unrelated to, and independent of the JCF and the ODPP.

Against this background, the OCG has, therefore, posited the following as the key elements of its proposal:

- (1) At a minimum, the Parliamentary Integrity Commission, the Corruption Prevention Commission, and the OCG, should be merged into a single entity which should become Jamaica’s National Independent Anti-Corruption State Agency. The Agency should then be vested with the exclusive constitutional law authority to criminally investigate and prosecute all corruption related offences, and to otherwise perform all of the other functions that are now being discharged by the three (3) commissions.
- (2) The appointment procedure for the head of the Agency should be removed entirely from the influence and control of the political directorate, and must be such that, at a minimum, the person who is appointed should possess the following key attributes:
 - (a) be professionally and academically qualified for the job;
 - (b) possess a proven track record of superior leadership, management and business organizational skill-sets;
 - (c) be apolitical and highly ethical in his or her professional outlook;
 - (d) be fearless, forthright, dispassionate and disciplined, but fair, in his or her approach;
 - (e) be prepared to boldly confront those who will need confronting; and;
 - (f) be able, at all times, and irrespective of the cost, to hold true to his or her oath to discharge his or her mandate and responsibilities solely in the interest of the State.
- (3) The Agency and its leadership should be subjected to certain institutional checks and balances, inclusive of appropriate recall mechanisms for the leadership of the Agency, to ensure the Agency’s operational probity, accountability, efficiency and effectiveness.
- (4) The Agency should be adequately resourced with the requisite *specialist* assets, skill-sets and independent criminal investigatory and prosecutorial resources, to enable it to deal with all corruption offences in a novel, focused, professional and significantly more efficient and effective way, to that which currently obtains.
- (5) The proposed Agency should be comprehensively staffed with a highly trained cadre of specialist anti-corruption criminal investigators, intelligence gathering officers, investigating attorneys and special operations team members, who should bear arms and be accorded special police powers of arrest.

This is the case with Singapore’s Corrupt Practices Investigation Bureau (CPIB), Indonesia’s Corruption Eradication Commission, the Komisi Pemberantasan Korupsi (KPK), and Hong Kong’s Independent Commission Against Corruption (ICAC).

- (6) Of critical importance is that provision must also be made for a cadre of highly trained specialist anti-corruption criminal prosecutors, and not general criminal prosecutors, such as is presently the case in Jamaica.
- (7) Additionally, provision must also be made for a full complement of technical, administrative and back-office support personnel. This should include forensic auditors, accountants, information technology experts, government contract and licence inspectors and investigators, and data analysts and researchers.
- (8) To complement the proposed Agency, and to ensure expedition and seamless efficiency and effectiveness in the fight against corruption – from detection through to investigation, to prosecution, to adjudication and to conviction – the OCG has proposed that favourable consideration should also be given to one of the following adjudication options:
 - (a) the establishment of a special '*Corruption Court*' to adjudicate upon all corruption related offences;
 - (b) the assignment of special magistrates and judges to deal with the said matters or;
 - (c) the giving of precedence, in the courts, to the adjudication of all corruption related matters, save and except for capital and other serious offences.
- (9) The final element to the OCG's proposal, which must be addressed by the State, as a matter of urgency and necessity, is the OCG's oft-repeated call for the imposition of significantly tougher criminal sanctions, inclusive of mandatory custodial and economic based penalties where appropriate, for:
 - (a) all corruption related offences;
 - (b) the three (3) offences that are currently specified under Section 29 of the Contractor General Act; and
 - (c) The offence which is established under Section 40 of the Public Sector Procurement Regulations that criminalizes breaches of the rules which govern the award of government contracts and licenses.

The three (3) Section 29 offences in question are (a) the failure to comply with a lawful requirement of a Contractor General; (b) obstructing a Contractor General in the lawful execution of his functions; and (c) wilfully making a false statement to mislead a Contractor General.

Despite the innumerable OCG recommendations which have been made to have the situation remedied, the sanctions for these three (3) critical anti-corruption offences, have remained, for the past 25 years, at the inexplicable level of '*J\$5,000, or imprisonment for a term not exceeding 12 months, or to both such fine and imprisonment*'.

The situation with respect to criminal breaches of the Government's Procurement Rules and Procedures is not dissimilar.

On September 11, 2007, on the occasion of his official inauguration into office as the Prime Minister of Jamaica, the Hon. Bruce Golding, gave a solemn public commitment that "*criminal sanctions*" would be imposed for "*breaches of the rules governing the award of government contracts*". The Prime Minister also gave his assurance that "*... We are going to make it more difficult, more hazardous with stiff penalties for violations*". (My emphasis)

However, and notwithstanding the undertakings which were given, the sole sanction which was subsequently promulgated into law by Section 40 of the December 2008 Public Sector Procurement Regulations, for "*breaches of the rules governing the award of government contracts*", was "*... a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding three months or to both*".

One thousand Jamaican dollars (J\$1,000), at current rates of exchange, is equivalent to less than US\$12, or roughly the price of four (4) loaves of bread.

The OCG believes that if the foregoing route is taken, an unprecedented and formidable institutionalized onslaught will be effectively facilitated, once and for all, to successfully tackle the pervasively corrupt elements in Jamaica who, so far, have been able to pursue their illicit affairs with little or no interference from the authorities.

It is also the considered view of the OCG that the proposed streamlined and consolidated effort of a single Independent National Anti-Corruption Agency for Jamaica, as outlined above, would, among other things, eliminate the overlaps and duplicity of resources which are now a glaring feature of the present framework – an institutional framework which is not only disjointed and splintered in its constituent elements and approaches, but which has proven to be highly ineffective, inefficient, under-resourced and non-responsive in combating the increasing levels of corruption that are perceived to be present in Jamaica.

H. JAMAICA CASE STUDY – SUPPORT FOR THE OCG’S PROPOSAL FOR A SINGLE INDEPENDENT NATIONAL ANTI-CORRUPTION AGENCY

The OCG’s proposal for the urgent establishment of a single Independent National Anti-Corruption Agency, for Jamaica, is not one which stands alone, nor is it one which is being presented without cogent, reasoned and/or independent third-party support.

The *Jamaica National Integrity Action Forum (NIAF)*, which was formally launched in January 2009 by the University of the West Indies’ Centre for Leadership and Governance, with the support of US-AID, and which has already established links with Transparency International (TI) with the objective of becoming TI’s Jamaican Chapter, has publicly pledged its support for the OCG’s proposal for the establishment of a single Independent National Anti-Corruption Agency, as the way forward for Jamaica in its fight against systemic corruption.

The NIAF’s endorsement of the OCG’s proposal was first widely publicized in an article that was published by the NIAF’s Director, Professor Trevor Munroe, in the *Sunday Gleaner and Sunday Observer Newspapers* of January 16, 2011.

Professor Munroe, in his article, which was aptly entitled: *“Catching the ‘big fish’: The need for a single anti-corruption agency”*, fully endorsed the OCG’s proposal and rejected the notion of the concept of the Special Prosecutor, when he opined as follows:

“The Corruption (Special Prosecutor) Act now before the Parliament, ... in effect, merges two of the country’s anti-corruption institutions and their functions into the new Office of the Special Prosecutor.

It, however, omits the Office of the Contractor General, arguably the country’s critical anti-corruption institution to the extent that corruption offences, especially by big fish in the public and private sectors, disproportionately relate to Jamaica’s public procurement system, and to the extent that it incorporates trained specialists in anti-corruption matters.

If we are to come to grips more effectively and urgently with the cancer of corruption eating away at Jamaica’s system of governance, this deficiency must be repaired.

There has been support for a single anti-corruption agency from significant elements in the media, civil society, the private sector, the parliamentary Opposition, and the governing Jamaica Labour Party, through the G2K. Prime Minister Golding himself has indicated that he “has an open mind” on the issue.

The proposed Special Prosecutor Act, in its present form, should not be allowed to close the issue. It should be “put on hold” either to facilitate amendments to approximate the single anti-corruption agency with prosecutorial powers, or to allow for the draft of a new bill to bring about this result.”

On March 7, 2011, at a formal NIAF Breakfast that was hosted under the distinguished patronage of Jamaica’s Governor General, His Excellency Sir Patrick Allen, the NIAF, again, publicly re-affirmed its support for the OCG’s proposal in a formal statement which was issued at the ceremony.

The Breakfast was attended by several State officials, among whom were the Chief Justice, the Auditor General, the Deputy Director of Public Prosecutions, the Secretary Manager of the Commission for the Prevention of Corruption, the Commissioner of the Revenue Protection Division, the Political Ombudsman, the President of the Private Sector Organization of Jamaica, the President of the Jamaica Bar Association, USAID's Jamaica Mission Director, the Local Director for the United Kingdom's International Development Programme, and myself.

In giving its full support to the OCG's proposal, the NIAF, in its written statement, postulated as follows:

"Experience is now demonstrating conclusively that in addition to the NIAF, two innovations are absolutely essential if we are to move more successfully to remove the corruption road-block to Jamaica's development and to respond to public demand to deal more effectively with this scourge which is consigning too many Jamaicans to poverty and hopelessness. One is the single Anti-Corruption Agency, properly staffed, resourced and empowered to conduct criminal investigations and prosecutions – as initially advocated by the OCG – with subsequent support from personages within both the Governing and Opposition parties and endorsements from elements in the media".

I. CLOSING REMARKS

Ladies and gentlemen, corruption is a crippling, corrosive, destructive and evil vice which we can ill afford to take root in any of our regional jurisdictions.

If it is allowed free and unrestricted reign, then ultimately the very foundations of our cherished democracies will be placed on their knees and at its mercy.

Our respective efforts at attaining sustained economic growth, and a better life for our peoples, are also efforts which are likely to be rendered futile and meaningless should we allow corruption to reside within our public institutions, or to walk hand in hand with the politicians and public officials in whom we have reposed our confidence and trust.

We must, therefore, among other things, seize any opportunities that may exist for regional collaboration and cooperation.

This will enable us to better understand what corruption is all about, the environment in which it is likely to thrive, and how it manifests itself, so that we can design the right strategies to effectively deal with the problem.

Where preventative measures can be proactively adopted at the level of our national governments, parliaments, law enforcement agencies and anti-corruption institutions, to ensure that corruption does not gain a foothold in any Caribbean nation State, those steps should be taken with dispatch.

In those jurisdictions in which the damage has already been visibly done, aggressive remedial and root-cause corrective action, along the lines that I have outlined today, will have to be the order of the day.

In so far as Jamaica is concerned, there is no question that the time to act, in unprecedented and decisive terms, in the fight against the country's systemic corruption, has long passed.

The OCG would respectfully encourage the Government and Parliament of Jamaica to seriously rethink their intended reform approaches to the country's existing anti-corruption institutional framework, and its inherent and fundamental deficiencies; for if it proceeds with the Special Prosecutor Bill, in its present form, it would have accomplished nothing but the replacement of one ineffective, inefficient and disjointed anti-corruption institutional regime, with another.

But that still will not be enough.

Without the demonstrated Political Will on the part of the leadership of the Jamaican State, and the Institutional Will on the part of those, who, like myself, are privileged to lead Jamaica's law-enforcement, anti-corruption and prosecutorial agencies – leading by example, and doing that which is right by Jamaica – absolutely nothing will be accomplished in Jamaica's fight to break the back of the monster of corruption which is haunting Jamaica, and which has already condemned the great majority of Jamaicans to a future of relative poverty and dismal hopelessness.

Thank you.”

12. SEVENTH ANNUAL LECTURE IN THE CARIBBEAN INTERNATIONAL NETWORK (CIN) LECTURE SERIES DELIVERED IN NEW YORK CITY BY THE CONTRACTOR GENERAL

On October 26, 2011, I was privileged to deliver the Seventh Annual Lecture in the Caribbean International Network (CIN) Lecture Series, at the famed Harlem Schomburg Centre, in New York City, New York.

The full text of my Lecture Presentation, which is entitled - '**The Fight to Secure Integrity, Transparency and Accountability in the Award of Government Contracts in Jamaica**', is now reproduced, herein, as follows:

“A. INTRODUCTION

The Office of the Contractor General (OCG), as it is commonly known in Jamaica today, was established in 1983 amid widespread public outcries that were prompted by allegations of corruption in the award and implementation of Government of Jamaica contracts.

There was very little competition and transparency in the award of contracts.

Friends, family members, supporters and cronies of some public officials and politicians, were rewarded with contracts and Taxpayers' money under an obscure regime that was perceived as providing little or no oversight, scrutiny or enforcement powers.

At the same time, many otherwise capable, but politically unaffiliated contractors were left out in the cold. Old-style back-room dealing and corruption thrived. Some of those who did receive contracts were alleged to have paid kick-backs to corrupt public officials. The perception was that this was, indeed, the order of the day.

Local industries suffered generally since the capacity of domestic contractors, who were not part of the system of the political *quid pro quo*, was compromised. Further, many foreign investors were being turned off by the pervasive stigma of corruption that seemed to have become associated with doing business in Jamaica.

The OCG was expected to change much of that.

The Most Hon. Edward Seaga, the former Prime Minister of Jamaica, was the first person who formally raised concerns regarding the lack of probity in the award of Government contracts in Jamaica, and the need for a Commission of the Contractor General to deal with the problem.

In January 1981, three months after his landslide victory at the polls, he appointed a Committee to develop recommendations for the establishment of the OCG.

The Committee, which incidentally was chaired by the then Minister of Construction, and former Prime Minister of Jamaica, the Hon. Orette Bruce Golding, submitted its Report in March 1982. This, in turn, led to the promulgation of the Contractor General Act of 1983.

The Act established the role and functions of the Contractor General as an Independent Commission of Parliament. Its office-holder was insulated, by law, from any political manoeuvrings which could compromise his ability to carry out his functions in a fearless and dispassionate manner. He was granted almost complete independence of office, security of tenure and security of compensation.

The Contractor-General was mandated by Section 4 of the Act to monitor the award of Government of Jamaica contracts to ensure that they were awarded “impartially and on merit”, and in circumstances which did not “involve impropriety or irregularity”. The issue of Government licences and permits was also cascaded under his jurisdiction.

In addition, he was also vested with a discretionary power to conduct formal investigations into a range of matters.

To facilitate the effective discharge of his functions, the Contractor General was accorded the powers of a Judge of the Supreme Court of Jamaica, with wide quasi-judicial powers of enquiry, search, discovery and subpoena.

Included among his powers were his entitlement to be advised of the particulars of the award of any Government contract or licence, as well as his authority, with few exceptions, to secure unimpeded access to any public office, officer, person, document, record, information or thing which, in his discretion, he might deem vital to the discharge of his functions under the Act.

Finally, to further re-enforce the enquiry powers of the Contractor General, the Act made provision for three (3) specific criminal offences – the failure to comply with a lawful requirement of a Contractor General; obstructing a Contractor General; and making a false statement to mislead or attempting to mislead a Contractor General.

With all of this, a significant change was expected in the manner that lucrative Government contracts were to be awarded. Transparency, competition, fairness, value for money, accountability, merit, impartiality and regularity, were all considered to be the key features that would now characterize Government of Jamaica contract awards going forward.

So then, after 28 years and four (4) different Contractors General, you may be asking yourself why is it that I am here tonight to speak to you about “The Fight to Secure Integrity, Transparency and Accountability in the Award of Government Contracts in Jamaica”.

Is it that nothing has changed in Jamaica? Is it that the Contractor General Act has proven to be ineffective; or is it that the OCG was established to be a mere paper tiger?

An early insight into one person’s perspective on some of these questions might be useful in helping to set the context for my presentation. It is the perspective of Mr. Seaga himself.

Writing in his **February 13 Jamaica Gleaner column** earlier this year, Mr. Seaga identified at least two (2) of the major failings of the Contractor General Act’s regulatory regime. (See Gleaner article entitled ‘**Public Watchdogs are instruments of discipline**’). He suggested that the Act had fallen short of its intended mark and that there is, perhaps, after 28 years, still the absence of a much needed Political Will to do something about it.

One of the deficiencies that Mr. Seaga identified in the Act is that the OCG has no power to prosecute. He remarked that although criminal prosecutions were the responsibility of the Director of Public Prosecutions (DPP), the DPP was now unable to respond to the OCG in a timely manner, and that this had, in turn, diluted the effectiveness of the OCG in suppressing corruption.

Mr. Seaga also intimated that unless the holder of the office was prepared to speak out, to fight, and to be “aggressive”, nothing would come of the Commission. It was for this reason, he said, among others, that the Commission did not live up to its expectations prior to my appointment as Contractor General in December 2005.

B. INSTITUTIONALIZED AND SYSTEMIC CORRUPTION IN JAMAICA

Another broad and useful empirical indication as to whether and to what extent the expectations of the OCG have been fulfilled, is to examine where Jamaica is perceived to be today in terms of corruption.

When corruption is presumed to have permeated deeply into a country’s institutions, and across all of its socio-economic spheres, or is considered to have become a societal way of life, it is no longer considered to be just a matter of a few greedy Public Officials, or dishonest citizens, feeding upon the system. At this stage, corruption can be likened to an aggressive cancer and is characterized as institutionalized or systemic corruption.

The phenomenon of systemic corruption is significantly related to poor standards of governance, accountability and transparency in government.

It will typically thrive in instances where anti-corruption and law enforcement institutions are either non-existent, weak or ineffective, where institutional checks and balances on entrusted power are missing, where governmental decision-making is obscure, where the Rule of Law is neither fully enforced nor respected, and where there is an absence of Political Will to do something about it.

From all indications, it appears that Jamaica is today at this place and, indeed, has been at this place for a long time.

What is my basis for saying this?

In a 2008 **Don Anderson Poll**, “Too much corruption” was ranked by Jamaicans as the “Main Thing Wrong with Jamaica”. This was second only to “Too much crime and violence”.

However, and quite alarmingly, in 2010, in a “Most Negative Thing about Jamaica” Poll, which was also conducted by **Don Anderson**, “Corruption” shot to the top of the rankings, easily surpassing other public concerns such as crime and violence. This was particularly troubling since the poll came on the heels of 2009, the year in which Jamaica recorded 1,682 murders, its highest ever tally of murders in any single year.

Not surprisingly, the clear indications of the **Don Anderson Polls**, were further corroborated in March of this year, when the well respected **Latin American Public Opinion Project (LAPOP) Poll** ranked Jamaica, in 2010, as the 2nd most perceived corrupt country in the Americas.

But it is also instructive to note that the highly negative perception that Jamaicans have about corruption, in Jamaica, is by no means one that is confined to themselves.

Transparency International (TI), the International Anti-Corruption Watchdog, which currently ranks 178 countries in terms of the degree to which corruption is perceived to exist among their public officials, politicians and public institutions, has, over the years, consistently ranked Jamaica, not only as a “highly corrupt” country, but also as the most corrupt country in the English Speaking Caribbean – second only to Guyana.

The fact that Jamaica is perceived to be a highly corrupt place is also exacerbated by the universally accepted fact that the largest opportunity that exists, in monetary terms, for corruption in any country, lies in the illicit manipulation of the award of Government contracts and licences, and the divestment of State assets.

TI, in a May 2010 publication, which is entitled *‘Corruption in Procurement’*, estimated that the cost of corruption in public contracting, at the national level, expressed as a percentage of the value of the contract, was an average of 10-25% and, in the worst cases, as much as 50%.

The magnitude of the issue, for Jamaica, and for the OCG, is evidenced by the fact that the OCG exercises its jurisdiction over the contract award and licence issue activities of roughly 200 ministries, agencies, departments and corporations of Government.

Together, these Public Bodies issue more than 600 different categories of licences and permits, and award in excess of 11,000 construction, goods, services and asset divestment contracts, each year, above \$275,000 in value, aggregating an estimated \$110 billion, or about one-fifth of the annual expenditures of the Government of Jamaica.

Consequently, given the high perception that exists about corruption in Jamaica, it is only reasonable to deduce that Jamaica’s anti-corruption institutional framework, of which the OCG is an integral part, has failed to realize its objectives, such that massive amounts of Taxpayer funds are still being perceived as being stolen through corruption in public contracting.

C. LACK OF POLITICAL WILL

Another critical question that will also arise tonight, as I proceed with my presentation, is that if it is accepted that the Contractor General Act has fallen short of its mark, then why has the State not taken the requisite steps to remedy the Act’s deficiencies so that its purported objectives, of ensuring integrity, transparency and accountability in Government contract awards, can be fulfilled?

Such a question will necessarily invite a discussion on the subject of what is called the lack of “Political Will”. This is something that I have already suggested is lying at the root of several of the problems that I will discuss with you tonight. Consequently, I will, therefore, touch briefly upon it now.

The term “Political Will”, when used in the foregoing context, is about the demonstrated desire, sincerity and actions of the Government of the Day not only to fight, but also to win, the battle against corruption.

Political Will requires that the State, led by the incumbent Administration, must take all requisite steps to put in place a comprehensive and independent anti-corruption institutional framework which is backed by:

- (e) adequate resources;
- (f) effective laws;
- (g) tough criminal custodial and pecuniary sanctions for breaches of those laws; and
- (h) anti-corruption institutional leaders who are prepared to dispassionately discharge their respective mandates and to forthrightly enforce those laws.

Political Will is, therefore, about walking the talk, not talking the talk. It is about action, not words.

In particular, it demands that a Prime Minister must hold his Cabinet ministers and senior public officials fully accountable for their deviant conduct, or breach of trust, irrespective of the sacrifices that must be made, or the penalties that must be paid.

One of the indispensable and critical subsets of Political Will is what is called Corporate Will. This means ensuring that the right leadership exists at the top levels of each of the State's law enforcement and anti-corruption institutions.

In the case of Jamaica, this will, for instance, mean the Corruption Prevention Commission, the Integrity Commission, the Jamaica Constabulary Force, the OCG, the Office of the Director of Public Prosecutions, the Office of the Auditor General, and the Political Ombudsman, among others.

Corporate Will calls for strong, fearless, independent, apolitical and ethical leadership, at the helm of these institutions. Leadership that will not bow to the demands of the political directorate, nor to the dictates or desires of special interest groups, but who will forthrightly, fearlessly and dispassionately discharge his or her mandate at all times in the interest of the State.

Whenever there is a deficiency of Corporate Will in the State's anti-corruption institutional framework, Political Will demands that immediate steps should be taken to remedy the situation by, among other things, recalling or removing the leadership of the Agency from his or her office.

It is also important to recognize that the lack of Political Will can manifest itself in the deliberate creation of State anti-corruption structures, mechanisms and institutions, which are intended by the political directorate to appease the desire of its domestic and international stakeholders, but which are in effect mere facades.

Such structures are easily identifiable. While on paper they may look good, upon closer examination they will be found, either to be ineffective, weak, structurally deficient, lacking in teeth, lacking in critical resources, and/or led by political implants that are there to do the bidding of the political directorate.

Once this happens, the effectiveness of the State's anti-corruption institutional framework will be undermined, and the institution or the mechanism in question will be rendered literally useless.

D. MAJOR SHORTCOMINGS IN THE CONTRACTOR GENERAL ACT REGULATORY REGIME

The background which all of the foregoing has painted, and the suggestions that it has raised are, therefore, crystal clear. Despite the existence of the Contractor General Act, even when it is assessed within the context of what appears to be a robust national anti-corruption legislative and institutional framework, rampant corruption is still perceived to be the order of the day in Jamaica.

Indeed, it has now become evident that there is, as Mr. Seaga has observed, significant shortcomings in the Act, such that a fairly credible question can be raised as to whether the OCG was intended by the Executive and Legislative arms of the Jamaican State to be an anti-corruption institutional facade, or, to put it bluntly, a toothless bulldog.

There are also other germane issues that are operating in Jamaica today which are adversely impacting upon, and undermining, the effectiveness of the country's anti-corruption institutional framework, inclusive of the work of the Contractor General.

One of these, as I have already suggested, is the apparent lack of the much needed Political and Corporate Will to decisively address the problem of corruption in Jamaica.

But in so far as the deficiencies of the Contractor General Act are concerned, they have presented enormous operational challenges for the OCG, as it seeks to diligently and effectively discharge its mandates under the law.

I will now, therefore, examine what some of these deficiencies are.

(a) The Contractor General has no power to halt an irregular procurement

Among the major failings of the Contractor General Act is that it expressly mandates a Contractor General to **“ensure”** impartiality, merit, propriety and the lack of irregularity in the award of Government contracts, yet, curiously, it grants to him no powers whatsoever to bring to a halt a Government contracting or licensing process which he has good reason to believe is exhibiting signs of corruption, impropriety or irregularity.

A recent case in point was the refusal of the Golding Administration to heed the OCG's November 2010 recommendations to terminate the Government's Floating Storage and Regasification Unit-Liquefied Natural Gas (FSRU-LNG) tender process – a process which, upon the conclusion of the OCG's twelve month Investigation, was proven to be mired in irregularity and impropriety.

Despite the OCG's documented concerns that the good governance tenets of public contracting were being violated, a seemingly cavalier and arbitrary decision was taken by the Administration to proceed with the tender process for the Project.

Not surprisingly, when the OCG's Investigation was completed, its Findings of rank irregularity in the tender process were not only conclusively established, but were independently corroborated by two (2) independent Legal Opinions which were, in turn, also supported by the Government's own attorney, the Solicitor General.

The OCG was also confronted with a similar situation in January 2011, in respect of the Government's then proposed sale of the Sandals Whitehouse Hotel to the Gordon 'Butch' Stewart held Sandals Group.

The incident occurred after an OCG Preliminary Enquiry had confirmed the veracity of certain public allegations which had been made that the Government was engaged in ongoing “secret negotiations”, with the Sandals Group, for the sale of the hotel.

Despite a 22 page public appeal that was made by me to the Hon. Prime Minister, to halt the proposed divestment, and to restart same under the direct monitoring supervision of the OCG, the OCG's recommendations were nevertheless summarily set aside by the Administration, which publicly declared that the sale would proceed.

It is also instructive to note that, in July 2010, the OCG was faced with another like challenge regarding its monitoring of the divestment of the Government's 45% stake in the GOJ/Alcoa Jamalco joint-venture alumina refinery operations, to a Chinese firm.

The OCG had publicly detailed at least five (5) major considerations, which, when taken together, raised very serious questions about transparency, value for money, competition and a potential conflict of interest, in respect of the proposed divestment.

However, and despite the OCG's expressed concerns, the then Energy Minister, Mr. James Robertson, publicly insisted that the Government would not halt the negotiations, even though the OCG had commenced an Investigation into the matter.

These occurrences are clearly troubling. Apart from calling into question a Government's publicly stated commitment to probity, transparency, accountability and competition in public contracting, they have also raised the inescapable question as to what good purpose is served by maintaining, in place, a so called Independent Commission of the Contractor General, when its considered concerns, recommendations, injunctions and/or findings can be arbitrarily ignored by the Executive arm of the State, the very authority which the Commission was established to monitor and to investigate.

(b) The Contractor General has no power to prosecute in an environment where no prosecutions are being initiated for major corruption and other white collar offences

Another major failing of the Contractor General Act – one which was highlighted by Mr. Seaga himself – is that a Contractor General has no power to prosecute corruption or other criminal offences which are associated with breaches of the Government's procurement, contracting and licensing laws, whether in his own right, or via a broad fiat which is issued by the Director of Public Prosecutions (DPP).

Instead, a Contractor General is required by law to refer matters to the appropriate State authorities, whether it be the Police, the DPP or the Attorney General, for the appropriate action to be taken against offending Public Officials.

Coupled with the fact that a Contractor General's remedial recommendations can be lawfully ignored by the Government, the inability of a Contractor General to initiate his own prosecutions raises even more worrying questions as to whether the Parliament, in promulgating the Contractor General Act, had intended for it to be truly effective.

But what is the OCG griping about, you might ask, since there exists these other arms of the State to investigate and to prosecute allegations of criminal offences, inclusive of corruption related offences?

The simple answer is that looks are deceiving, for despite the presence of a JCF, and a DPP, the fact is that there is now persuasive evidence that the relative paucity of criminal investigations and prosecutions for offences involving corruption, as well as for other related offences, in Jamaica, has now reached disproportionate if not crisis levels.

One major reason why corruption has been having a free reign in Jamaica is that it has historically competed unsuccessfully for the attention of the JCF, the DPP, and the Judiciary.

In what has become an alarmingly imbalanced arrangement that is now seriously hurting Jamaica, corruption has repeatedly lost out, for attention, to offences against the person and, in particular, to an average national murder rate which now stands at more than 1,500 per annum for the past ten (10) years. No one, it seems, is taking the matter seriously and the perceived reasons for this are as troubling as they are varied.

It is also an irrefutable fact that the country's inordinately high rates of violent crime have literally swamped the already limited resources and assets of the JCF, the 41 attorney staffed Office of the Director of Public Prosecutions, and the local court system.

The relatively low clear-up rate for serious crimes, as well as the massive backlog of cases which are currently before the Jamaican courts, and which some estimates have placed as high as 400,000, also paint a telling picture of the disturbing and unacceptable inadequacies of Jamaica's anti-corruption, law enforcement and criminal justice systems.

But as if to deepen the problem regarding corruption in Jamaica, it is also arguable that neither the JCF nor the Office of the DPP, was, in the first place, structured, or adequately resourced, to effectively and efficiently investigate and prosecute sophisticated crimes of corruption, or other potentially complex white collar crimes which have now come to the fore. Indeed, in the case of the Office of the DPP, even more troubling questions have arisen.

Between December 2010 and February 2011, the Anti-Corruption Branch of the JCF, the OCG and the Jamaica Commission for the Prevention of Corruption, have all publicly lamented the fact that several criminal matters which they have separately referred to the DPP had not been prosecuted.

In the case of the JCF, on December 9, 2010, on International Anti-Corruption Day, the Assistant Commissioner of Police, Mr. Justin Felice, who oversees the JCF's Anti-Corruption Branch, while publicly acknowledging the JCF's outstanding successes in laying corruption charges against several low-ranking police officers, raised concerns about referrals regarding senior police officers of the JCF which had been conveyed to the DPP, but which had not resulted in criminal prosecutions.

On February 17, 2011, while appearing before a Joint Select Committee of Parliament, I, myself, tabled before the Committee, a formal written Report of the OCG, in which it was asserted that of the roughly 40 criminal Referrals which had been formally sent by the OCG to the incumbent DPP, Ms. Paula Llewlyn, in the preceding three (3) year period, not one had to date been brought before the courts to test its judicial efficacy.

Further, in February 2011, the Commission for the Prevention of Corruption publicly expressed concerns about the failure of the DPP to prosecute literally thousands of matters, involving Public Officers, which had been referred to it by the Commission.

In particular, the Commission lamented the fact that since its establishment 11 years ago, although more than 18,000 persons had been referred to the DPP, only 512 of the matters had been acted upon. The commission also signaled that it was dissatisfied with the number of matters that were thrown out by the DPP, noting that this frustrated the oversight body's efforts at reducing corruption.

The above-referenced Agencies which, together, substantially constitute the vanguard of Jamaica's anti-corruption institutional framework, and which must rely **exclusively** upon the DPP for the prosecution of all corruption and corruption related offences, do not stand alone in their views on the subject of the relative failings of Jamaica's current anti-corruption, law enforcement and criminal law prosecutorial systems.

The **United States of America (USA)**, which is, among other things, Jamaica's largest strategic ally and trading partner, has also publicly expressed similar concerns in terms of what it perceives to be the unacceptable levels of corruption which have overtaken Jamaica, as well as the inability or unwillingness of the Jamaican State to deal with the problem in a decisive, efficient and effective manner.

In its **2011 Department of State International Narcotics Control Strategy Report**, which was published world-wide on March 3, 2011, the United States Government (USG) stated quite matter-of-factly that "...corruption (in Jamaica) is entrenched, widespread, and compounded by a judicial system that is poorly equipped to handle complex criminal prosecutions in a timely manner".

To compound the problem even further, on October 12, 2011, representatives of the Parliament Integrity Commission, whilst appearing before the Public Administration and Appropriations Committee (PAAC) of Parliament, conceded that despite several infractions of the Integrity Law by Parliamentarians, the Commission had "not been very prosecutorial", in that it had failed to make the requisite referrals to the DPP.

More worrying, however, is the fact that the incumbent Minister of Justice, the Hon. Delroy Chuck, as recently as October 8, 2011, branded the country's justice system as corrupt. He asserted that "there is corruption within the courts and the justice system, where the police have been paid to say they cannot find a witness, or persons have been paid to have documents destroyed - amongst many other things".

At a minimum, it is, therefore, beyond contention that these revelations are suggesting that some of Jamaica's key anti-corruption institutions are failing miserably in the discharge of their critical mandates. Even more disturbing, however, is that it is evident that there is a glaring absence of the requisite Political and Corporate Will to do something about it.

(c) Criminal sanctions for offences under the Contractor General Act are too low

But even if the commission of corruption and other related offences were today being effectively and efficiently investigated and prosecuted in Jamaica – a situation which, unfortunately, as you have seen, is not the case – the fact of the matter is that the sanctions that are associated with breaches of the said offences are so low that they cannot possibly serve as a deterrent, but yet nothing is being done about it.

A case in point is the innumerable OCG recommendations which have been made to have the situation remedied as regards the prescribed sanctions for the three (3) anti-corruption offences that are specified under the Contractor General Act. The subject sanctions have remained, for the past 28 years, at the inexplicable low level of a fine not exceeding J\$5,000 and/or to imprisonment for a term not exceeding 12 months.

The situation with respect to criminal breaches of the Government's Procurement Rules and Procedures is not dissimilar.

Despite specific public promises that were made by former Prime Minister Golding on September 11, 2007, on the occasion of his official inauguration into office, to impose sanctions for breaches of the rules governing the award of government contracts, and to make it “more difficult, more hazardous with stiff penalties for violations”, the sole sanction that was eventually promulgated into law was “a fine not exceeding one thousand dollars or imprisonment for a term not exceeding three months or both”.

One thousand Jamaican dollars (J\$1,000), at current rates of exchange, is equivalent to less than US\$12. This is roughly the price of four (4) loaves of bread in Jamaica. Obviously, then, this has made a total mockery of the commitment that was given by the Administration that it was genuinely serious about fighting corruption.

As a matter of urgency and necessity, it is, therefore, crystal clear that the situation in Jamaica is in dire need of critical address. Significantly tougher criminal sanctions must be legislated, **and enforced**, if corruption in public contracting is to be effectively tackled. These must include mandatory custodial and economic based penalties, where appropriate.

Should the Jamaican State fail to act accordingly, then we will all be doomed, for it is an incontrovertible fact that a criminal will always proceed with his criminal conduct if his risk/benefit analysis of the situation always suggests to him that it will be beneficial for him to so proceed.

(d) Failure of the State to entrench the OCG in the Constitution of Jamaica

Earlier, I had alluded to the Report of the Bruce Golding Chaired Committee (i.e. the Report of the Committee Appointed to Recommend Legislation for the Establishment of the Office of the Contractor General), which was completed and submitted, in March 1982, to the then Prime Minister, the Most Hon. Edward Seaga.

Paragraph 1.3 (ii) of the Report reads as follows:

“In launching the work of the Committee, the Chairman (Mr. Bruce Golding) indicated that the independence and authority of the Contractor General would be guaranteed in the Constitution and this would be done as part of the process of constitutional reform”.

However, and despite the fact that 29 years have since passed, the Commission of the Contractor General is still, today, governed by an Act of Parliament – an Act whose provisions can be arbitrarily interfered with should the Government of the Day feel, for example, that a sitting Contractor General has become too “*overzealous*” or intrusive.

I should also state that, since taking office on December 1, 2005, I have made several representations, in writing, for the Commission of the Contractor General to be entrenched in the Constitution of Jamaica. However, to date, nothing has happened, in consequence of which the OCG continues to remain under the threat of a clear and present danger of political interference.

The gravity of the situation was vividly brought to light as recently as September 2010 when the former Minister of Agriculture and Fisheries, Dr. the Hon. Christopher Tufton, stridently proposed amendments to the Contractor General Act to dilute the powers of the Contractor General.

Dr. Tufton's overture followed the OCG's conclusion of an Investigation that had been launched into allegations of contract award malpractices at his Ministry of Agriculture. The Minister, his Permanent Secretary and a contractor, Mr. Aubyn Hill, were referred to the DPP in light of the OCG's findings of evidence that all three (3) men had perjured themselves when they provided false testimony, under oath, to the OCG.

The proposals of the Minister were publicly canvassed by him after the DPP ruled that she would not act upon the perjury referrals that had been made by the OCG.

In response, I issued a public Statement, on September 21, 2010, to the country's 81 Parliamentarians, in which I was constrained to respectfully warn them against giving effect to the Minister's misguided protestations.

Among other things, I respectfully recommended that their efforts would be best invested in strengthening the country's anti-corruption institutional and legislative frameworks, and to insulate same from arbitrary interference, as opposed to giving countenance to questionable measures which would, as a matter of certainty, weaken the existing good-governance structures that have been established to protect the Taxpayers' money.

E. OTHER CHALLENGES AND OBSTACLES FACED BY THE OCG

Quite apart from the foregoing, there are several other obstacles that have been routinely thrown into the path of the OCG as it diligently and dispassionately seeks to discharge its lawful mandates, to ensure integrity, transparency and accountability in the award of Government contracts in Jamaica.

These so called obstacles have included, for example, (a) the failure on the part of Public Bodies to comply with the lawful requisitions of the OCG, (b) challenges to the lawful authority of the OCG emanating from very senior Government and Ministerial officials, and (c) in at least one instance, the patently conflicted temerity of one local Print Media House, the Jamaica Observer, to publicly instruct the OCG as to how it should proceed in a Government asset divestment matter which involved an entity that was owned and controlled by the very owner of the Jamaica Observer itself.

Time does not permit me to address all of these obstacles in their entirety, but I will nonetheless share with you at least one or two of them.

(a) Failure on the part of Public Bodies to comply with the lawful requisitions of the OCG

One of the most formidable challenges that I have experienced, in my fight to secure probity in the award of Government contracts in Jamaica, has had to do with overcoming the refusal, on the part of the country's 200 Procuring Public Bodies, to comply with a statutory requisition which was first issued by me in early 2006.

The initiative, which is called the OCG's Quarterly Contracts Award (QCA) Report Regime, was developed as a major limb of my strategic plan to secure a marked improvement in probity, transparency and competition in the Government of Jamaica small contracts award process.

It required Public Bodies to file QCA reports, with the OCG, of the particulars of the contracts which they had awarded during each calendar year quarter, and to do so within one month after the ending of the quarter. The report forms, which were designed in a simple spreadsheet format, were also structured to disclose whether and to what extent a Public Body had breached the Government's Procurement Procedures.

After having had to fight to overcome initial opposition from certain members of the then sitting Parliament, as well as from the sitting Solicitor General himself, the Regime was formally launched by me in mid-2006, but instantly met headlong into a 13% compliance response rate from only 26 of the roughly 200 Public Bodies that were requisitioned.

In an effort to combat the refusal of the offending Public Bodies to comply with the requisition, I immediately met with the then DPP, Mr. Kent Pantry, QC, whose co-operation I sought to assist me to effectively implement, as at October 2006, a Zero Tolerance Policy which I had decided upon to address the issue.

The Policy would dictate that a failure or refusal, on the part of any Public Body, to comply with the OCG's QCA requisition, would result in the automatic referral of the head of the delinquent Public Body, to the DPP, for criminal prosecution under Section 29 of the Contractor General Act.

After it became evident that no exceptions whatsoever would be made by me to the application of the Policy, and that the names of all non-compliant Public Bodies would be routinely published in the Media, Public Officials quickly began to fall into line. DPP Kent Pantry also offered invaluable assistance to my battle, when he sent an unmistakable signal by prosecuting 17 of the offending Public Officials.

The rigidly enforced OCG Zero Tolerance Policy has today succeeded in producing an unprecedented and record 100% compliance rate, on the part of all of the country's 200 Procuring Public Bodies, for ten (10) straight consecutive quarters, ending in June 2011.

The successes that the OCG has achieved in this particular fight, proves that Public Officials will engage in deviant conduct only if the system allows them to do so. It also proves that if a Contractor General is prepared to be aggressive, unrelenting and dispassionate in his enforcement of the law, and is supported by the prosecutorial arm of the State, mountains can be moved, and cultures of defiance, non-compliance and lawlessness can be literally transformed overnight.

On a practical level, the OCG's QCA Regime has also allowed the OCG to utilize computer technology to bring public transparency, via the OCG's official website, to the more than 54,000 small Government contract awards, valuing \$65 billion, which have so far been issued by Public Bodies in Jamaica since May 1, 2006.

The Regime has also facilitated the optimization of the productivity of the OCG's limited human resources, whilst enabling the organization to exponentially expand the effective reach of its contract monitoring and investigation mandates.

(b) Challenge to the OCG's jurisdiction over State asset divestments

Another one of the most problematic and worrying obstacles which the OCG has had to face in discharging its mandates, is what appears to be the inability of the incumbent Administration to make up its mind as to whether or not the OCG has the authority, under the law, to monitor and to investigate the divestment of lucrative State assets.

Suffice it to say that the practices of the OCG over the past 15 years, the expressed provisions of the Contractor General Act, and a formal legal opinion which was secured more than 10 years ago from Dr. the Hon. Lloyd Barnett, OJ, one of Jamaica's leading jurists, say unequivocally that the OCG does in fact have that jurisdiction.

In any event, the question that inevitably arises is why any right-thinking Administration would seek to exclude, from the purview of the law, and from oversight scrutiny, lucrative State asset divestment contracts which are ripe game for corruption addicts. But this is exactly what the incumbent Administration continues to suggest that it wants to do.

Specifically, jurisdictional challenges were launched, against the OCG, as recently as during the course of 2010, when the OCG was forced to make public its concerns regarding apparent irregularities that were evident in the Government's then proposed divestment of its 45% stake in the JAMALCO Alumina Refinery, to a Chinese company.

Subsequently, during the same year, the jurisdiction of the OCG was again, and not surprisingly, questioned, by the Administration, when the OCG sought to enquire into the sale of two (2) A320 Airbus aircraft by Air Jamaica Limited.

The matter, which is a source of continuing disappointment for the OCG, has been aggravated by the fact that the Administration is one that has spoken repeatedly about securing transparency in the affairs of Government.

However, it has boldly demonstrated that it is nevertheless prepared to rule that the divestment of a public asset is a matter which falls outside of the lawful jurisdiction of the OCG, even when it knows full well that it has previously and publicly called upon the OCG to investigate matters in relation to the divestment of Government Assets.

I make specific reference to the fact that less than three (3) months after the then Minister of Agriculture, the Hon. Christopher Tufton, on January 17, 2008, with the support of the Attorney General, challenged, in writing, the OCG's jurisdiction to monitor his Ministry's then ongoing divestment of the country's sugar industry assets, I received a letter, dated April 8, 2008, from the then Minister with portfolio responsibility for Air Jamaica, the Hon. Don Wehby, in which the OCG was requested to review the previous Administration's divestment of Air Jamaica's London Heathrow Slots.

To further compound the issue, on April 23, 2008, the Minister of Finance, the Hon. Audley Shaw, from the floor of the House of Representatives itself, publicly requested the OCG to investigate the said Air Jamaica London Heathrow Slots asset divestment.

Quite curiously, however, there was no word then from the Office of the Attorney General, objecting to the propriety of either Mr. Wehby's or Mr. Shaw's requests, and neither did the OCG reject the requests.

Indeed, it is now a matter of public record that the Ministers' requests were promptly acceded to by me, when a formal OCG Investigation into the matter was commenced on April 23, 2008, and a Report thereon was formally tabled in the House of Representatives on April 7, 2009, and in the Senate on May 8, 2009.

The record of the Administration, regarding this issue, is, therefore, extremely disturbing and disconcerting. It not only points to a glaring double-standard in its approach to the issue of corruption in public contracting, but it also suggests that the Administration is prepared to use the OCG if it is allowed to get away with it.

Such conduct, however, will not be tolerated under my watch. The key functionaries of the State, inclusive of Members of Parliament, Ministers of Government and Senior Opposition officials, whomever they may be, must come to understand that the OCG is not a 'political football'. It was created by them as an Independent Anti-Corruption Commission of the Parliament of Jamaica, and it must, therefore, be respected as such.

(c) Attempts at intimidation of the OCG – Charges that the OCG is over-zealous

Over the past year and a half, the OCG and I have also faced criticism with what appears to have been a covert attempt at intimidation, from at least one senior Minister of Government – the Minister of Information, the Hon. Daryl Vaz, and from Mr. Peter Bunting, the General Secretary of the Opposition People's National Party (PNP).

Both men had reportedly accused my Commission of being overzealous in the discharge of its mandate such that it was having the alleged effect of scaring away public servants.

Immediately after the accusations were first published by the Jamaica Observer Newspaper, Mr. Bunting issued a statement to say that the PNP's comments had been misrepresented, and that the PNP was fully supportive of the work of the OCG and the Contractor General.

To be clear, a Contractor General is required, on the pain of being unceremoniously stripped of his Commission, for "misbehaviour in office", to faithfully discharge his statutory mandates, by ensuring that Government contracts are awarded impartially and on merit, and in circumstances that do not involve impropriety or irregularity.

In light of the highly corrupt, crime-ridden and politically polarized environment that Jamaica has become, it should, therefore, be obvious to even the casual observer that the referenced mandate will be incapable of being effectively discharged if the office-holder is someone who easily shirks away from being aggressive and forthright when he should be; who is fearful or docile; who is reluctant to dispassionately use his powers; or who is scared to offend, challenge or confront those who will need to be confronted.

It is the lack of these very qualities that I presume Mr. Seaga was alluding to, when he pointed to a number of the reasons why the Contractor General's regulatory regime, in his opinion, had failed to fulfil its purpose prior to my appointment into office.

In a public response which was issued by me, on July 12, 2010, to the Minister and to Mr. Bunting, I stated, among other things, as follows:

“I would like to categorically state, without any reservation, that I have absolutely no intention whatsoever of discharging my statutory mandate and responsibilities in a manner which suits the desires or dictates of any other person, official or entity, irrespective of who that person, official or entity may be.

So long as I shall have the good honour and privilege of holding the Commission of the Contractor General of Jamaica, I will faithfully and lawfully serve only what I regard to be the best interests of the People and Taxpayers of Jamaica.

While I will at all times do so fairly, impartially and responsibly, it must also be clearly understood that I will also, at all times, do so forthrightly and vigorously and without fear and without favour, and without being subjected to the countermanding dictates of any other person excepting that of a Court of Law.”

(d) Challenge to the OCG's authority to announce its commencement of Investigations

I have also had to contend with repeated and unlawful attempts by the Administration, and also by the Jamaica Observer Newspaper, to literally muzzle the OCG from exercising its expressed authority, under the law, to announce, to the People and Taxpayers of Jamaica, whose interests I am sworn by oath to serve, the OCG's intention to commence an Investigation into allegations of impropriety, irregularity and/or corruption in Government contracting.

However, in each instance that such obstacles have been thrown into the OCG's path, they have been vigorously resisted.

One such incident occurred on January 31, 2011, and again on February 2, 2011, when the Observer Newspaper, in two (2) of its editorials, scolded me for daring to advise the Taxpayers and People of Jamaica of the OCG's intention to investigate the Government's proposed sale of the Sandals Whitehouse Hotel to Gorstew Limited – a company which, as I have indicated before, is owned and controlled by the Hon. Gordon 'Butch' Stewart, the very owner of the Observer Newspaper itself.

It is instructive to note that the Observer's misplaced and patently conflicted admonishment of the OCG, was advanced, despite the fact that the public allegations which had given rise to the OCG's Investigation had been previously made in another Jamaican newspaper.

The allegations were that “secret negotiations” had been taking place between Government of Jamaica officials and the Gordon 'Butch' Stewart-owned Sandals and Gorstew organizations, regarding the subject divestment.

More significantly, it was established by the OCG, as an undisputed fact, that the referenced “secret negotiations” had not only been taking place as was alleged, but had indeed been taking place, without the knowledge of the OCG, despite the fact that the OCG had earlier requisitioned the Cabinet Secretary to provide to the OCG, in writing, the full particulars of all such proposed State-owned asset divestments.

The former Prime Minister, the Hon. Bruce Golding, has also expressed his displeasure at my insistence at notifying the People and Taxpayers of Jamaica that my office will be commencing an Investigation into allegations of impropriety, irregularity and/or corruption in Government contract awards, and the giving of my reasons therefor. (See Jamaica Observer article – ‘Special Prosecutor to be muzzled; March 20, 2011).

The matter of the Jamaica Observer's and the Administration's criticisms, was comprehensively addressed by me before a Joint Select Committee of Parliament on February 17, 2011. Among the OCG positions, that were placed on the formal record by me, were the following:

- (a) That the OCG has absolutely no intention whatsoever of discontinuing its practice of issuing Media Releases, to announce its intention to commence an Investigation;

- (b) That the criticisms of the Administration and the Jamaica Observer were grounded in, and tainted, by double standards;
- (c) That the said criticisms were directed at intimidating the OCG from making public, its Investigations into allegations of impropriety, irregularity and/or corruption into certain public contracting matters in Jamaica;
- (d) That the criticisms were intended to directly and unlawfully interfere with and/or obstruct the discharge of the statutory mandates of an Independent Anti-Corruption Commission of the Parliament of Jamaica; and
- (e) That the OCG, like Commissions of Enquiry, and like the recent Manatt Commission of Enquiry, is, in fact, empowered, under the Sections 17, 18 and 24 (1) (b) of the Contractor General Act, to conduct the entire proceedings of its Investigations in public, should it so choose to do.

In concluding my written response to the Joint Select Committee of Parliament on the issue, I made the following closing remarks:

“Once again, the OCG feels obliged to respectfully but strongly caution against any untoward tampering with the provisions of the Contractor General Act where same is intended to muzzle the OCG or to otherwise dilute, weaken or undermine the effectiveness and independence of what is in reality a critical foundation component of Jamaica’s National Anti-Corruption Institutional Framework.

Tampering with the Contractor General Act, to reduce the effectiveness and/or to curtail the independence of the Commission of the Contractor General, as opposed to strengthening the Commission, is likely to be viewed as an ill-conceived and ill-advised step in the wrong direction!

Indeed, such a step is likely to inflict a fatal body blow to the clear signals which the Government no doubt wishes to telegraph to the local populace, Taxpayers, foreign investors, the multilateral financial community and Jamaica’s international bilateral partners alike, that it is serious about tackling the scourge of corruption that Jamaica is perceived to be mired in and which has placed significant impediments in the country’s path to sustainable economic growth and development.”

(e) Attempts to politicize the OCG and its work

Although the OCG was established as an Independent Anti-Corruption Commission of Parliament, and is expected to operate as such, there have also been occasional overt and public attempts by persons, inclusive of Parliamentarians, to politicize its work.

One of the ways in which this has been done is for the OCG and me to be ‘directed’ by politicians to go back in time, as far as 10 years, to investigate contracts that were awarded by the previous Administration. This is precisely what occurred, for instance, in two (2) specific instances in which the OCG sought to investigate the circumstances of certain contracts which fell within the ministerial portfolio of a particular Parliamentarian.

Quite apart from the fact that it is unlawful for the OCG to be directed by anyone, it is also important to recognize that the OCG currently has only three (3) substantive staffing positions for Investigators.

Consequently, when one considers that more than 11,000 Government contracts, above \$275,000 in value, are awarded each year, it becomes evident that a sitting Contractor General, in exercising his discretionary powers, would be obliged, as a matter of priority, and given his limited resources, to focus upon what is happening before him, versus what took place 10 years before during the tenure of a predecessor Contractor General.

The OCG and I have also been accused of being supportive of the Jamaica Labour Party (JLP), or the People’s National Party (PNP), depending upon which party holds the seat of State power at any given point in time.

The perception, in some quarters, appears to be that if the JLP Administration is being vigorously investigated by the OCG, then the presumption is that I must be supportive of the PNP. Not surprisingly, the reverse was also true, during my initial years of service, when the PNP held the reigns of State power.

Of course, the ludicrous nature of both claims ignores the trite fact that it is the job of a Contractor General to investigate the award of Government contracts, and that the Opposition, while it is the sitting Opposition, does not, and cannot possibly, award Government contracts.

Unfortunately, however, absurdities such as these, which can only be propagated in an environment that is as politically charged as Jamaica is, do have the potential to undermine and damage the integrity of a strident Contractor General.

F. FAILURE OF THE STATE TO HOLD OFFENDERS ACCOUNTABLE

Despite all of the foregoing, however, the story, unfortunately, does not stop there.

One of the fundamental tenets of the Rule of Law is that when rules, regulations or laws are violated, there must be an associated sanction which, after due process, is promptly and dispassionately enforced. Simply put, every offender should be held accountable for his deviant conduct.

Regrettably, however, and except for the cooperation that I have received from former DPP Kent Pantry, this has not been the experience of the OCG. Despite making scores of referrals, over the past five (5) years, to the Commissioner of Police, the DPP, the Corruption Prevention Commission, the Attorney General, the Auditor General, and the Parliament, very little prosecutorial, enforcement or punitive action has resulted.

As I have stated elsewhere, to win the battle against corruption in any form, whether it is in the form of the illicit award of Government contracts, or otherwise, an environment of deterrence must be deliberately created and maintained. Such an environment will only be effectively established when anti-corruption laws with powerful sanctions are first promulgated, and are then forthrightly, swiftly and dispassionately enforced. To do this, the requisite Political and Corporate Will must be found.

Firm and expeditious examples must be made of Public Officers who violate the rules.

This is the only way to deter acts of corruption, and to aggressively force into conformance those deviant members of the society who are either unwilling to submit to the State's voluntary compliance systems, or who believe that they are above the law.

In the final analysis, however, we must get to the point in Jamaica where Justice is blind – where no one is considered to be above the law, irrespective of his political connections, his social standing, his colour, his economic means or his address. There must be one law for all Jamaicans – not one for the majority of Jamaicans and another, which is never enforced, for the rich, the powerful, the well connected and the privileged.

G. FAILURE OF THE STATE TO IMPLEMENT THE CONSIDERED REMEDIAL RECOMMENDATIONS OF THE OCG

Finally, I could not speak to you about the 'Fight to Secure Integrity, Transparency and Accountability in the Award of Government Contracts in Jamaica', without alluding to the innumerable remedial recommendations that have been made by the OCG, to both the Executive and the Legislative arms of the State, in an effort to fix the system.

These recommendations have been made, in a concerted and diligent effort, on the part of the OCG, (a) to significantly enhance transparency, competition, accountability and probity in public contracting in Jamaica, (b) to ensure compliance with the Government's Procurement Procedures and Guidelines, (c) to eliminate waste and inefficiency in the award and implementation of contracts, (d) to prevent fraud and corruption in Government contracting, (e) to strengthen the independence of the OCG, and (f) to generally win the battle against corruption in Jamaica.

Although a small percentage of the referenced OCG recommendations have been adopted and implemented by the State, the overwhelming majority of them has been essentially ignored.

I daresay that if the said OCG recommendations were, over the years, given priority attention, and speedily and comprehensively implemented by successive Administrations, they would have already radically reshaped the entire landscape of the Jamaican Public Sector contract award and procurement processes.

Additionally, tremendous value would have accrued to the Taxpayers and the People of Jamaica – not only in the reduction of waste and corruption – but also in the form of enhanced transparency, probity, accountability, competition and value for money, in the award of lucrative Government contracts.

Instead, however, the country has suffered, and continues to suffer, from the wages of corruption. The perception, in some quarters, is that the plague of corruption is currently being manifested, among other things, in the form of reduced foreign direct investment inflows into the island, and less public funds becoming available to build schools and hospitals, to fight crime, and to provide for much needed public infrastructure and services, such as housing, roads, water and electricity.

The subject OCG recommendations have been varied and far-reaching. They have been formally and routinely presented (a) as a part of the OCG's routine contract monitoring functions, (b) via the OCG's Investigation Reports, (c) via the OCG's Annual Reports to the Parliament, and/or (d) via formal pleas that have been made by me directly to the Prime Minister, the Leader of the Opposition, the Speaker of the House of Representatives and the President of the Senate.

Having regard to the grave implications of this matter – a matter which speaks clearly to the lack of Political Will to do what is right by the State – I have decided to outline herein, as follows, a number of the referenced remedial recommendations which have been made by the OCG but which, to date, have not been implemented by the State:

- (1) Recommendations to make it mandatory for habitual non-performing, low-performing or non-compliant Government contractors to be barred from being awarded any further Government contracts.
- (2) Recommendations to delist from the register of approved Government contractors, contractors who have made fraudulent or false representations to the NCC, or the OCG, on their contractor registration application forms.
- (3) Recommendations to cauterize the persistent issue of cost and time over-runs on Government works contracts.
- (4) Recommendations for portfolio Permanent Secretaries to take a more proactive and aggressive role in developing, implementing and enforcing effective risk management systems, checks and balances and other appropriate management systems, in an effort to mitigate against any possibility of deviations from the Government Procurement Rules.
- (5) Recommendations to ensure that the award and implementation of Government contracts are made impartially and on merit.
- (6) Recommendations for amendment to the Government's Procurement Regulations, and the Contractor General Act, to require sub-contractors who are engaged on high-value Government works projects, to be subjected, to the same contract award and scrutiny checks and balances to which Government contractors are subjected.
- (7) Recommendations to revise the definition of "Government contract", in Section 2 of the Contractor General Act, to expressly include contracts for the acquisition of private lands, contracts for the divestment of state owned assets, and contracts which are awarded by public/private sector joint-venture entities.
- (8) Recommendations to halt the illegitimate abuse of the 'Government's Emergency Contracting Facility', a facility that is often used to direct lucrative State contracts to a preferred contractor under the guise of same being an emergency contract, albeit that, in some instances, the so-called 'emergency' has operated for as long as a year prior to the award of the contract.

- (9) Recommendations to ensure that appointees to the Board of Directors of any Public Body are made fully aware of their responsibilities and obligations under relevant legislation.
- (10) Recommendations for the implementation of legislation to ensure that Directors of Public Body Boards, who flagrantly abuse their office and/or authority, are effectively barred from serving in any like capacity in the future.
- (11) Recommendations for the strengthening of the 'Government's Conflict of Interest Rules', the enforcement of same, and the imposition of sanctions for their violation.
- (12) Recommendations for all Public Bodies that are to become involved in Public/ Private Partnerships to prepare an internal project plan or policy, in accordance with the applicable Government procurement and accounting procedures, to guide the joint-venture project which is to be undertaken.
- (13) Recommendations for the development and implementation of a comprehensive and overriding policy to be applicable to all Public Body Boards, to govern, restrict or prohibit, as the case may be, the award of Government contracts (or the divestment of publicly-owned assets), by a Public Body, to members of their respective Board of Directors, or to any entity in which a Board member or a close family relative may have a pecuniary interest.
- (14) Recommendations to immediately expunge, from the Government's Procurement Rules, the concept of 'the unsolicited proposal', on the ground that same is a corruption enabling device which can be clandestinely utilized by corrupt politicians and public officials to corruptly direct lucrative State contracts to a preferred or connected contractor in consideration for a "kick-back".
- (15) Recommendations to cease the grant to certain State Agencies of exemptions from the Government's Procurement Rules.
- (16) Recommendations to develop appropriate mechanisms to ensure that members of the Executive and the Political Directorate are prohibited from committing the Government to binding contracts, contrary to applicable laws and Government accounting, and procurement regulations and procedures.
- (17) Recommendations for the Parliament of Jamaica to urgently examine the country's current anti-corruption institutional and legislative framework, with a view to (a) insulating same from any possible interference, obstruction or direction from the Executive arm of the State and, (b) significantly strengthening the capacity and effectiveness of same.
- (18) Recommendations for the establishment of a single and adequately resourced National Independent Anti-Corruption Agency for Jamaica. The agency should be structured to (a) discharge, under one roof, the current functions of the Commission of the Contractor General, the Corruption Prevention Commission and the Parliamentary Integrity Commission, (b) possess independent criminal investigative and prosecutorial jurisdictional powers, under the Constitution, over all corruption offences, as well as over offences which are associated with the award of Government contracts and the filing by public officers of their declarations of incomes, assets and liabilities, and (c) possess special police powers of arrest.
- (19) Recommendations for either (a) the establishment of a Special Corruption Court to adjudicate all of the foregoing offences, (b) the assignment of special magistrates/judges to adjudicate same, or (c) the giving of precedence, in the existing Jamaican court structure, to the adjudication of all such offences, save and except for capital offences and other serious offences such as rape.
- (20) Recommendations for the Parliament to review its anti-corruption legislation to ensure, *inter alia*, that the existing sanctions are adequate, effective, proportionate and dissuasive in nature and, in particular, to substantially increase the criminal sanctions for breaches of the Contractor General Act, the Corruption Prevention Act and the Government Procurement Regulations, as follows:

- (a) Increase the penalty under Section 29 of the Contractor General Act to a mandatory minimum fine of \$3 Million or to imprisonment for a mandatory minimum term of 3 years, or both;
 - (b) Increase the penalty for offences under the Corruption Prevention Act to a mandatory minimum fine of \$10 Million or to imprisonment for a mandatory minimum term of 10 years, or both such fine and imprisonment. In the case of a Public Official, the mandatory minimum fine should be set at \$15 Million or imprisonment for a mandatory minimum term of 15 years, or both; and
 - (c) Increase the penalty for offences involving a criminal breach of the Government's Procurement Rules and Regulations to a fine not exceeding \$10 Million or to imprisonment for a term not exceeding 10 years or to both such fine and imprisonment.
- (21) Recommendations for the Corruption Prevention Commission to take a more proactive and aggressive approach, in the investigation of matters which allege acts of corruption involving Public Officials.
 - (22) Recommendations to prohibit the award of Government contracts, above an established minimum value, to any private entity which fails to disclose sworn and certified particulars of its beneficial shareholders or owners, when tendering. The disclosed information would be collated and stored in an anti-corruption database, and would also be cross-referenced with the names of persons who make political campaign donations.
 - (23) Recommendations for the insertion of an "Anti-Corruption Clause" in all Government of Jamaica procurement and asset divestment contracts, to create a financial disincentive for private-sector contractors to illegally collude with corrupt politicians and public sector officials to obtain Government contract awards.
 - (24) Recommendations to enact legislation to restrict or to prohibit individual contractors, and/or the principals, officers and shareholders of Private Entity Contractors, who are designated by the JCF as not being "fit and proper" persons, from bidding on Government contracts.
 - (25) Recommendations to grant to the OCG the power to halt or to regularize a Government contracting or licensing process that is exhibiting signs of corruption, impropriety or irregularity.
 - (26) Recommendations to better secure the independence of the OCG by:
 - (a) entrenching same in the Constitution of Jamaica to protect it from arbitrary political interference; and
 - (b) removing all decisions regarding the OCG's budgetary, resource and staffing allocations from the purview of the Ministry of Finance, and vesting same in a Special Bi-Partisan Committee of Parliament to be chaired by the Opposition.

H. CLOSING REMARKS

In ending my presentation, I will share with you a number of thoughts that I had shared with a Journalist from the Jamaica Gleaner Newspaper earlier this year when he learnt that I would soon be demitting my Commission as Contractor General.

The initial statutory tenure of the Commission of the Contractor General, as specified by Section 6 (1) of the Contractor General Act, is seven (7) years. Consequently, I will demit office, by way of operation of law, on November 30, 2012.

In looking back, I believe that my time with the OCG, over the past roughly six (6) years, has been productively spent and that at the end of my term it will be time for me to pass the baton to another.

We have long turned the corner in rebuilding the OCG from the ground up and transforming the Commission into “a best in class” organization. There is also no question that we are currently pushing the envelope in terms of the effective and efficient discharge of our statutory mandates – at least to the extent that the laws by which we are circumscribed allow.

We believe that we have achieved and are achieving this in a number of ways, inclusive of the following:

- (1) We have elevated the corporate profile of the Commission to one which is highly respected by the wider community of OCG stakeholders.
- (2) We have elevated the Commission into a professional organization which is built upon the foundation pillars of (a) strong corporate ethical principles and values; (b) the commitment and support of a specially recruited cadre of highly qualified staff who fully understand the importance and sanctity of the OCG’s mandate; (c) rigidly enforced and documented workplace policies, procedures, processes and disciplinary codes; and (d) the utilization of technology as a cutting-edge and cost-reduction platform to enable and to support the attainment of the Commission’s strategic and business operating objectives.
- (3) We have developed and deployed a plethora of strategic and operating initiatives which has enabled us to increase, in exponential terms, the levels of transparency and accountability in government contracting and asset divestment transactions, by extensively monitoring and investigating, on a routine basis, the activities of roughly 200 public bodies, and by making our findings public.
- (4) We have heightened the level of public awareness about (a) the Commission’s work activities, its interventions and its considered recommendations; (b) the innumerable challenges which the OCG faces; (c) the incidence of corruption, irregularity and impropriety in public contracting in Jamaica; and (d) the need to secure due adherence, on the part of Public Officers, to the rule of law, by insisting upon probity and transparency in public contracting and to hold them accountable for their actions.
- (5) And, finally, we have increased the level of compliance and accountability, on the part of Public Officers, with the provisions of the Contractor General Act and the Government Procurement Procedures.

At the same time, I have had many disappointments during my tenure as Contractor General.

If I were to, however, choose only one, it would certainly be the realization that, from all indications, there appears to be the absence of the much needed Political and Corporate Will, on the part of successive Administrations, and certain specified State functionaries, to decisively combat corruption in Jamaica, and to adequately empower or support the OCG in its efforts to excise the cancer of corruption, impropriety and irregularity from the Government contracting process.

The impediments that remain, and the issues which must be resolved to make the OCG more effective, are, therefore, neither of the OCG’s doing, nor are they within the OCG’s realm of control.

Consequently, the destiny of the OCG, and whether and to what extent Jamaica will succeed, in the fight to secure integrity, transparency and accountability in the award of its public contracts, and to root out the scourge of corruption from its midst, is a destiny which remains firmly in the hands of the Government, the Parliament and, ultimately, in the hands of the Jamaican People.

The problems and the challenges that I have sought to overview tonight, which have confronted the OCG and me, will persist as long as the OCG’s many remedial recommendations continue to be ignored.

They will remain with us until and unless the OCG is granted independent criminal investigatory powers, independent prosecutorial powers, police powers of arrest, and the power to halt or to regularize a Government contracting process that is exhibiting the signs of corruption, impropriety or irregularity.

In the interim, grave harm is being caused, and will continue to be caused to Jamaica, by the failure of successive Administrations to act decisively, proactively and aggressively on the afore-stated matters, and to do what is right by Jamaica, versus doing that which is right by the measuring stick of political expedience”.

13. CONTRACTOR GENERAL'S LETTER TO THE PRIME MINISTER AND THE LEADER OF THE OPPOSITION

A series of extremely worrying and unprecedented events, which have seriously undermined the effectiveness of the OCG, and which could herald the very demise of the OCG itself, have taken place while I was preparing this, my final remarks to the Parliament of Jamaica.

The referenced events have prompted me to include the following letter in my Introductory Remarks to my Annual Report.

The letter is an Open Letter that was dated September 12, 2012. It was addressed by me to the Most Hon. Prime Minister and the Leader of the Opposition, and copied to several State authorities. The letter, which was publicly released, will speak for itself. It reads, verbatim, as follows:

“September 12, 2012

The Most Hon. Portia Simpson-Miller, MP, ON
Prime Minister of Jamaica
Office of the Prime Minister
1 Devon Road
Kingston 10

The Hon. Andrew Holness, MP
Leader of the Opposition
Office of the Leader of the Opposition
1 West Kings House Road
Kingston 6

Dear Madame Prime Minister and Leader of the Opposition:

I am privileged to write this open letter to you, in my capacity as the Independent Parliamentary Commission of the Contractor General of Jamaica, regarding an urgent matter which I believe is of fundamental importance to the issues of good governance and political leadership in our beloved country, Jamaica.

It is my considered but respectful belief, Madame Prime Minister and Leader, that the time has come for the Executive and Legislative arms of the Jamaican State to publicly clarify precisely what role, if any at all, the Office of the Contractor General (OCG) should play, within a national system of institutionalized and independent checks and balances, to ensure that Government commercial transactions will withstand the highest levels of scrutiny and probity, and that the Jamaican taxpayer can be guaranteed value for money whenever State assets are divested, whenever State licences are issued, or whenever Government contracts are to be awarded by the State's public bodies.

As you are aware, during the past seven (7) years in which I have been privileged to have held my commission as Jamaica's fourth Contractor General, I have laid before your respective Administrations, as well as before your predecessor Administrations, and the country's Parliament, innumerable remedial Recommendations.

These considered Recommendations were specifically and carefully crafted by the OCG (a) to significantly enhance transparency, competition, accountability and probity in public contracting and licensing in Jamaica, (b) to ensure compliance with the Government's Procurement Procedures and Guidelines, (c) to eliminate waste and inefficiency in the award and implementation of Government contracts, (d) to prevent fraud and corruption in Government contracting, (e) to strengthen the independence of the OCG, and (f) to generally win the battle against corruption in Jamaica.

Regrettably, however, most of the referenced Recommendations have not been effectively acted upon, nor have the overwhelming majority of them been materially implemented. In the interim, and while, as a country, we appear to remain apathetic or unwilling to proceed in a decisive, deliberate and expeditious manner with the requisite reforms to the country's good governance structures, and its anti-corruption institutional framework, Jamaica continues to be perceived, by the international commercial community, as well as by its bilateral and multi-lateral partners, as one of the most corrupt countries in the world.

But while these concerns remain, I regret that I must also respectfully call your attention to another area of great concern which has recently arisen for the OCG. The matter is so grave in import, and fundamental in its current and potential impact upon the OCG, that if it is not immediately addressed, it could literally render the OCG, as a national institution, redundant and herald its very demise.

The matter that I have cause to respectfully bring to your attention is that within the past six (6) months, two (2) different court actions have been instituted against the OCG to challenge two (2) major elements of the Commission's long practiced jurisdictional powers under the Contractor General Act.

The first of the referenced Judicial Review court actions was instituted, against the OCG, by a sitting Minister of Government, the Minister of Transport, Works and Housing, Dr. the Hon. Omar Davies. As you are aware, Dr. Davies has challenged, among other things, the powers of a Contractor General to monitor the pre-contract phases of the award of Government contracts.

The second matter, in respect of which I am writing to you, was recently instituted by a private sector entity which has challenged the authority of a Contractor General, under the Contractor General Act, to monitor and/or to investigate the divestment of State assets.

While, there may be differences of opinion as to whether the OCG, does in fact possess the lawful authority, under the Contractor General Act, to exercise a lawful monitoring or investigative jurisdiction, in respect of any of the above-referenced two (2) areas, there are, however, certain very important associated matters that should nevertheless be immediately brought to the fore for your urgent consideration. They are as follows:

- (1) In both of the aforementioned instances, the OCG has consistently exercised a practiced jurisdiction, over the past 28 years, with the full knowledge and/or outward support of successive Parliaments and Government Administrations. This is a documented fact, which is evidenced, among other things, by the Annual Reports of the OCG, which are required, by law, to be filed each year in both Houses of Parliament.
- (2) In respect of the first of the above-referenced areas, namely the OCG's monitoring of the pre-contract phases of the award of Government contracts, I am also obliged to advise that this is an activity of the OCG which, year over year, for the past 28 years, has accounted for the overwhelming majority of the OCG's current JA\$180 million operating budget, the overwhelming majority of its operating staff, and the overwhelming majority of the OCG's work.

Indeed, the OCG, over the years, has never resiled from the faithful discharge of its mandate in the aforementioned regard, particularly because the Supreme Court of Jamaica, from as long ago as 1991, during the tenure of the country's first Contractor General, had ruled in very clear and unambiguous terms that the OCG, upon a proper interpretation of the Contractor General Act, did in fact possess the referenced jurisdiction.

- (3) With respect to the other challenge that was recently brought against the OCG in the courts, namely on the question of whether or not a Contractor General, upon a proper interpretation of the Contractor General Act, has the power to monitor and/or to investigate the divestment of State assets, the attendant issues are exactly the same.

The monitoring and investigation of the State's divestment of assets has been an extremely critical area of the OCG's work for the past several years, and has been certainly so prior to my own appointment, in December 2005, as the incumbent Contractor General. Indeed, it was during the currency of a previous Contractor General, that the OCG had, in January 2000, secured a written Legal Opinion from one of Jamaica's most respected Attorneys, Dr. the Hon. Lloyd Barnett, which held that the OCG does in fact have the referenced jurisdiction.

The need for the Legal Opinion had arisen, at the time, because the OCG's oversight of the State's then ongoing divestment of the Donald Sangster International Airport, by the National Investment Bank of Jamaica (NIBJ), had been called into question.

- (4) Be that as it may, the immediate issue which I must, however, humbly submit, is currently before the country, and before you, is whether any good purpose is being served, by the Government of the Day, challenging the OCG, in the Courts, as to what the Contractor General Act means or does not mean, when the same Government holds the legislative capacity to forthwith amend the Contractor General Act to state lucidly and unequivocally whether or not it wants a Contractor General to indeed possess the lawful authority to monitor and to investigate the pre-contract phases of Government contracts, and/or to have oversight jurisdiction in matters which relate to the State's divestment of assets.
- (5) A related issue, I would also respectfully submit, Madame Prime Minister and Leader, is whether the Government, through its conduct, in taking the OCG to Court to challenge it on matters which have to do with the interpretation of the Contractor General Act, versus moving with expedition and forthrightness to repair ambiguities in the Act, may not also be sending the wrong signals to other stakeholders who will ultimately come to the view that if the Government is doing it, then they can do it too.

While the Government, and other entities, fight the OCG in court, as to what the Contractor General Act means or does not mean, or should mean, not only is the taxpayer's money being literally thrown away in the OCG's defence of the said court actions, but invaluable human resources, which should be otherwise deployed, in the execution of the critical day-to-day anti-corruption mandates of the OCG, are also being wasted away.

- (6) In placing these matters before you, Madame Prime Minister and Leader, we should also call a spade a spade and accept that, as embarrassing as it is, political as well as other questionable considerations have, from time to time, dictated how the OCG's jurisdictional powers are viewed by the Government of the Day. Two (2) examples readily come to mind.
- (a) The first has to do with one of the two (2) afore-referenced matters which is the subject of my letter to you. In his recent Judicial Review Applications in the Supreme Court, against the OCG, one of the many Declarations that the incumbent Minister of Transport, Works and Housing, Dr. Davies, has sought to secure, as regards the OCG's attempted oversight of the Government's award of the North-South Link of Highway 2000 contract to China Harbour Engineering Company (CHEC) without competitive tender, is "*A Declaration that the Contractor General has no power under the Contractor General Act to monitor and to investigate pre-contractual activities*".

However, it will come as a surprise to many that this very activity of the OCG, which the Ruling Peoples National Party (PNP) Administration has now asked the court to declare to be an illegal activity, and to be *ultra vires* the Contractor General Act, is the identical activity that the PNP, just over a year ago, when it constituted the Parliamentary Opposition, wanted the incumbent Contractor General to pursue with vigour.

In a Gleaner Online article, that is dated June 30, 2011, and entitled: ***‘PNP calls for toll road contract to be opened to international tender’***, there was a report of a meeting of the Public Administration and Appropriations Committee of Parliament that was held on the previous day, June 29, 2011. In the news report, it was stated thus:

“It was revealed in the meeting, that the (Jamaica Labour Party) Government plans to award a concession for the (North/South Link of Highway 2000) contract to China Harbour Engineering Company. However, the PNP has taken issue with that plan, saying the project must be put to international tender under the scrutiny of the Contractor General and the Auditor General”.

Similarly, in a Sunday Gleaner Online article, that was dated July 3, 2011, and entitled: ***‘China Harbour pushes for more road contracts’***, there was the following news report:

“China Harbour’s interest in constructing the new (North/South Link of Highway 2000) highway has already sparked debate among a parliamentary group, with Opposition Member of Parliament Phillip Paulwell [now a Senior Member of the Cabinet] sounding a note of caution that the project should be open to international tender..... He (Mr. Paulwell) wants the process to go through the National Contracts Commission and be subject to scrutiny from Contractor General Greg Christie”.

- (b) The second example that I will bring to your attention has to do with the Jamaica Labour Party (JLP) Administration which held the seat of State power in 2008.

Three (3) months after the then Minister of Agriculture, Dr. the Hon. Christopher Tufton, on January 17, 2008, with the support of the then Attorney General, challenged, in writing, the OCG’s jurisdiction to monitor his Ministry’s then ongoing divestment of the country’s publicly owned sugar industry assets, I received a letter, dated April 8, 2008, from the then Minister with portfolio responsibility for Air Jamaica, the Hon. Don Wehby, in which the OCG was requested to review the previous PNP Administration’s divestment of Air Jamaica’s London Heathrow Slots.

To further compound the issue, on April 23, 2008, the then JLP Minister of Finance, the Hon. Audley Shaw, during his closing speech in the Budget Debates, from the floor of the House of Representatives, publicly requested the OCG to investigate the said Air Jamaica London Heathrow Slots asset divestment by the PNP.

Quite curiously, however, there was no word from the then Office of the Attorney General objecting to the propriety of either Mr. Wehby’s or Mr. Shaw’s request, although only three (3) months before, the same Office had ruled that the OCG had no jurisdiction to monitor and/or to investigate State asset divestment contracts.

It is a matter of public record that Minister Wehby’s and Minister Shaw’s requests were acceded to by me, when a formal OCG State Asset Divestment Investigation into the matter was commenced on April 23, 2008, and a Report thereon was formally tabled by me in the House of Representatives on April 7, 2009, and in the Senate on May 8, 2009.

The bald truth of these two (2) examples, both of which are concerned with the exercise, by the OCG, of the very two (2) jurisdictional powers which the courts are now being asked to declare as illegal, is that they have demonstrated that the country’s Governments, and its Parliamentary Oppositions, have previously and publicly supported the OCG in its very exercise of the said jurisdictions.

Indeed, they also stand as proof of the fact that the very same Governments, and Parliamentary Oppositions, have even gone as far as to publicly call upon the OCG to exercise the said jurisdictions.

What is unfortunate, however, is that the same (2) examples have also shown that the same Governments and Parliamentary Oppositions will, notwithstanding, at the drop of a hat, discard their referenced support for the OCG when it is politically expedient for them to do so, by deeming the subject jurisdictions to be illegal and, in so doing, publicly attack and/or knowingly undermine the integrity of the OCG institution and its leadership.

- (7) In your consideration of the foregoing matters, pivotal policy questions and issues will, therefore, necessarily arise. Your decisions, Madame Prime Minister and Leader, will give a clear indication, both within and without the country, as to the direction in which the Government and the Parliamentary Opposition are prepared to take with respect to critical national governance issues such as truth, honesty, leadership, political will, the institutional strengthening of the country's good governance structures, and how aggressively and effectively we are prepared to fight what is now perceived to be the pervasive scourge of corruption that has permeated Government contracting and licensing in Jamaica.
- (8) In terms of the immediate issues, however, that are of concern to the OCG, the over-arching question is whether it is your desire (a) that the OCG should be strengthened or weakened as one of the State's independent, anti-corruption commissions – a Commission that was established 28 years ago to ensure probity, propriety, transparency, accountability and value for money in Government commercial contracting and Government licensing, but which has fallen woefully short in the attainment of its stated objectives – and (b) whether it is your desire that the OCG should possess the lawful authority, under the Contractor General Act, to independently monitor and investigate the pre-contract phases of Government contract awards, and/or the divestment of State assets, without hindrance or obstruction.

Irrespective of what your decision is, I would respectfully submit that the Government and the Parliament should forthwith take the requisite steps to effect the necessary amendments to the Contractor General Act, to lucidly and unequivocally reflect that decision.

If, indeed, it is your wish that the OCG should not have the jurisdictional powers that are currently in question, then that is the lawful prerogative of our Honourable Parliament, and we should forthrightly and publicly say so and do the necessaries, at least to save the tax-payers the monies that are currently being wasted in the OCG's defence of these unnecessary Judicial Review claims.

Once the requisite legislative revisions are effected, there would be no need, thereafter, for Dr. Davis, or any other entity or person, to persist in any Judicial Review court proceedings that they have instituted against the OCG. However, the requisite structural adjustments to the OCG, to either downsize its operational activities, or to disband the institution altogether, would have to be made, since two (2) of the institution's major operating mandates would have been terminated.

Should you fail, Madame Prime Minister and Leader, to act urgently and decisively, in the manner that I have respectfully recommended, I can assure you that the OCG will be left in its current state of organizational ineffectiveness, disillusionment, and uncertainty as to what are its true mandates, under the law. Such a posture, I would, respectfully submit, cannot be healthy for inspiring internal or external confidence in Jamaica's national institutions.

In the premises, the OCG would welcome your urgent indication as to your considered decisions in the matter.

In light of the fact that my seven (7) year Commission as Contractor General will soon come to an end, and having regard to the gravity of the matters that I have raised herein, as well as the bearing that they will undoubtedly have upon the future direction of the Commission, I am also copying my letter, to you, to His Excellency, the Governor General of Jamaica, who is obliged by law to appoint my successor in office after consultation with you.

Additionally, and because I am the holder of a Commission of the Parliament of Jamaica, I have also taken the liberty of copying my letter, to you, to the Hon. Speaker of the House of Representatives, the Hon. President of the Senate, and the Hon. Clerk to the Houses, for distribution to all 84 Members of the said Houses of Parliament.

I avail myself of this opportunity to renew to you the assurances of my highest consideration.

Very respectfully yours,

Greg Christie (Signed)

Greg Christie
Contractor General

Copy: His Excellency The Most Hon. Sir Patrick Allen, ON, GCMG, CD, Governor General
The Hon. Michael Peart, MP, Speaker of the House of Representatives
Rev. Senator the Hon. Stanley Redwood, President of the Senate
Mrs. Heather Cooke, Clerk to the Houses of Parliament
Ambassador the Hon. Douglas Saunders, OJ, CD, Cabinet Secretary”

14. CLOSING COMMENTS AND EXPRESSIONS OF GRATITUDE

Looking back over the past six (6) to seven (7) years, the sense of privilege, honour and gratitude, that I have come to derive from serving my country, cannot be adequately articulated in words.

Despite the many challenges and obstacles that I have faced, I have thoroughly enjoyed my Commission as Contractor General, and the unique opportunity that it has provided to me to transform one of Jamaica's most important national institutions.

I am driven by challenges and, indeed, that is what my job is all about.

There are, of course, many who have provided invaluable and immeasurable support to me. While it is impossible for me to name all of them at this time, there are, nevertheless, a few that I must highlight.

The unwavering support and encouragement that my wife, my family and my leadership team at the OCG have given to me throughout, have kept my head above water when the tides were rough. I am indebted to them and, in particular, to my wife for the personal sacrifices that she has made. We are both aware, however, that, in the grand scheme of things, we have paid but a small price for a priceless opportunity to serve.

I would also like to place upon record, my deep appreciation to His Excellency, Sir Howard Cooke, our former Governor General. It was he who invited me, seven (7) years ago, to accept this noble appointment as Jamaica's fourth Contractor General.

I shall remain grateful to him, and to his successors in office, Sir Kenneth Hall and Sir Patrick Allen, for the confidence that they have reposed in me, and to those of my many fellow country-men who have stood solidly behind the OCG throughout my tenure.

Last but not least, I would wish to publicly thank the dedicated staff of the OCG. I had asked them to share my passion for what we had to do, and their response has been resounding and overwhelming.

Time and time again, they have selflessly gone beyond the call of duty to ensure that the mandates of the OCG were faithfully discharged, and that the interest of the Jamaican taxpayer was always served. It is with a sense of great pride that I can say that I am truly honoured and privileged to have served with such a hardworking and determined team.

The professionalism which they have demonstrated, throughout my tenure, is commendable, and with the right leadership in place, I would fully expect that the performance of the OCG will not diminish in consequence of my departure from office.

Finally, there is no question that I will end my Commission with mixed feelings.

The OCG's embrace of the reality that it serves only the collective interests of the People of Jamaica, was a responsibility which I took very seriously. It was also one that I was extremely passionate about. I am proud of the strides that the Commission has made under my watch, and the high level of respect which it has come to command, owing particularly to the uncompromising standards of integrity, professionalism, probity, impartiality and transparency which it has consistently upheld in the discharge of its Statutory mandates.

On the other hand, the failure of successive Administrations, as well as of certain institutional leaders, to fully support the OCG in its important work, will, by far, remain my principal area of regret. But, alas, I will continue to nurture the hope that our nation's leaders will one day come to do what is right by Jamaica, by taking a decisive, dispassionate and unyielding stand against the scourge of corruption wherever and whenever it rears its ugly head.

Yes, they will lose the support of those who will always want to benefit from the preservation of the status quo. But the fact is that we cannot continue, as a nation, recklessly down this slippery path to socio-economic destruction and degradation, and expect that Jamaica will be a much better place 50 years from now for our children and our grand-children.

Our nation's leaders must urgently come together and find a way to abandon what has been perceived to be their misguided pursuit of the illusory and short-term gains of political expedience.

They must, instead, lead and inspire the critical mass of our society away from a posture that is currently mired in apathy, self-interest and political tribalism, to one that demands that we should, at all times, ask what is best for our country and then act accordingly in a forthright, spirited and decisive manner.

Ultimately, those of our leaders who will courageously choose this noble path will come to gain the respect and the trust of the Jamaican populace in ways that they could have never before imagined.

As I have said elsewhere, should we fail to so act, then we must not be heard to complain about the rapidly deepening and pervasive feature of the Jamaican sociological order that corruption has already become.

In the final analysis, we must also accept that unless we purposefully act, we would have rendered futile, whimsical and fanciful any prospect that we might have otherwise had for extracting Jamaica out of the gaping socio-economic abyss that it is now in.

Greg Christie
Contractor General

LISTING OF OCG MEDIA RELEASES/LETTERS TO THE EDITOR – DECEMBER 2005 TO SEPTEMBER 2012

The following represents a complete listing, in date chronological order, of the 267 official Office of the Contractor General (OCG) Media Releases, and the 25 Letters to the Editor of the Print Media, that were issued during the seven year (7) tenure of the incumbent Contractor General, between December 2005 and October 2012.

A cursory review of the listing will reveal the extent to which the OCG, throughout the referenced period, went to keep the OCG's stakeholders fully and consistently informed, not only about its varied work activities and the many challenges that arose therefrom, but also its considered positions and concerns as regards a myriad of critical issues that were associated with the faithful discharge of its mandates under the Contractor General Act.

The entire listing of the referenced documents is available for viewing on, or for download from, the OCG's official website at <http://www.ocg.gov.jm>.

MEDIA RELEASES

1. Contractor-General To Monitor Government Contracts In Which Members Of Parliament Are Interested Parties (January 20, 2006)
2. Contractor General Announces New Measures To Scrutinize State Contracts Under \$4 Million In Value (April 11, 2006)
3. Contractor General Seeks Support Of Prime Minister And Re-Iterates Enforcement Of Demand Relating To Contracts Under \$4 Million In Value (May 2, 2006)
4. Contractor General Concludes Investigations Into Contract Award Activities Of Four Public Bodies (May 5, 2006)
5. Contractor-General Announces Investigation Into Air Jamaica (May 25, 2006)
6. Contractor-General Warns Of Fallout From The Delay In Appointment Of The National Contracts Commission (June 12, 2006)
7. Contractor-General Now Receives Instruments Of Appointment For Five More NCC Members (June 13, 2006)
8. Contractor-General Receives Assurance That Parliament Will Provide Information To Facilitate Monitoring Of Future Government Contracts Entered Into By Parliamentarians (June 22, 2006)
9. Contractor-General Concludes Investigation Into Sandals Whitehouse Hotel Project - Submits Report To Parliament (July 13, 2006)
10. Contractor-General Stands By Findings And Conclusions Of The Sandals Report (July 19, 2006)
11. Contractor-General Receives Documentary Information Not Previously Made Available During Sandals Whitehouse Hotel Project Investigation (August 16, 2006)
12. Contractor General Commences Formal Investigation Into GOJ-Trafigura Beheer Contract (October 10, 2006)
13. Contractor General Responds To Audley Shaw's Request For Investigations (October 26, 2006)
14. Contractor General Issues Warning Of Criminal Prosecution To Public Bodies And Public Officers (October 30, 2006)

15. Statement From The Office Of The Contractor-General (November 8, 2006)
16. Contractor General Concludes Addendum To Report Of Investigation Into Sandals Whitehouse Hotel Project - Report Submitted To Parliament (November 14, 2006)
17. Contractor General Gets Confirmation That Cabinet's Decision Regarding Contracts For Special Employment Programmes Was Never Circularized - Reiterates Denial Of Any Agreement With Minister (November 20, 2006)
18. Contractor General Compiles List Of Names Of Delinquent Public Bodies To Be Submitted To Director Of Public Prosecutions Unless Justifiable Cause Is Shown (December 7, 2006)
19. Contractor General Concludes Special Investigations Into Contract Award Practices Of Petcom And NSWMA - Submits Reports To Parliament (January 4, 2007)
20. Contractor General Announces Success With Major Government Contract Award Anti-Corruption Initiative (January 11, 2007)
21. Statement Of The Contractor General To The Media Regarding Petcom (January 18, 2007)
22. Contractor General Selected To Participate In Commonwealth Anti-Corruption Training Programme In Singapore (January 22, 2007)
23. Office Of The Contractor General Adopts 'Zero Tolerance' Approach And Takes Steps To Initiate Prosecution Of Heads Of Over 60 Public Bodies (February 5, 2007)
24. Contractor General Responds To Mayor's Request For "Permission To Bypass The (Government's) Procurement Regulations To Allow The Corporation To Complete Work On Time For Cricket World Cup" (February 5, 2007)
25. CG Raises Serious Concerns With The Attorneys Representing Petcom's Chair, Barbara Clarke (February 28, 2007)
26. Contractor General Responds Forthwith To Attorney At Law Howard Mitchell's Letter Of March 1, 2007 (March 1, 2007)
27. Contractor General Formally Refers 45 Delinquent Public Bodies To The Director Of Public Prosecutions (March 21, 2007)
28. Contractor General Launches New Website To Facilitate Public Scrutiny Of Government Contract Awards Under \$4m (April 4, 2007)
29. Contractor General Publishes Particulars Of Parliamentary Exemption Motions Regarding Government Contracts - Intends To Monitor And/Or Investigate Contract Awards (May 3, 2007)
30. Contractor General Formally Refers 32 Delinquent Public Bodies To The Director Of Public Prosecutions (May 29, 2007)
31. Contractor General Submits 2006 Annual Report To Parliament (June 11, 2007)
32. Contractor General's Annual Report For 2006 Tabled In Both Houses Of Parliament - Report Now Available On Website (June 15, 2007)
33. Contractor General States His Position On The G.E.A.S.O. Health Scheme (June 25, 2007)
34. Office Of The Contractor General Responds To Public Statements Made By John Junor On The GEASO Matter (June 27, 2007)

35. Statement Regarding The Office Of The Contractor General's Understanding Of The Status Of The GEASO Monitoring Committee In The GEASO Health Scheme Contract Procurement Process (July 2, 2007)
36. Office Of The Contractor General Raises Serious Concerns About Government's Decision To Proceed With The Review Of The GEASO Contract Award Recommendation (July 12, 2007)
37. Office Of The Contractor-General Refers Eleven Delinquent Public Bodies To The Director Of Public Prosecutions (September 17, 2007)
38. Office Of The Contractor General Submits Report To Parliament On The Tender Evaluation Process For The Award Of The GEASO Health Insurance Scheme Contract (October 19, 2007)
39. Office Of The Contractor-General Expresses Concern Regarding Government's Disregard For Its Considered Recommendations And Findings - Anxiously Awaits Imposition Of Criminal Sanctions (November 26, 2007)
40. Office Of The Contractor-General Reports Success In Application Of Zero Tolerance Policy - 7 Delinquent Public Bodies Reported To DPP (November 27, 2007)
41. Contractor-General Writes To Prime Minister Requesting Consultation On New Government Contracting Measures (December 20, 2007)
42. Office Of The Contractor General Completes Investigations Into Procurement Matters Concerning The University Hospital Of The West Indies, The Jamaica Tourist Board, The Jamaica Fire Brigade And The Highway 2000 Concession Agreement (January 7, 2008)
43. Office Of The Contractor General Concludes Investigation Into The 4m Light Bulb Distribution Project - Report Formally Submitted (February 4, 2008)
44. Statement Of The Office Of The Contractor General In Response To Allegations Which Were Made By The Hon. Michael Peart (February 13, 2008)
45. DPP To Prosecute 17 Public Bodies For Failing To Comply With A Lawful Requisition Of The Contractor General - Contractor General Urges Persons To Comply With OCG Requisitions (February 19, 2008)
46. Contractor General And Speaker Of The House Conduct Investigations Into Allegation Made By Former Speaker Of The House, Mr. Michael Peart, Mp. The Findings Are That The OCG's 4m Light Bulb Report Was Not Leaked From The OCG And That Mr. Peart Has Failed To Substantiate His Allegation (February 26, 2008)
47. Office Of The Contractor-General Refers Five Delinquent Public Bodies To The Director Of Public Prosecutions (March 27, 2008)
48. Contractor General Announces Implementation Of New Initiative To Ensure Enhanced Compliance With Government Procurement Rules (May 20, 2008)
49. Office Of The Contractor General To Investigate Alleged 'Sweetheart Deals' Involving The Government Of Jamaica And Dehring, Bunting And Golding (May 22, 2008)
50. Office Of The Contractor-General Refers Seven Delinquent Public Bodies To The Director Of Public Prosecutions (May 30, 2008)
51. Office Of The Contractor General Completes Investigation Into Allegations Concerning The Divestment Of Shares Of Petrojam Limited - Submits Report To Parliament (May 30, 2008)
52. Office Of The Contractor General Commences Preliminary Enquiry Into The Award Of Certain JUTC Contracts (July 9, 2008)
53. Office Of The Contractor General Commences Investigation Into Commercial Arrangements For The Provision Of Satellite Services For Simulcast Racing To Caymanas Track Limited (CTL) (July 21, 2008)

54. Contractor General Submits 2007 Annual Report To Parliament (July 30, 2008)
55. Office Of The Contractor-General Records Highest Rate Of Public Body Compliance Ever - Refers Four (4) Public Bodies To The DPP (August 20, 2008)
56. Office Of The Contractor-General Commences Enquiry Into Alleged American Airlines Air-Lift Deal - Issues Formal Requisition To Ministry Of Tourism To Produce Full Particulars Of Agreement (September 8, 2008)
57. Office Of The Contractor-General Requests Cabinet's Approval For The Conduct Of An Investigation Into Allegations Of A Contract Award To An Alleged Unlicensed Ammunitions Trader (September 12, 2008)
58. Office Of The Contractor General Completes Special Investigations Into Matters Concerning Air Jamaica Limited, The Betting, Gaming And Lotteries Commission And The Universal Access Fund Limited (September 15, 2008)
59. Statement Of The Contractor General Registering Strong Objection To Cabinet's Exemption Of Certain Public Entities From Procurement Rules (October 2, 2008)
60. Office Of The Contractor General Responds To Statement Of The Minister Of Finance And Requests That Exemptions Be Re-Considered (October 6, 2008)
61. GPPH Exemption Consultation Process Involving Office Of The Contractor General - Statement Of Chronology Of Facts - December 2007 To October 3, 2008 (October 6, 2008)
62. Office Of The Contractor General Concludes Investigation Into Alleged Lease Of Properties By The Development Bank Of Jamaica (October 15, 2008)
63. Office Of The Contractor General Commences Investigation Into Government Contract Awards Associated With The Olympic Athletes Homecoming Week Of Celebrations (October 23, 2008)
64. Contractor General Attends 13th International Anti-Corruption Conference (IACC) In Athens, Greece (November 5, 2008)
65. Legal Impediment Prohibits Contractor General From Conducting Investigation Into Purchase Of Ferry, St. Catherine Lands By The Urban Development Corporation (November 11, 2008)
66. Contractor General Refers Three (3) Public Bodies To The Director Of Public Prosecutions (November 18, 2008)
67. Office Of The Contractor General Concludes Investigation Into Contracts Awarded By The Jamaica Urban Transit Company (JUTC) (November 26, 2008)
68. Alleged JUTC Board Report Contradicts Sworn Evidence - Office Of The Contractor General Re-Opens Investigation To Determine If Referrals For Perjury Should Be Made (December 10, 2008)
69. False Statements Attributed To The OCG That Were Published In The Daily Observer, Tuesday, December 16, 2008 - Demand Immediate Apology And Retraction (December 16, 2008)
70. Office Of The Contractor General To Commence Formal Investigation Into Allegations Of Corruption And Irregularity Involving Government Of Jamaica Contracts Awarded To Mabey And Johnson Limited (January 7, 2009)
71. Office Of The Contractor General Launches 2009 Calendar Year Audit Programme Commencing With Audit Of The Procurement And Contract Award Practices Of The Ministry Of Industry, Investment And Commerce (January 9, 2009)
72. Office Of The Contractor General Concludes Investigation Into Allegations Of Irregularity Surrounding An Alleged Proposal By Sportsmax Limited To Supply Satellite Services For Simulcast Racing From South Africa And The United Kingdom To Caymanas Track Limited (January 22, 2009)

73. Office Of The Contractor General Senior Officers Selected To Participate In Commonwealth Anti-Corruption Training Programme In Singapore (January 27, 2009)
74. Office Of The Contractor General Refers Three (3) Public Bodies To The Director Of Public Prosecutions (February 16, 2009)
75. Minister Tufton's Statement That The OCG Issued A Directive Concerning The Importation Of Fertilizer Is False (February 19, 2009)
76. Statement Of The Office Of The Contractor-General Regarding The Hon. Patrick Rousseau, Oj, Former Chairman Of CTL (March 4, 2009)
77. JUTC Submits Outstanding QCA Report To OCG - Concedes Breaches Of The Procurement Guidelines And Lack Of A Duly Constituted Procurement Committee - 57 Contracts Valuing \$171 Million Not Lawfully Approved (March 5, 2009)
78. Office Of The Contractor-General Responds To Challenges Made To Its Report Of Investigation By Former CTL Board And Former CTL Board Chairman, The Hon. Patrick Rousseau - Re-Affirms Findings Of Report (March 12, 2009)
79. Office Of The Contractor General Concludes Investigation Into The Issuance Of Licences Under The Telecommunications Act To Index Communications Network Limited, Trading As 'GOTEL' (March 17, 2009)
80. Office Of The Contractor General Commences Conduct Of One-On-One 'Get To Know You And Us' Presentations To 188 Public Bodies (March 25, 2009)
81. Office Of The Contractor General Concludes Special Investigation Into The Divestment Of Air Jamaica's London Heathrow Slots To Virgin Atlantic Airways Limited (March 31, 2009)
82. Speech Of The Contractor General - Corruption And Its Threat To Value Creation In Jamaica. (April 6, 2009)
83. Statement Of The Contractor-General Concerning Statements Made In The Media By Dr. Omar Davies And Mr. O.K. Melhado About The OCG's Report Of Investigation Into The Divestment Of Air Jamaica's London, Heathrow Slots (April 20, 2009)
84. Office Of The Contractor-General Uncovers Attempts To Corrupt The Government Contractor Registration Process - CG Issues Warning (May 6, 2009)
85. Office Of The Contractor-General Formally Publishes Its Report Of Investigation Into The Divestment Of Air Jamaica's London, Heathrow Slots, Together With Supporting Evidentiary Documentation (May 8, 2009)
86. Office Of The Contractor-General To Commence Systematic Monitoring Of Government Licences (May 15, 2009)
87. Office Of The Contractor-General Registers Unprecedented 100% Report Compliance Rate - Contractor General Commends Public Body Heads (May 26, 2009)
88. Office Of The Contractor-General Responds To Request From People's National Party (June 15, 2009)
89. Office Of The Contractor General To Enquire Into Government Auctions Of Abandoned Vehicles And To Monitor The Conduct Of Future Auctions (July 2, 2009)
90. Statement Of The Office Of The Contractor General In Response To Media Reports Regarding Court Actions Instituted By Three Former Employees (July 5, 2009)
91. Letter From The Contractor General To The Editor Of The Sunday Gleaner Re Editorial Entitled: "Mr. Hibbert Should Stand Aside" (July 13, 2009)

92. Office Of The Contractor General Concludes Investigation Into Allegations Made By The People's National Party (PNP) Concerning The Award Of Government Contracts To Be Performed In The North East St. Catherine Constituency (July 30, 2009)
93. Office Of The Contractor-General Again Registers Unprecedented 100% Report Compliance Rate For The Second Consecutive Quarter Running (August 10, 2009)
94. Letter From The Office Of The Contractor General To The Nationwide News Network Regarding Statements Made In Interview By Mr. Ernest Smith, Mp, Attorney At Law, Representing Mr. Joseph Hibbert, Mp (August 11, 2009)
95. Contractor General Issues Formal Notice Of Commencement Of Investigation Into Allegations Concerning The National Youth Service (August 27, 2009)
96. Office Of The Contractor General Launches Special Investigation Into Allegations Of Irregular Procurement Practices At The Sugar Company Of Jamaica (SCJ) (September 4, 2009)
97. Contractor General Issues Formal Notice Of Commencement Of Investigation Into Circumstances Surrounding Award Of Ethanol Contracts (September 14, 2009)
98. Contractor General Submits 2008 Annual Report To Parliament (September 21, 2009)
99. Contractor General Launches Preliminary Enquiry Into Alleged Contractual Arrangements Between The PCJ And Caribbean Protective Security Management And Services Limited (September 23, 2009)
100. Office Of The Contractor General Concludes Special Investigation Into Allegations Of Corruption In The Award Of Government Contracts To Mabey And Johnson Limited (October 8, 2009)
101. Office Of The Contractor General To Investigate Allegations Of Award Of Multi-Million Dollar Sugar Company Of Jamaica Consultancy Contract To Aubyn Hill (October 16, 2009)
102. Office Of The Contractor General Moves To Clarify Findings Of The Director Of Public Prosecutions Regarding Sale Of Air Jamaica's London Heathrow Slots (November 2, 2009)
103. Office Of The Contractor General Registers Unprecedented 100% Report Compliance Rate For The [Third](#) Consecutive Quarter Running (November 5, 2009)
104. Transparency International Downgrades Jamaica On Global Corruption Perceptions Index - News Comes As No Surprise To The OCG (November 17, 2009)
105. OCG Launches Groundbreaking Internet Information Database Portal Covering Over 600 Prescribed Government Licences (November 30, 2009)
106. OCG Anti-Corruption Initiatives Uncover Significant Evidence Of Irregularities And Corruption In Public Contracting (December 16, 2009)
107. OCG Senior Director Receives Death Threat In Wake Of Discovery Of Evidence Of Sham Contractors Who Have Been Awarded Millions Of Dollars In Contracts From The National Housing Trust (January 6, 2010)
108. OCG Writes To Editor Of The Sunday Herald To Clarify Statements Made In Article Entitled "Chin's Construction Gets Millions In Contracts" (January 11, 2010)
109. OCG Hands Over Seventy-Four Exhibits Of Evidence To Fraud Squad In Ongoing Investigation Into National Housing Trust Contractors (January 12, 2010)
110. Contractor General Selected To Represent Jamaica In Corruption Control Programme In Singapore (January 26, 2010)
111. OCG Formally Responds To Letter Received From "Air Jamaica Staff" (February 2, 2010)

112. Office Of The Contractor General Launches Special Audit Of The Procurement, Contract Award And Asset Divestment Practices Of The Ministry Of Finance And The Public Service (February 4, 2010)
113. Office Of The Contractor General Registers Unprecedented 100% QCA Report Compliance Rate For The Fourth Consecutive Quarter - Important Lessons To Be Learned Says Contractor General (February 8, 2010)
114. OCG Advises Lawyers For Jalpa That Any Abandonment Of The Competitive Tendering Process For The Sale Of Air Jamaica Would Be Unlawful (February 16, 2010)
115. OCG Submits Anti-Corruption Proposal For Mandatory Disclosure Of Beneficial Owners Of Private Entities Who Are Desirous Of Bidding On Government Contracts (February 19, 2010)
116. Office Of The Contractor General Concludes Special Investigation Into American Airlines Airlift Guarantee Agreements And Retention Of Legal Services By Jamaica Vacations Limited (February 24, 2010)
117. OCG Concludes Special Investigation Into Award Of Contracts By The Security Forces To Taylor And Associates For The Supply Of Ammunition (February 25, 2010)
118. Office Of The Contractor General Concludes Special Investigation Into The Procurement Practices Of The Ministry Of Health (March 3, 2010)
119. Contractor General Responds To Comments Made By Minister Edmund Bartlett Regarding The American Airlines Airlift Guarantee Agreements (March 4, 2010)
120. Contractor General Submits Panel Of Three Nominees To The Governor General To Facilitate Appointment Of Replacement To Former Chair Of The National Contracts Commission, The Hon. Shirley Tyndall (March 10, 2010)
121. Important Media Notification From The Contractor General Regarding A Matter Of Public Interest (March 11, 2010)
122. Office Of The Contractor General Commences Special Investigation Into Telephone System Supply And Installation Contract Awarded By The Accountant General's Department (March 15, 2010)
123. Office Of The Contractor General Concludes Special Investigation Into Auction For Abandoned Motor Vehicles Conducted By The Jamaica Customs Department On June 30 And July 1, 2009 (March 17, 2010)
124. Contractor General Makes Recommendations For The Establishment Of An Independent National Anti-Corruption State Agency (March 22, 2010)
125. Office Of The Contractor General (OCG) Welcomes Prime Minister's Statement Regarding OCG's Investigation Report On The American Airlines Airlift Guarantee Agreements (March 26, 2010)
126. Cabinet Authorizes Contractor General To Table Report Of Special Investigation Into Award Of Contracts By The Security Forces To Taylor And Associates For The Supply Of Ammunition (March 30, 2010)
127. Response To Media Enquires - Retention Of Legal Services By The Office Of The Contractor General - Referral Arising From The OCG's Investigation Into The Air Jamaica Heathrow Slots Divestment (April 14 , 2010)
128. Letter To The Editor Of The Sunday Herald Newspaper, Distributed To The Media - Re Article Entitled - "Discord Increases Between OCG And DPP" (April 18, 2010)
129. Office Of The Contractor General Commences Heightened Investigation Into Suspected Sham Contractors Who Were Awarded Millions Of Dollars Of Contracts By The National Housing Trust (April 20, 2010)
130. Architect Raymond McIntyre Appointed As New Chair Of The National Contracts Commission (April 20, 2010)

131. OCG Invited To Be A Member Of A World Bank Group Of Experts To Discuss 'The Misuse Of Corporate Vehicles In Grand Corruption Cases' - Joseph Hibbert Case One Of 180 Selected From Around The World For Study (April 23, 2010)
132. Contractor General Recommends Immediate Submission Of Issues Regarding Us Airways Airlift Agreements To Cabinet And Parliament Following Meeting With Senior Tourism Officials (April 27, 2010)
133. Court Actions Brought By Former Office Of The Contractor General Employees Struck Out By Supreme Court On Procedural Grounds (May 1, 2010)
134. Office Of The Contractor General Concludes Investigation Into Allegations Of A Conflict Of Interest On The Part Of Dr. Henry Lowe, Former Chairman Of The Bureau Of Standards Jamaica (May 4, 2010)
135. Office Of The Contractor General Registers Unprecedented 100% QCA Report Compliance Rate For The Fifth Consecutive Quarter (May 4, 2010)
136. Office Of The Contractor General Takes Decision To Launch Special Investigation Into Security Contract At Norman Manley International Airport (May 6, 2010)
137. OCG Senior Director Selected To Represent Jamaica At Commonwealth Secretariat Conference On Public Procurement (May 11, 2010)
138. Statement Of The Office Of The Contractor General Regarding The Manatt, Phelps And Phillips Matter (May 16, 2010)
139. OCG Has Grave Concerns About Deal To Divest GOJ's 45% Stake In Jamalco To Hongfan - Demands Critical Information Failing Which It Recommends Deal Should Be Shelved - Possibility Of Major OCG Investigation (May 17, 2010)
140. Open Statement Of The Contractor General, Greg Christie, Regarding Prime Minister's Commitment To Fight Corruption (May 19, 2010)
141. Contractor General Writes To Ministry Of Energy And Mining To Challenge Its Media Release On The Divestment Of GOJ's 45% Stake In Jamalco (May 26, 2010)
142. Contractor General Launches Special Investigation Into Government's Divestment Of Its 45% Stake In Jamalco (June 1, 2010)
143. Contractor General Proposes Introduction Of 'Anti-Corruption Clause' To Stem Corruption In The Award Of Government Contracts (June 3, 2010)
144. Contractor General Invites Attorney General To Reconsider Positions On OCG's Jurisdiction In Light Of Legal Opinion Of Queen's Counsel (June 4, 2010)
145. Permanent Secretary And Prime Minister To Be Among The First To Receive Statutory Requisitions As OCG Probe Of Jamalco Sale Gets Underway (June 7, 2010)
146. OCG Makes Public Issues, Concerns And Findings Regarding Arrangements Between Government And Us Airways (June 10, 2010)
147. Contractor General Cautions Minister Bartlett And Permanent Secretary About Denying Representations Made By Them To The OCG (June 11, 2010)
148. OCG Concludes Investigation Into Government Contract Awards For The Olympic Athletes Homecoming Week Of Celebrations (June 17, 2010)
149. Contractor General's Letter To Gleaner Editor In Response To Editorial Entitled: The Controversial Cap Shares (June 19, 2010)

150. OCG Conducts Unannounced Audits At The Petroleum Corporation Of Jamaica And The Ministry Of Energy To Sequester LNG Contract Records (June 22, 2010)
151. OCG Expresses Concern Regarding Statements Made By Former Permanent Secretary In The Ministry Of Information, Culture, Youth And Sports (June 28, 2010)
152. Statement Of The Contractor General In Response To Media Report (July 12, 2010)
153. OCG Registers Record 100% QCA Report Compliance Rate For The Sixth Consecutive Quarter - Contractor General Challenges Public Officers (August 9, 2010)
154. Office Of The Contractor General Launches Major Investigation Into Contract Award Irregularities At The St. Catherine Parish Council (August 16, 2010)
155. OCG Expands Ambit Of Investigation Into Government Contracts Awarded To Strathairn Construction - Accepts Apology Of Mp Warmington (August 19, 2010)
156. Office Of The Contractor General Concludes Special Investigation Into Oil-Lifting Contracts Between PCJ And Trafigura Beheer (August 23, 2010)
157. OCG Concludes Investigation Into Alleged "Sweetheart Deals" Involving The Government And The Former Dehring, Bunting And Golding (DB&G) Ltd (August 26, 2010)
158. Office Of The Contractor General Concludes Special Investigation Into Award Of Multi-Million Dollar Consultancy Contract To Aubyn Hill (September 13, 2010)
159. OCG Cautions Public About Statement Of The Ministry Of Agriculture And Fisheries - Expresses Alarm At Ministry's Willingness To Ignore The Law (September 15, 2010)
160. Contractor General Submits 2009 Annual Report To Parliament (September 21, 2010)
161. Media Inference That DPP Did Not Acknowledge Receipt Of OCG Statutory Referrals Is Inaccurate (September 24, 2010)
162. OCG Issues Preliminary Response To Rulings Of The Director Of Public Prosecutions In The OCG's JUTC Investigation (September 27, 2010)
163. Statement Of The Office Of The Contractor General (OCG) To The Parliament Of Jamaica Regarding The OCG's September 2010 Statutory Investigation Into The Ministry Of Agriculture's Award Of Two Consultancy Contracts To Aubyn Hill (October 5, 2010)
164. Transparency International's Jamaica 2010 CPI Standing To Be Welcomed With Caution As There Is Much Work To Be Done (November 2, 2010)
165. Office Of The Contractor General Registers Unprecedented 100% QCA Report Compliance Rate For The Seventh Consecutive Quarter (November 3, 2010)
166. Contractor General To Attend 14th International Anti-Corruption Conference (IACC) In Bangkok, Thailand (November 3, 2010)
167. OCG's Response To Gleaner Column Entitled "Calamity At Caymanas Track - OCG Lured Into Unauthorized Probe" Written By Gordon Robinson (November 15, 2010)
168. Contractor General Denies News Report Carried By Nationwide News Network (November 17, 2010)
169. OCG Raises Alarm About Propriety And Legality Of Cabinet Directive - Unable To Support Contractor Registration Moratorium (December 1, 2010)

170. Keynote Presentation By The Contractor General On "Key Leadership Qualities" - UWI Mona School Of Business 2010 Graduate Awards Ceremony (December 8, 2010)
171. Public Statement Of The Office Of The Contractor General On International Anti-Corruption Day (December 9, 2010)
172. OCG Writes To Government To Query Veracity Of Newspaper Article Alleging Secret Negotiations For Sale Of Sandals Whitehouse Hotel (December 13, 2010)
173. Director Of Public Prosecutions Concedes That Her Ruling In The OCG's JUTC Investigation Regarding Susan Simes Was Factually Flawed (December 23, 2010)
174. Government Fails To Comply With OCG Requisition Regarding Allegations Of Secret Talks For Sale Of Sandals Whitehouse Hotel (January 7, 2011)
175. Government Complies In Part With OCG's Requisition Regarding Sale Of Sandals Whitehouse Hotel - Formal OCG Investigation To Be Launched - Immediate Steps To Be Taken To Submit Interim Report To Parliament (January 7, 2011)
176. Office Of The Contractor General Writes To Prime Minister To Recommend Halt Of Sale Of Sandals Whitehouse Hotel To Gorstew Limited (January 19, 2011)
177. OCG Challenges Statement Made By Minister Of Information Regarding Sandals Whitehouse Issue (January 26, 2011)
178. OCG Launches Searchable Internet Database Covering All NCC Government Contract Endorsements Going Back To June 2000 (January 29, 2011)
179. Statement Of The Office Of The Contractor General Regarding Editorial Of The Observer Newspaper (January 31, 2011)
180. OCG Registers Unprecedented 100% QCA Report Compliance Rate For The Eighth Consecutive Quarter - Contractor General Thanks Public Bodies (February 1, 2011)
181. OCG's Chief Investigator Selected As Jamaica's Sole Representative To Attend Major Corruption Control Programme In Singapore (February 2, 2011)
182. Inaccurate Statements Made By The Minister Of Information At Post Cabinet Press Briefings Regarding Documentation Furnished To Office Of The Contractor General By The Government In The Sandals Whitehouse Hotel Matter (February 3, 2011)
183. Office Of The Contractor General To Audit All Parish Councils (March 3, 2011)
184. Keynote Presentation By The Contractor General On "The Need For Political Will And Effective Law Enforcement In The Fight Against Corruption In Regional Jurisdictions - Jamaica Case Study: Proposal For A Single Independent National Anti-Corruption Agency" - First Regional Law Enforcement Anti-Corruption Conference In Kingston (March 23, 2011)
185. Office Of The Contractor General Concludes Investigation Into Allegations Of Improper Procurement Practices At The Sugar Company Of Jamaica (March 29, 2011)
186. OCG Succeeds Substantially In Removing Corruption From The Government Works Contractor Registration Process And Clears Backlog Of Applications (April 5, 2011)
187. OCG Renews Call For More Aggressive Action In The Fight Against Corruption In Jamaica - Points To Arrest Of Chief Organizer Of 2010 Delhi Commonwealth Games Following Corruption Probe (April 25, 2011)
188. Office Of The Contractor General Concludes Special Investigation Into Questionable Security Contract Entered Into By The PCJ (May 3, 2011)

189. Office Of The Contractor General Registers Unprecedented 100% QCA Report Compliance Rate For The Ninth Consecutive Quarter (May 3, 2011)
190. Contractor General Responds To Chairmen Of Pac And Infrastructure Committees Of Parliament Regarding Questions And Concerns Raised About Jamaica Development Infrastructure Programme (JDIP) (May 6, 2011)
191. OCG Writes To NWA Outlining Particulars Of Its Failure To Comply With OCG Requisitions For The Provision Of Information On JDIP Project (May 16, 2011)
192. OCG Concludes Investigation Into Circumstances Surrounding The Selection Of The Exmar Consortium As The Preferred Bidder For Jamaica's FSRU LNG Project (May 17, 2011)
193. Keynote Presentation Of The Contractor General Delivered At The 68th Annual Joint Central Conferences Of The Jamaica Police Federation At Breezes Trelawny Hotel, Falmouth, Jamaica (May 25, 2011)
194. OCG Uncovers Evidence Of Corruption And Another Major Fraud In The Award Of Government Contracts (May 30, 2011)
195. OCG Extends Probe To All Contractors Who Have Received Contracts From Parish Councils - Sends Additional Information To Police Commissioner (May 31, 2011)
196. OCG Issues Statutory Demand For The Provision Of Project Particulars Regarding \$800 Million One (1) Km Christiana Roadway (June 3, 2011)
197. OCG Disassociates Itself From False Claim Made By The Observer Newspaper On The LNG Matter - Reiterates Positions Outlined In Investigation Report (June 8, 2011)
198. Statement Of The OCG Regarding Mr. Stephen Wedderburn, The Government Of Jamaica's LNG Project Coordinator (June 14, 2011)
199. OCG Moves To Correct False Inferences Made In Sunday Observer About Disappearance Of Witness In KSAC Matter And To Clarify Its Positions (June 20, 2011)
200. OCG Responds To Call For Investigation Into Alleged 'Financial Relationship' Between The Prime Minister And Contractor Y.P. Seaton And Associates (June 22, 2011)
201. OCG Publishes Particulars Of JDIP Sub-Contractors And Contract Awards (June 27, 2011)
202. Us State Department Invites Contractor General To Attend High Level International Meeting On Open Government Partnership To Speak On 'Fighting Corruption' (June 30, 2011)
203. OCG To Launch Special Investigation Into Award Of Us\$400 Million JDIP Contract To Check After Works Permanent Secretary Fails To Substantiate Public Statements Made By Works Minister Mike Henry (July 22, 2011)
204. OCG Secures Dramatic Culture Shift In Public Body Compliance And Discipline In Jamaica - Registers 100% Report Compliance Rate For The Tenth Consecutive Quarter (August 3, 2011)
205. Court Actions Brought By Three Former Office Of The Contractor General Employees Dismissed By Court Of Appeal (August 24, 2011)
206. OCG Makes Disclosure Regarding Its LNG Investigation Following Issue Of DPP's Opinion In The Matter (September 22, 2011)
207. Contractor General Writes To The Jamaica Observer Newspaper To Express Concerns Regarding False And Libellous Claims Made By It Against The OCG (September 25, 2011)

208. OCG Concludes Investigation Into Government Contract Awards To Company Allegedly Owned By MP Everaldo Warmington, Strathairn Construction Company Limited (Sccl) (September 28, 2011)
209. Contractor General Selected To Deliver The Seventh Annual Caribbean International Network (CIN) Lecture At New York's Schomburg Center (September 30, 2011)
210. Contractor General Submits 2010 Annual Report To Parliament - Accepts Invitation To Appear Before PAAC To Review Status Of OCG's Accounts (October 11, 2011)
211. Contractor General Writes To Prime Minister To Express Increasing Concerns About Divestment Of State Assets Without Transparency And Competition (October 18, 2011)
212. UDC To Request Termination Of Bashco Contract - OCG Commends UDC (October 20, 2011)
213. Contractor General Argues That There Is No Political Will To Fight The Scourge Of Corruption In Public Contracting In Jamaica (October 27, 2011)
214. Contractor General Initiates Discussions With Prime Minister About Perception Of Corruption In Jamaica And OCG's Remedial Recommendations (October 31, 2011)
215. OCG Registers Unprecedented 100% QCA Report Submission Compliance Rate For The Eleventh Consecutive Quarter (November 1, 2011)
216. OCG Expands Ambit Of Investigation Into UDC's Attempted Divestment Of 35 West Parade - Another Tenant Alleges That It Made Offers To Purchase Property (November 2, 2011)
217. OCG Launches Investigation Into Alleged Scrap Metal Export Breaches (November 4, 2011)
218. OCG Makes Unannounced Visit At Jamaica Customs To Secure Scrap Metal Documents (November 7, 2011)
219. Statement Of The OCG Regarding The UDC's Decision To Complete The Sale Of Its Property To Bashco Trading Co. Ltd. (November 10, 2011)
220. OCG Believes That Political Parties Should Publicly Debate Corruption And Governance Deficits And Commit To Corrective Actions To Deal With The Problem (November 21, 2011)
221. Landmark Decision And Convictions Handed Down In The Criminal Courts For Failure To Comply With A Lawful Requisition Of A Contractor General (November 24, 2011)
222. OCG Expresses Alarm At DPP's Responses To Its Media Release And Produces Documentary Proof Of The Veracity Of Its Assertions (November 25, 2011)
223. OCG Commences Enquiry Into Procurement By The NWA Of J\$62 Million Worth Of Office Furniture Utilizing Palisadoes Shoreline Protection Project Contract Funds (November 29, 2011)
224. The Perception Of Corruption In Jamaica Remains Unchanged - Transparency International Scores Jamaica At 3.3 Out Of 10 In Its 2011 CPI Rankings (December 1, 2011)
225. OCG Refers Danville Walker For Criminal Prosecution For Obstructing The OCG's Scrap Metal Investigation And For Failing To Provide Requisitioned Information (December 15, 2011)
226. Contractor General Submits OCG Anti-Corruption Recommendations To Prime Minister And Requests Meeting To Secure Assurance For Implementation Of Recommendations (January 9, 2012)
227. Trinidad And Tobago Parliament Invites Contractor General To Share Experiences Aimed At Assisting In Reform Of Country's Procurement Framework (January 12, 2012)

228. Contractor General To Attend New Scotland Yard London Anti-Corruption Conference On International Asset Recovery (January 23, 2012)
229. Contractor General Writes To The Jamaica Observer Newspaper In Response To Flawed Mark Wignall Column (February 2, 2012)
230. OCG Registers Unprecedented 100% QCA Report Submission Compliance Rate For Twelve Consecutive Quarters (February 6, 2012)
231. OCG's Senior Investigator Selected As Jamaica's Sole Representative To Attend Major Corruption Management Programme In Singapore (February 14, 2012)
232. OCG Releases Letters Regarding Enquiries Related To NSWMA Procurement Of Security Services And Allegations Of Political Cronyism In Selection Of Landfill Contractors (February 27, 2012)
233. OCG Requisitions And Serves Government With Notice Of Its Intent To Commence Comprehensive Monitoring Of The Jamaica Emergency Employment Programme (Jeep) (February 28, 2012)
234. OCG Cautions Government And Parliament Not To Dilute Anti-Corruption Checks And Balances In Jamaica's Procurement Regulatory System (March 7, 2012)
235. OCG To Commence Special Procurement-Related Training Presentations To Permanent Secretaries And Public Body Accountable Officers (March 12, 2012)
236. Contractor General Formally Advises Governor General That He Will Demit Office (March 16, 2012)
237. OCG Makes Unannounced Visit To Ministry Of Transport, Works And Housing And Jeep Secretariat To Sequester Outstanding Jeep Information (March 20, 2012)
238. OCG's Concerns Over Jeep Deepen As Ministry's Permanent Secretary Alleges That She Is Being Kept Out Of The Loop (March 21, 2012)
239. OCG Challenges Veracity Of Works Ministry's Response And Issues Final Demand To Permanent Secretary To Provide Outstanding Jeep Information (March 22, 2012)
240. Statement Of The Office Of The Contractor General In Response To The Permanent Secretaries Board (March 27, 2012)
241. OCG Concludes Investigation Into Norman Manley International Airport Security Services Contract Award To Protection And Security Limited (April 12, 2012)
242. Official Statement Of The Office Of The Contractor General Regarding Assertions Made By Dr. The Hon. Omar Davies In Parliament On April 24, 2012 (April 27, 2012)
243. Open Statement By The OCG Regarding The Proposed Highway 2000 North South Link And The Container Transshipment Hub Projects (May 1, 2012)
244. OCG Registers Unprecedented 100% QCA Report Submission Compliance Rate For Thirteen Consecutive Quarters (May 3, 2012)
245. Contractor General Signs Cdn\$40,000 OCG Institutional Strengthening Agreement With The Canadian Government (May 3, 2012)
246. Correction - OCG Registers Unprecedented 100% QCA Report Submission Compliance Rate For Thirteen Consecutive Quarters (May 7, 2012)
247. OCG Welcomes Government's Commitment To Establish Single Anti-Corruption Agency In Current Legislative Year (May 11, 2012)

248. OCG Issues Statutory Requisition To Government's 'Independent' Oversight Panel (IOP) (May 14, 2012)
249. OCG Raises Fresh Concerns Amidst Discovery That China Harbour Has Been Debarred By World Bank Under Its Fraud And Corruption Sanctioning Policy (June 4, 2012)
250. Ruling Administration Resists OCG's Requisition Directed At Independent Oversight Panel To Secure Public Transparency In Its Activities (June 19, 2012)
251. OCG Now In Possession Of Legal Opinion From Queen's Counsel Confirming Validity Of OCG's Positions On Independent Oversight Panel (IOP) (June 21, 2012)
252. Overcoming The Problem Of Corruption In Jamaica - Guest Speaker Address By The Contractor General To The Rotary Club Of St. Andrew North (June 25, 2012)
253. OCG Files Affidavit In Response To Transport Minister's Application For Judicial Review Of OCG's Requisition To IOP (July 6, 2012)
254. OCG Concludes Investigation Into PBX Telephone System Contract Award By Accountant General's Department (July 18, 2012)
255. OCG Refers Results Of Special Audit To Parliament, The DPP And The Police (July 26, 2012)
256. OCG Statement In Response To Allegations And Threats Made By Contractor Group (July 30, 2012)
257. OCG Secures 100% QCA Report Submission Compliance Rate From Country's Public Bodies - Commends But Challenges Public Body Heads (August 8, 2012)
258. Open Letter Of The OCG To The Jamaica Association Of Contractors And Consultants (JAC) (August 9, 2012)
259. OCG Commences Enquiry Into Procurement Of Bookmarkers By The Ministry Of Education (August 10, 2012)
260. OCG To Commence Formal Investigation Into NWA CDF Contracts Awarded To Contractors Allegedly Selected By One "Derrick Kellier" (August 14, 2012)
261. OCG Responds To Public Statements Attributed To Jamaica Association Of Contractors And Consultants (JAC) (August 20, 2012)
262. OCG To Review Jamaica 50th Independence Anniversary Procurement Expenditures (August 31, 2012)
263. Allegation Of Thwarted Threat Of Execution On The Life Of OCG Staff-Member (September 5, 2012)
264. OCG Questions Legitimacy Of And Motive For Gorstew's Sandals Whitehouse Court Challenge (September 10, 2012)
265. Contractor General's Open Letter To The Prime Minister And The Leader Of The Opposition (September 12, 2012)
266. OCG Responds To Threat Of Lawsuit By Mr. Percival Latouche (September 17, 2012)
267. Keynote Speaker Presentation By The Contractor General To The Private Sector Organization Of Jamaica (PSOJ) (September 25, 2012)

LETTERS TO THE EDITOR

1. Letter To Editor Of The Observer Newspaper - Re Statements Attributed To The Leader Of The Opposition, Regarding Sandals Whitehouse Report (July 24, 2006).

2. Open Letter To Media Editors - Re Statements Attributed To Observer Newspaper Columnist, Dennis Morrison, Regarding Government Procurement Procedures (August 2, 2006).
3. Letter To The Editor Of The Sunday Herald Newspaper In Response To Article Entitled: "Scrap The Office Of The Contractor General" - Written By Herald Columnist, The Reverend Garnett Roper (October 4, 2006).
4. Letter To Mr. Wilmot Perkins, Host, Perkins On Line - Re Statements Attributed To The Minister Of Local Government And Environment, Alleging Agreement With Contractor General (November 15, 2006).
5. Letter To The Editor Of The Observer Newspaper And To All Local Media Houses - Re Article Entitled "The Scandal That Should Never Have Been" - Published In The Sunday Observer Newspaper Of December 17, 2006 (December 19, 2006).
6. Letter To The Editor Of The Gleaner Newspaper - Re Article Entitled "Mulberry Bush Meanderings" - Written By Gleaner Columnist, Dawn Ritch, Regarding Sandals Whitehouse Investigation And Published In The January 21, 2007 Edition Of The Sunday Gleaner Newspaper (January 22, 2007).
7. Letter To The Editor Of The Observer Newspaper In Response To Article, Entitled "Prove It, Mr. Christie", Published In The February 13, 2007 Edition Of The Observer Newspaper (February 13, 2007).
8. Letter To The Business Editor Of The Gleaner Providing Clarification Re The Functions Of The Contractor General And The NCC Re Article Entitled: "Ruder Finn Retains JTB Contract With 'Genius' Campaign", Published In The March 14, 2007 Edition Of The Gleaner (March 14, 2007).
9. Letter To The Editor Of The Gleaner In Response To Article Entitled: "ODPEM Says Christie Contract Report False" Published In The May 30, 2007 Edition Of The Gleaner (May 30, 2007).
10. Letter To The Editors Of The Gleaner, The Observer And The Sunday Herald Newspapers Clarifying The OCG's Positions As Regards The GEASO Health Scheme Matter (July 19, 2007)
11. Letter To The Editors Of The Gleaner, The Observer And The Sunday Herald Newspapers Regarding Section 40 (2) Of The Jamaica Constitution On The Matter Of The Disclosure Of The Holding Of Government Contracts By Intended Parliamentarians (September 5, 2007)
12. Letter To The Editor Of The Gleaner Newspaper - Written In Response To Certain Statements Which Were Made On The GEASO Health Insurance Scheme Contract Matter By The Chairman Of Blue Cross Of Jamaica Limited, Dr. Henry Lowe (December 21, 2007)
13. Letter To The Editor Of The Gleaner Newspaper - Written In Response To Gleaner Editorial Entitled "This Is All Disingenuous Minister Mullings" And Concerning, Inter Alia, The OCG's Investigation Into The 4m Light Bulb Distribution Project (July 23, 2008)
14. Letter To The Editor Of The Observer Newspaper - Written In Response To An Observer Article Entitled "Concerns Raised About The Contractor General's JUTC Probe" (December 16, 2008)
15. Letter To The Editor Of The Gleaner Newspaper - Written In Response To Howard Hamilton's Gleaner Column Article - "Horse Sense - Much Ado About Nothing". (February 16, 2009)
16. Letter To The Editor Of The Gleaner Newspaper - Written In Response To Gleaner Editorial Entitled - "Mr. Hibbert Should Stand Aside". (July 13, 2009)
17. Letter To The Nationwide News Network Regarding Statements Made In Interview By Mr. Ernest Smith, Mp, Attorney At Law, Representing Mr. Joseph Hibbert, Mp (August 11, 2009)
18. Letter To The Editor Of The Gleaner Newspaper - Re Column Entitled - "Procurement Paralysis" By Mr. Martin Henry (August 31, 2009).
19. Letter To The Editor Of The Sunday Herald Newspaper - Re Article Entitled - "Chin's Construction Gets Millions In Contracts" (January 11, 2010).

20. Letter To The Editor Of The Sunday Herald Newspaper - Re Article Entitled - "Discord Increases Between OCG And DPP" (April 18, 2010).
21. Letter To The Editor Of The Gleaner Newspaper - Re Editorial Entitled - "The Controversial Cap Shares" (June 19, 2010).
22. Letter To The Editor Of The Observer Newspaper - Re Column "Heart To Heart" - A High Price To Pay For Integrity (August 24, 2010).
23. Letter To The Editor Of The Gleaner Newspaper - Re Column Entitled "Calamity At Caymanas Track - OCG Lured Into Unauthorized Probe" Written By Gordon Robinson (November 15, 2010)
24. Letter To The Editor Of The Observer Newspaper - Re Article Entitled "No Evidence Linking Moore, Wedderburn To Corruption, DPP Tells Christie" (September 25, 2011)
25. Letter To Editor Of The Observer Newspaper - Re Article Entitled "China Harbour Engineering And Greg Christie's Huge Error" - Written By Columnist, Mark Wignall, Published In The February 2, 2012 Edition Of The Observer Newspaper (February 2, 2012).

TIMELINE OF MAJOR ACHIEVEMENTS, MILESTONES AND RECOGNITIONS - DECEMBER 2005 TO MARCH 2012

OPENING STATEMENT

The following Timeline of Events was prepared by the OCG's Annual Report Team, in honour and recognition of the sterling stewardship of the incumbent Contractor General, Mr. Greg Christie.

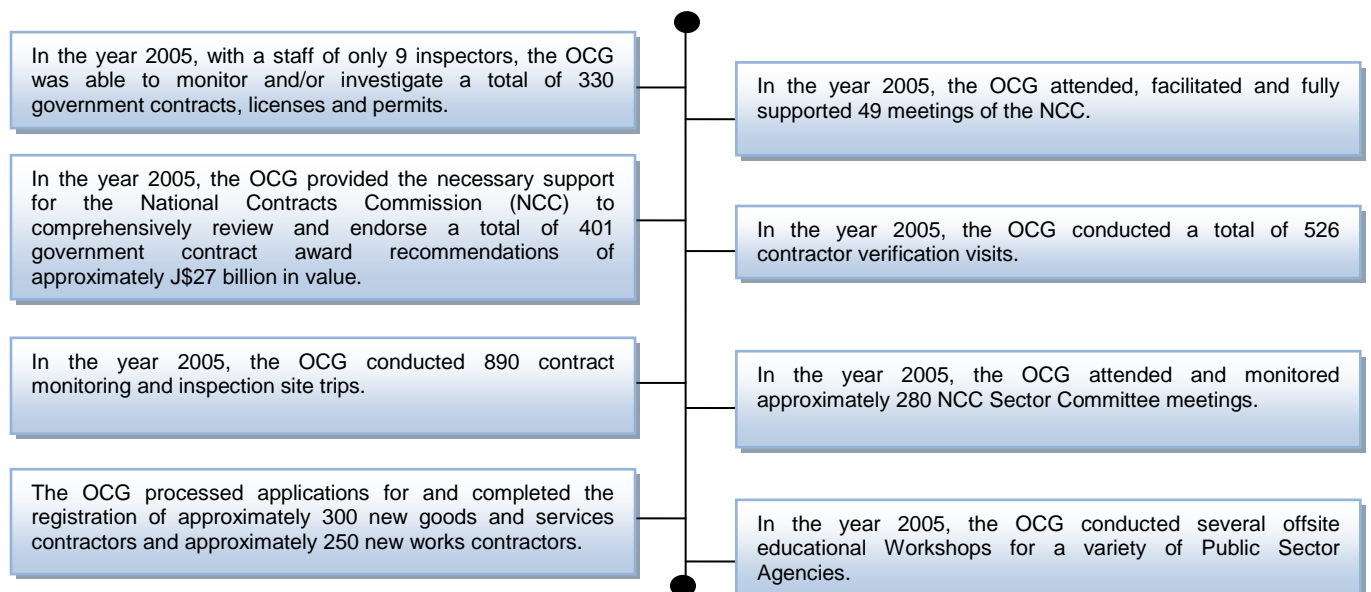
The Office of the Contractor General's (OCG's) operating and organizational attainments, during the past six (6) years, have been driven primarily by the incumbent Contractor General's strategic and operating objectives of (a) transforming the OCG into a 'best in class' organization, (b) preventing corruption in Government procurement and contracting, (c) ensuring compliance with the Government's procurement procedures and guidelines, and (d) significantly enhancing transparency, accountability and probity in the Public Sector contract award and licensing issue processes.

The OCG's jurisdiction, today, with a staff complement of 59, covers the procurement activities of roughly 200 ministries, agencies, departments and statutory corporations of Government which, together, issue more than 600 different categories of licences and permits, and award in excess of 11,000 high-value construction, goods, services and asset divestment Government contracts, each year, valuing as much as an estimated \$110 billion, or an amount which is equivalent to roughly one-fifth of the overall annual expenditure budget of the Government of Jamaica.

The Timeline reflects a chronological glance at the transformation of the Commission of the Contractor General since the calendar year 2005 to present, particularly, zoning into the revolutionary advancements which were pioneered during the tenure of the incumbent Contractor General, and which have resulted in the organization being recognized as a 'best in class' institution and one of the most respected, effective and efficient organizations in Jamaica's anti-corruption and law-enforcement institutional framework:

2005

Notwithstanding the fact that the incumbent Contractor General, Mr. Greg Christie, officially took office on December 1, 2005, it is of critical import to highlight the following organizational achievements which were attained during the 2005 calendar year in an effort to fully appreciate the vast developments which have been undertaken since then.



2006

In an effort to restructure the OCG, to enable it to more effectively and efficiently discharge its several functions under the Contractor General Act, initiatives were embarked upon within less than four (4) months of the incumbent Contractor General assuming office, on December 1, 2005. Approval was secured from the Houses of Parliament, in 2006/2007, to restructure the OCG, to increase the OCG's budgetary provisions, and to expand its staff complement from 46 to 64 staff members.

The OCG, in the year 2006, developed a comprehensive documented personnel recruitment process, which was designed and implemented to facilitate the OCG's objective and transparent recruitment of the best available talent in the Jamaican job market. Over 76% of the OCG's current staff complement has been recruited since 2006 and have all been recruited through the utility of the referenced system.

In 2006, the OCG implemented a special 'in-house' designed computer based Quarterly Contract Award (QCA) Report Regime system. The system has provided the OCG with the unique ability to monitor, for the first time in Jamaica, Government contracts which are awarded by Procuring Public Bodies beneath the National Contracts Commission's (NCC's) contract endorsement value threshold of \$3,999,999.99, and above the value of \$250,000.

The OCG's QCA Regime is supported by a Zero Tolerance Policy, which calls for the mandatory referral, to the Director of Public Prosecutions for criminal prosecution, of any delinquent Public Body which fails to submit its QCA Report to the OCG on a timely basis.

The Regime requires all of the country's 200 Procuring Public Bodies to submit to the OCG, in arrears, within one (1) month of the ending of each calendar year quarter, the material particulars of the referenced contracts.

Between the start of the QCA Reporting process as at May 1, 2006, and the implementation of the OCG's Zero Tolerance Policy in October 2006, the highest Public Body QCA reporting compliance rate that was recorded by the OCG was 13%.

The Regime was conceived and implemented by the incumbent Contractor General, with a view to determine the extent to which a Procuring Public Body has breached the Government's Procurement Procedures and Guidelines. The Initiative was also a major plank of his strategic plan to secure a marked improvement in probity, compliance, transparency and accountability in the Government contract award process.

However, the rigid enforcement of the Zero Tolerance Policy by the Contractor General, who has never once allowed an exception to the Policy in the more than five (5) years that it has been in force, has since resulted in an unprecedented and record 100% compliance rate, among the country's 200 Public Bodies, for twelve (12) consecutive quarters ending with the 4th Quarter of 2011.

Significantly, and in terms of improved transparency, the OCG's QCA initiative has also enabled the OCG to make public, in a searchable and downloadable internet electronic database, the particulars of all contract awards that have been reported on the QCA forms.

Currently, the QCA particulars of over 61,000 Government contracts, valuing more than \$75 billion, which were awarded between May 1, 2006 and the end of March 2012, and which range from \$250,000 to \$10 Million in value, can be freely examined and scrutinized by any member of the public on the OCG's website at <http://www.ocg.gov.jm>.

During the tenure of the incumbent Contractor General, the OCG has, itself, maintained an excellent good-governance and compliance record in the administration of its financial, accounting and contracting affairs.

A review of the Auditor General's Annual Statutory Reports for the OCG, in respect of the referenced accounting periods, has indicated that the OCG's financial accounts, its financial transactions, and its accounting records, were all of an acceptable standard, with not one single unresolved or adverse accounting or auditing finding.

The OCG's accounting and financial records, throughout the said period, will also disclose that the OCG has never exceeded its allocated budgetary provisions in any financial year and, indeed, has returned, in all financial years, a surplus amount to the Consolidated Fund.

In the year 2006, the OCG completed 15 Special Investigations (not including investigations which were related to Government land divestment matters), in comparison to only two (2) in the preceding three (3) year period.

8 of the 15 Investigation Reports were submitted by the OCG to Parliament, pursuant to the discretionary powers which are reserved to the Contractor General by Section 28(2) of the Contractor General Act.

2006 (CONT.)

The OCG was successful in preparing and submitting to parliament, in July 2006 its 380 page 2005 Annual Report. The significance of this accomplishment lies in the fact that this was the first occasion in six years that an Annual Report of the OCG was being presented to the Parliament of Jamaica within 12 months of the ending of the year to which it was related.

This also represents the first time that the content of the OCG's Annual Report exceeded 160 pages. This was done deliberately to (a) enable Parliament and the People of Jamaica to exercise an enhanced level of scrutiny over the operations of the OCG and (b) to bring even greater transparency to the Government's procurement process by ensuring that a far greater amount of information was being made available for public examination.

The OCG, during the period which is under review, has completed its Annual Reports within eight (8) months or less of the ending of the year to which they relate. In so doing, the OCG has significantly reversed a trend which had prevailed in the previous seven (7) year period during which OCG Annual Reports were tabled in Parliament at such late intervals, that expressions of concern, in December 2005 and in January 2006, were received by the incumbent Contractor General from the then Prime Minister and the Leader of the Opposition, respectively.

Progressively, the OCG's Annual Reports have also broken new ground in that the OCG Organization has continuously explored new and innovative ways of improving the depth and the substance of the information which it provides to the Parliament and the People of Jamaica, regarding its business operations.

Consequently, in every succeeding year, since 2005, the OCG has steadily increased the volume and quality of information which it presents in its Annual Reports. This has also substantially enhanced the probative value of the Reports.

In 2006, the OCG's TSD staff attended, facilitated and supported 45 weekly meetings of the NCC and also monitored 155 NCC Sector Committee Meetings.

The TSD staff also provided all requisite technical, administrative and secretariat resource support services to the NCC to enable it to comprehensively evaluate, scrutinize and endorse 575 government contracts award recommendations of 4 million in value and over.

In an effort to promote greater levels of transparency and public confidence in the GOJ's contract award and procurement process the Contractor General on January 20, 2006 expressed his intent to commence a routine monitoring of all government contracts in which Members of Parliament, their spouse, parents, siblings and children are interested parties.

The OCG in May 2006 officially launched its remodeled website which now provides the Government, Public bodies, prospective and registered contractors, the media, and members of the public with the ability to:

- ✓ View the GoJ's Procurement Guidelines, Procurement Policy and the Contractor General Act;
- ✓ View a regularly updated list of NCC- registered contractors;
- ✓ Search and view National Contracts Commission Endorsements;
- ✓ View Information related to quarterly contract awards within the value of \$250,000.00 to \$3,999,999.99 awarded by Public Bodies;
- ✓ View Annual Reports which have been submitted to Parliament by the OCG;
- ✓ View OCG Special Investigation Reports;
- ✓ View Speeches made by the Contractor General; and
- ✓ View OCG Media Releases

The OCG has issued over 200 media releases, alerting the public's attention to OCG concerns and positions as it regards corruption and measures to stem corruption in Jamaica!

In 2006 the OCG continued to heed the demands of Public Bodies for the provision of Public Sector procurement workshops. 25 workshops for over 35 Public Bodies were conducted island-wide, in an effort to increase compliance with and to promote a greater understanding of the government procurement procedures. This compares to 17 workshops which were conducted by the OCG in 2005.

In the year 2006, the OCG's TSD staff processed a total of 1,052 applications for goods and services contractors and a total of 468 applications for works contractors.

In the year 2006, the Contractor General was among 26 other Senior Commonwealth Anti-corruption Regulatory Officials who were specially selected to participate in a 2 week Anti-corruption Management and Governance Training Programme in Singapore.

The OCG, in 2006 embarked upon a major initiative to educate and/or inform the vast majority of Jamaicans about certain specific OCG related issues, activities, positions and concerns which, in the opinion of the OCG, were of such import that they required immediate and full disclosure to the people of Jamaica and the media.

Since 2006, the OCG has issued some 248 official Media Releases, and 25 Letters to the Editors of the country's Print Media, and has, through this medium, heightened the level of public awareness about (a) the OCG's work activities, its interventions and its considered recommendations; (b) the innumerable challenges which the OCG faces; (c) the incidence of corruption, irregularity and impropriety in public contracting in Jamaica; and (d) the need to secure due adherence, on the part of Public Officers, to the rule of law, by insisting upon probity and transparency in public contracting and to hold them accountable for their actions.

The timely, uniform and regular dissemination of information to the Media, via written OCG Media Releases, is a strategic and deliberate initiative of the OCG.

2007

In keeping with The OCG's Zero Tolerance Approach and its stance, as it regards delinquent Public Bodies which failed to submit QCA Reports, the OCG made Referrals for criminal prosecution of the heads of such delinquent Public Bodies in the following instances:

- The referral of 45 delinquent Heads of Public Bodies to the Office of the Director of Public Prosecutions (ODPP) on March 21, 2007, for failure to submit QCA Reports.
- The referral of 32 delinquent Heads of Public Bodies on May 29, 2007, to the ODPP, for failure to submit QCA Reports.
- The referral of 7 delinquent Heads of Public Bodies on November 27, 2007, to the ODPP, for failure to submit QCA Reports.
- The referral of 11 delinquent Heads of Public Bodies on September 17, 2007, to the ODPP, for failure to submit QCA Reports.

In its ongoing drive to bring greater levels of transparency to the GOJ contract award process the OCG, on April 4, 2007 launched its remodeled website which now provides the public with the ability to, *inter alia*, search and view Databases of the Quarterly Contract Award (QCA) Reports and National Contracts Commission Endorsements.

This groundbreaking achievement has significantly assisted the process of bringing Jamaica in line with best practices in procurement employed by global jurisdictions and providing its stakeholders, inclusive of the general public and the media with the unprecedented ability to access information regarding the award of government contracts by Public Bodies, amongst other things.

In pursuit of its monitoring, investigation and contractor verification functions, the members of staff of the OCG's Inspectorate and Technical Services Divisions travelled over 168,206 kilometers (km) island-wide, in 2007. This represents a slight increase over the 167,896 kilometers (km) which was reported in 2006.

The OCG's 12 Inspectors, and its 3 Technical Services Officers, conducted 901 contractor evaluation/ verification visits in 2007. This contrasts significantly with the 782 contractor evaluation /verification visits which were conducted in 2006 and the 526 visits which were conducted in 2005.

Contractor verification visits, which are intended to preliminarily evaluate and authenticate the resources, assets and competence levels of contractors, are routinely carried out by the OCG as a pre-requisite to the registration of contractors by the NCC.

During the year 2007, the OCG's Technical Services Division staff processed applications for 1,524 goods and services and 610 works contractors, thus, producing a total of 2,134 contractor applications processed. This compares to 1,052 and 522 applications, respectively, which were processed in 2006 and 385 and 521 applications, respectively, that were processed in 2005.

An Employee Awards and Recognition Programme was designed and implemented in 2007, in an effort to reward and motivate staff members who exemplified diligence and commitment in the discharge of their work functions.

A staff-funded Social Activity Club (SAC) was also established in 2007, which aims at fostering, among other things, interaction between members of staff in a more relaxed environment,

A comprehensive suite of Policies and Procedures were developed to create an appropriate organizational culture and platform upon which the OCG's 'best in-class' strategic and operational objectives could be realistically and effectively prosecuted and advanced. These include a comprehensive Organization Disciplinary Code and Training Policy, both of which were implemented in 2007.

The OCG, in 2007, conducted sustained monitoring of some 322 contracts, island-wide, in 2007. 220 of these contracts were works-related contracts and 102 were goods and services contracts.

In 2007, the OCG significantly advanced its system for capturing, on a daily basis, every Public Body tender advertisement which appeared in the local print media. This exercise has allowed the OCG to examine scores of tenders and the pre-contract award procurement processes of several Public Bodies, although not subjecting all of them to sustained monitoring.

The initiative has not only significantly expanded the OCG's coverage of the procurements which are undertaken by the Jamaica Public Sector, but has also facilitated an earlier intervention, by the OCG, into the procurement cycle, thus, allowing for the correction of several tender procedural errors before a Procuring Agency commits itself to an irregular contract award.

The OCG's Technical Services staff attended, facilitated and fully supported 47 weekly meetings of the NCC in 2007, versus the 45 meetings which were supported in 2006. The Technical Services team also monitored 155 NCC Sector Committee meetings. This was the same number of meetings that were monitored in 2006.

In 2007, the OCG's Technical Services staff provided all requisite technical, administrative and secretarial resource support services, to the NCC, to enable it to comprehensively evaluate, scrutinize and endorse 584 Government contract award recommendations of \$4 million in value and over. The indicative aggregated value of these contracts was \$31.45 Billion.

The OCG, in 2007, continued to explore ways of improving the depth and substance of the information which is provided to the Parliament and People of Jamaica in its Annual Reports.

The OCG, also introduced several additional elements, which sought to enhance the probative value of the Report, chief among them were: the inclusion of a Summary Table detailing the QCA Report Submissions of Public Bodies for 2007 and photographs of government works projects which were under the scrutiny of the OCG.

2008

As a fundamental plank of its 2006 restructuring objectives, and at the instance of the Contractor General, the OCG's physical office was relocated, in 2008, from its three-floor, 9000 sq. ft. Knutsford Boulevard location to a modern, technology driven, special-purpose designed and built 13,400 sq. ft. office facility, which is presently situated on the 1st floor of the renovated PIOJ office-building at 16 Oxford Road in New Kingston.

The Office's design was optimized for maximum functionality across OCG divisions, personnel security, ease of movement, work ergonomics, comfort, and the protection of the confidentiality of sensitive documentation via the provision of sterile and secure zones.

In the year 2008, the incumbent Contractor General saw the need to establish a specialized Investigations Unit (SIU). The establishment of the SIU resulted in the development of standard investigation methodologies and due-diligence procedures which, today, govern the conduct of all OCG Statutory Investigations.

The Investigations Unit has also facilitated the production of detailed analytical OCG Investigation Reports which are befitting of the quasi-judicial powers which are imbued in a Contractor General, inclusive of the garnering of cogent documentary evidence under the Voluntary Declarations Act and the Perjury Act.

The SIU has also, since 2008, made approximately 50 formal Referrals to the State's criminal prosecutorial authorities pursuant, *inter alia*, to the requirements of Section 21 of the Contractor General Act. Additionally, the SIU, and the OCG, have submitted innumerable formal Recommendations to the country's Public Bodies, the Cabinet and the Parliament of Jamaica.

The referenced Recommendations have been made, in a concerted and diligent effort, on the part of the OCG, (a) to significantly enhance transparency, competition, accountability and probity in public contracting in Jamaica, (b) to ensure compliance with the Government's Procurement Procedures and Guidelines, (c) to eliminate waste and inefficiency in the award and implementation of contracts, (d) to prevent fraud and corruption in Government contracting, (e) to strengthen the independence of the OCG, and (f) to generally win the battle against corruption in Jamaica.

In 2008, the staff from the OCG's Technical Services Department attended, facilitated and fully supported 48 weekly meetings of the NCC, this compared to 47 weekly meetings of the NCC in 2007, and 45 in 2006. The TSD of the OCG also monitored, in 2008, 132 NCC Sector Committee meetings.

In 2008, the OCG introduced the second phase of its QCA Regime. The strategic objective of this initiative was to boost the OCG's capacity to monitor certain trends in the public sector procurement process, as well as to strengthen the capacity of the OCG to reliably conduct computer-aided analyses of the QCA Report data.

The OCG continued its stridency, in the year 2008, against delinquent Public Bodies who failed to submit QCA Reports to the OCG. The year 2008 saw the following referrals:

- The referral of 5 delinquent Heads of Public Bodies, on March 27, 2008 to the ODPP, for failure to submit QCA Reports.
- The referral of 7 delinquent Heads of Public Bodies, on May 30, 2008, to the ODPP, for failure to submit QCA Reports.
- The referral of 4 delinquent Heads of Public Bodies, on August 20, 2008, to the ODPP, for failure to submit QCA Reports.
- The referral of 3 Head of Public Bodies, on November 18, 2008, to the ODPP for failure to submit QCA Reports.

In February 2008, the then Director of Public Prosecutions, Mr. Kent Pantry, having examined the Referrals which were submitted by the OCG, took the decision to prosecute 17 delinquent Heads of Public Bodies for their failure to comply with a lawful Requisition of the OCG. These prosecutions were the first to be commenced by the ODPP, under Section 29 of the Contractor General Act, and have contributed significantly to the fight against corruption, by setting a clear precedence that Public Officers, Public Bodies and private citizens who choose to ignore the lawful Requisition of a Contractor General will be prosecuted.

In the year 2008 the Contractor General was invited to participate in the 13th International Anti-Corruption Conference in Athens, Greece. The conference was themed '*Global Transparency: Fighting Corruption for a Sustainable Future*' and hosted over 1500 delegates representing 135 countries.

2008 (CONT.)

In 2008, the Technical Services Division of the OCG processed applications for 1,873 goods and services contractors, 592 Grade I-IV works contractors, and 32 Grade V works contractors.

By comparison, in 2007, the OCG TSD processed applications for 1,524 goods and services contractors and 610 works contractors and, in 2006, the organization processed 1,052 and 468 goods and services and works contractors, respectively.

In 2008, the OCG continued its tradition of the last four years, of completing its Annual Reports within 8 months or less of the ending of the year to which they relate.

Significantly too, the OCG's 2008 Annual Report broke new ground as the OCG continued to explore innovative ways of improving the depth and substance of the information which it provides to the Parliament and the People of Jamaica in its Annual Reports.

Each year, the OCG has steadily increased the volume and quality of information presented in its Annual Reports. This has substantially enhanced the probative value of the Reports. The OCG's 2008 Annual Report provided more than 570 pages of information compared to 446 pages for the 2007 Report, 397 pages for the 2006 Report and 380 pages for the 2005 Report

In the year 2008, the OCG's TSD provided all requisite technical, administrative and secretarial support resources for the NCC to enable it to comprehensively evaluate, scrutinize and endorse 414 works contracts with an aggregated value of approximately J\$19.5 Billion and 514 goods and services contracts with an aggregated value of approximately J\$22.7 Billion, for a 2008 aggregated total of 928 contract endorsements valuing \$42.2 Billion.

By comparison, in 2007, the NCC endorsed only 584 contracts valued at \$31.4 Billion.

2009

In 2009, the OCG initiated an Audit Programme, which commenced with the formal Audit of the contract award and procurement practices Ministry of Industry, Investment and Commerce. This new initiative was aided by a comprehensive suite of computer-aided assessment criteria, and techniques that graded each Public Body's QCA Report. The Audit exercise was conducted as a part of the OCG's strategic programme to ensure that there is full compliance on the part of all Procuring Public Bodies with the requirements, *inter alia*, of the 1983 Contractor General Act and the Government Procurement Procedures Handbook (GPPH).

The OCG, in November 2009, designed and launched its Prescribed Licenses Information Database (PLID) Internet Portal, which is currently utilized by the OCG in its monitoring of the prescribed licensing activities of the country's approximately 70 Public Bodies.

The PLID, which is the only one of its kind in the country, is essentially a comprehensive electronic database which contains fully updated information on the country's Public Bodies and the more than 600 different kinds of Prescribed Government of Jamaica Licences that are routinely issued by them.

The Database also serves as a central and 'one-stop' information facility for members of the Public, Public Bodies, Government Regulatory Authorities and the Media.

In 2009, the OCG launched an Enquiry Management Initiative (EMI) which has since provided the OCG Organization with the ability to conduct preliminary enquiries on all reports and/or allegations of corruption, impropriety and/or irregularity in the Government contract award, asset divestment and licensing issue processes which are reported to the OCG. The EMI is a pre-cursor to the OCG's full Investigative functions.

The OCG, in 2009, developed and implemented an Employee Performance Management System (PMS). This initiative served as a management tool geared at assessing critical areas of professional staff development, as well as to inform the training needs of the organization.

In the year 2009, the OCG's Senior Officers Ms. Latoya Harris and Mr. Craig Beresford were selected for a 2 week Anti-Corruption Management and Governance training programme in Singapore. The OCG's Senior Officers were among several Senior Commonwealth Anti-corruption Regulatory Officials who were selected by the Commonwealth Secretariat and were the only programme participants who represented Jamaica.

In keeping with the terms of its Zero Tolerance Policy, the OCG on February 16, 2009, formally referred 3 of the country's 191 Procuring Public Bodies to the Director of Public Prosecutions (DPP) on account of their failure to submit their 2008 4th Quarter, Contract Award (QCA) Reports within the prescribed time limits.

In the year 2009, the OCG formally took the decision to write to the Cabinet Secretary, the Financial Secretary, all Permanent Secretaries and the Principal and Accounting Officers of over 190 Public Bodies, to advise them of its intention to conduct, for the first time, the systematic monitoring of the grant, issue, suspension and revocation of all prescribed Government licences.

In 2009, the OCG delivered a series of PowerPoint Presentations to all of the country's 200 Public Bodies, in an effort to sensitize them with respect to the mandates, the roles, and the respective functions of both the NCC and the OCG.

2009 (CONT.)

In addition to its regular contract monitoring activities, the OCG, in 2009, implemented an internal Constituency Development Fund (CDF) project monitoring framework. This was undertaken in an effort to more closely monitor the CDF process and the funds which were approved for disbursement by the CDF Parliamentary Committee. In consequence, the OCG, in 2009, pursued the monitoring of 200 randomly selected CDF projects out of a total of approximately 690 projects.

During the year 2009, the total number of government contracts which were subject to the OCG's sustained and general monitoring was in the amount of over 11,800, and totaled more than \$88 Billion in value.

In providing the necessary support and resources to the NCC, THE OCG's TSD, in 2009, assisted the NCC to register 2,335 Contractors and to conduct a total of 49 weekly meetings. Additionally, TSD representatives attended 138 meetings of the NCC's 7 Sector Committees.

The referenced meetings enabled the NCC to review and to endorse 630 recommended contract awards which had an aggregated value of \$73.6 Billion.

The foregoing compares with 48 and 132 meetings, respectively, which were convened by the NCC and the NCC's Sector Committee's, in 2008. During the referenced meetings, an aggregated total of 928 contract award recommendations, valuing \$42.2 Billion, were reviewed, evaluated and endorsed.

In a proactive effort to forge a more effective working relationship with the Public Procuring Bodies which fall under its contract monitoring jurisdiction, the OCG, in March 2009, embarked upon an extensive "get to know you and us" Presentation programme which was directed at the country's 190+ Public Procuring Bodies. The OCG presentations, which were conducted by OCG Inspectors at the location of each Public Body lasted for approximately one and one-half hours. The Presentations were structured primarily to secure the following strategic objectives:

- (1) To formally introduce OCG Inspectors to the Principal Officer(s), the senior management staff and the procurement staff of the Public Body to which the relevant Inspectors were/are assigned;
- (2) To formally inform Public Bodies of the respective functions, roles and responsibilities of the OCG and the NCC;
- (3) To explain how the OCG executes its contract monitoring and investigation functions; and
- (4) To provide an opportunity for each Public Body to highlight to the OCG any significant procurement challenges, issues or problems that it might have been experiencing.

In the year 2009, the OCG's Inspectorate was able to monitor, on a sustained basis, 795 contracts, which compares to approximately 485, in 2008. This was achieved notwithstanding the fact that the staffing of the OCG's Construction and Non-Construction Contracts Inspectorate Divisions, at a total of 12 Inspectors, has remained virtually the same for at least the past 10 years.

The OCG, in 2009, commenced the systematic review of Consultant and associated Consultancy services contract awards, particularly, in light of the fact that Consultants are exempted from being registered with the NCC. The OCG reviewed approximately 227 consultancy contracts which were issued during the period.

In 2009, the OCG elected to increase the scope of its contract monitoring activities by conducting random and selective Procurement Audits of Public Bodies. Eighteen (18) such Procurement Audits were initiated by the OCG during the period.

The Audits, which were designed to test the veracity of the information which was provided to the OCG by the audited Public Bodies, via their QCA reports, involved, among other things, a detailed review of the associated procurement documents that were prepared by the Public Bodies. In certain specified cases, the OCG's Audits were extended to include a review of the licences and permits which were issued by the respective Public Bodies.

The OCG continued its tradition, of the past five years, of completing its Annual Reports within eight (8) months or less of the ending of the year to which they relate.

As was the case with the OCG's 2008 Annual Report, the OCG's 2009 Annual Report broke new ground as the organization continued to explore innovative ways of improving the depth and substance of the information which it provides to the Parliament and the People of Jamaica in its Annual Reports. Each year, during the tenure of the incumbent Contractor General, the OCG has steadily increased the volume and quality of information which it has been presenting in its Annual Reports. This has substantially enhanced the probative value of the Reports.

For example, the 2009 Annual Report provided more than 1,000 pages of information which compared to 570 pages of information for the 2008 Annual Report, 446 pages for the 2007 Report, 397 pages for the 2006 Report and 380 pages for the 2005 Report. Prior to the appointment of the incumbent Contractor General the page content of OCG Annual Reports typically ranged between 10 and 160 pages.

2010

In January 2010, the Contractor General, Mr. Greg Christie was among 26 Senior Anti-Corruption State Officials from 18 Commonwealth countries who had been selected to participate in a 2-week Corruption Control Training Programme in Singapore.

In January 2010, the OCG established a Public Body Risk Based Approach to contract monitoring. The Process was designed to rate and rank all 200 Procuring Public Bodies, based upon their respective levels of conformity to, and compliance with, the Government's Procurement Procedures and Guidelines.

In February 2010, the OCG took the decision to commence a Special Audit of the Contract Award and Procurement Practices of the Ministry of Finance and the Public Service. The Audit also included the Ministry's Asset Divestment Practices.

The referenced Audits, reviewed the period May 1, 2006 to December 31, 2009, and was conducted as a part of the OCG's ongoing strategic programme to ensure that there is full compliance on the part of all Procuring Public Bodies with the requirements of the 1983 Contractor General Act and the Government Procurement Procedures and Regulations.

On March 22, 2010, the Contractor General, Mr. Greg Christie, wrote to the Prime Minister, the Leader of the Opposition, the Speaker of the House of Representatives and the President of the Senate, to recommend that consideration be given to the establishment of a National Independent Anti-Corruption State Agency, encompassing the Integrity Commission, the Corruption Prevention Commission and the Office of the Contractor General, and to vest in that Agency the mandate, among other things, to criminally investigate and to independently prosecute all corruption and related criminal offences.

On April 23, 2010, the OCG was invited by the Financial Market Integrity Unit of the World Bank to be a member of a small group of experts from Latin America and the Caribbean who will discuss issues relating to "*The Misuse of Corporate Vehicles in Grand Corruption Cases*" around the world. The Bank's Invitation to the OCG arose from a Policy Study which was conducted in collaboration with the United Nations Office on Drugs and Crime (UNODC) under what is called the Stolen Asset Recovery (StAR) Initiative. The StAR Initiative aimed at developing and disseminating practical tools and policy papers to assist developing countries in recovering the proceeds of corruption from foreign jurisdictions.

The call for the amalgamation of the State's anti-corruption bodies were again echoed by the Contractor General, Mr. Greg Christie, when he delivered an address to Law Enforcement Officials and Officers at the First Regional Law Enforcement Anti-Corruption Conference, on Wednesday, March 23, 2011 at the Pegasus Hotel, Kingston. The Contractor General's delivery focused on "The Need for Political Will and Effective Law Enforcement in the Fight Against Corruption in Regional Jurisdictions – Jamaica Case Study: Proposal for a Single Independent National Anti-Corruption Agency".

Based upon the high incidence of fraud that was detected in 2009, by the OCG, in the Government Contractor Registration Process – a process which is managed by the OCG for and on behalf of the NCC – the OCG implemented, in September 2010, a 100% Due Diligence Evaluation Policy to ensure the veracity of all of the particulars that are contained in Works Contractor Registration & Re-registration Applications.

The Contractor General's Proposal for a Single Anti-Corruption Agency was embraced by the Portia Simpson-Miller led Administration when a commitment was given on May 10, 2012, during the Governor General's Throne Speech in Parliament, to pass legislation during the current Legislative Year to "rationalize Jamaica's institutional arrangements for fighting corruption, by consolidating them under a single anti-corruption agency having strong powers".

Since its implementation, the referenced OCG Policy has resulted in the successful removal, from the NCC Register of Approved Contractors, of some 65 Government contractors who the evidence would suggest had procured their contractor registrations either through fraud or via the making of false or material representations to the NCC. The said contractors have also been formally referred, by the OCG, to the Jamaica Constabulary Force (JCF) for criminal investigation.

Chief among the referenced Recommendations, is the Recommendation which has been repeatedly advocated by the Contractor General, since March 2010, for the establishment of a Single Independent Anti-Corruption State Agency for Jamaica, to consolidate the functions of the Integrity Commission, the Corruption Prevention Commission and the OCG, and to vest in that Agency, among other things, the powers of arrest and detention, and the mandate to criminally investigate and to independently prosecute all corruption and related criminal offences.

2010 (CONT.)

During the year 2010, the OCG continued to surpass the number of contracts that were monitored and investigated in previous years and demonstrated, over the past 5 years, its relentless commitment to the discharge of its Statutory mandates.

In 2010, the OCG monitored a total of 972 contracts (382 Construction and 590 Goods and Services contracts) on a sustained basis, and completed ten (10) Special Investigations. This reflects an increase of 22% over the total number of contracts that were monitored in 2009 and a 100% increase over the number of Investigations that were undertaken in 2009.

This was achieved despite having a staff complement of only twelve (12) Inspectors within its two (2) Inspectorate Divisions, and only five (5) Special Investigators within its Investigations Unit.

In 2010, the OCG embarked upon New contract monitoring initiatives, which included the prosecution of Phase II of the OCG's Quarterly Contracts Award Regime; the implementation of Phase II of the OCG's Licences and Permits Monitoring Regime; the Automation of the Business Processes of the Inspectorate Division; and the establishment of a new Monitoring Portfolio for Government Works projects that are executed via the Government's 'Forced Accounts' procurement methodology.

The Technical Services Department of the OCG continued, in 2010, to fully support the NCC in its efforts by providing it with the requisite administrative and technical resources to facilitate its registration of Government contractors, as well as its weekly review and endorsement of the recommendations for the award of Government contracts which emanate from the country's more than 190 Procuring Public Bodies.

In its capacity as an observer on the Government's Land Divestment Committee (LDAC), the OCG was able to ensure transparency in the divestment of Government-owned lands that were held by the Commissioner of Lands and other Government Entities.

The OCG's Government contract activities, in 2010, were also extended to embrace the Government's intended divestment of over 30 State-owned assets, the overwhelming majority of which involved the proposed sale of going Government-owned business concerns, equity, and/or buildings and lands.

During the 2010 calendar year, a total of 77 allegations were reviewed and/or enquired into by the OCG's Enquiry Management Team. The referenced allegations alluded to, *inter alia*, (a) breaches of the Government of Jamaica Procurement Procedures; (b) improper tender processes; (c) irregularities in the award, implementation and execution of Government contracts; (d) Government contract payment discrepancies; (e) questionable grants of prescribed licences; and (f) irregular and improper asset and land divestment procedures.

In 2010, the OCG's Quarterly Contracts Award (QCA) Monitoring Regime captured over 10,000 contracts which fell within the value range of \$275,000 and \$10 million, and which had an aggregated value of some \$14.3 billion.

The OCG initiated ten (10) new Procurement Audits for the year 2010. An additional six (6) were brought forward from 2009.

Since 2009, the OCG has been monitoring the implementation of the operating processes of the Constituency Development Fund (CDF) to ensure that transparency and accountability is at the fore of the programme. For the year 2010, the OCG monitored 60 new CDF projects which were selected from a listing of the Parliamentary Committee Approved Projects for 2010.

In providing the referenced support and resources to the NCC in 2010, the OCG's TSD assisted the NCC to register 1,829 Contractors and to conduct a total of 49 weekly meetings. Additionally, TSD representatives attended 122 meetings of the NCC's seven (7) Sector Committees in 2010.

The referenced meetings enabled the NCC to review and to endorse 348 recommended contract awards having an aggregated value of \$19.98 Billion.

The foregoing compares with 49 and 138 meetings, respectively, which were convened by the NCC and the NCC Sector Committee meetings in 2009. During the referenced meetings, in 2009, an aggregated total of 630 contract award recommendations, valuing \$73.68 Billion, were reviewed, evaluated and endorsed by the NCC, and 2,335 contractors were registered with the NCC.

2010 (CONT.)

In May 2010, Mr. Craig Beresford, the OCG's Senior Director of Monitoring Operations, Corporate Communications and Special Projects, was selected by the Commonwealth Secretariat to represent Jamaica at the Commonwealth Public Procurement Network (CPPN) Caribbean Conference in Castries, St. Lucia. The CPPN is a community of practice that offers a forum for Heads and Senior Officials of Procurement Oversight Bodies, Regulatory Agencies and Central Tenders' Boards, within the Commonwealth, to strengthen reforms in public procurement, procurement leadership and procurement systems, through peer reviews.

The OCG's Auditing Process which was designed (a) to assist the OCG in identifying Public Bodies' level of compliance with the Government's Procurement Guidelines and (b) to verify the accuracy of the QCA Reports which are routinely submitted to the OCG by the said Public Bodies. To date, the OCG has commenced a total of 32 Procurement Audits.

The year 2010 also saw the Contractor General, Mr. Greg Christie, being asked to attend the 14th International Anti-Corruption Conference (IACC) in Bangkok, Thailand. The Conference which is organized every two (2) years by Transparency International (TI) and the IACC Council is the leading global forum on good governance and anti-corruption issues. The IACC featured as many as forty (40) interactive workshops and five (5) plenary sessions, each revolving around one of the key "Global Challenges" of the conference.

Other notable OCG contract monitoring initiatives which had been deployed by the OCG, in an effort to maximize the effectiveness of the OCG's limited human and financial resources, and the discharge of its statutory mandates, include (a) the implementation of a structured, robust and sustained monitoring mechanism for the divestment of all Government Land and other Assets and (b) the monitoring of the contract award activities of certain entities which have been exempted by the Government from the application of the Government's Procurement Procedures and Guidelines.

2011

The year 2011 again saw a Senior Officer of the OCG, Mr. Maurice Barrett, Chief Investigator, being selected to participate in an Anti-corruption Programme in Singapore. Mr. Barrett was the only Jamaican who had been selected by the Government of Singapore and the Commonwealth Secretariat to participate in the major 2-week Commonwealth Corruption Control Training Programme.

On March 3, 2011, as a part of its strategic operating objectives for calendar year 2011, the OCG formally communicated its intention, to the Government of Jamaica, to conduct a comprehensive audit of the procurement records of all Parish Councils, with specific focus upon the use of the forced account contracting methodology to complete works contracts.

The OCG, during the tenure of the incumbent Contractor General, was recognized nationally as Jamaica's leading Anti-Corruption Agency and also as the desired institutional standard in the Caribbean Basin Region for ensuring good governance, probity, propriety, transparency, accountability, competition, and value for money in Government contracting and licensing.

A November 2011 National Don Anderson-Market Research Services Poll, which was conducted in 180 communities island-wide, ranked the OCG, from among Jamaica's seven (7) major law-enforcement and anti-corruption agencies, as having earned the highest level of public satisfaction in the fight against corruption in the island.

The other six (6) national agencies, all of which were ranked in the National Integrity Action Limited (NIAL) commissioned Poll, were the Anti-Corruption Branch of the Jamaica Constabulary Force, the Corruption Prevention Commission, the Office of the Auditor General, the Office of the Director of Public Prosecutions, the Parliamentary Integrity Commission and the Office of the Commissioner of Customs.

There have also been publications in several Caribbean jurisdictions which have advocated for the establishment of an anti-corruption national institution which mirrors Jamaica's Commission of the Contractor General. Among the referenced countries are Trinidad and Tobago, Barbados, Antigua, and Bermuda.

In September 2011, a request for assistance in developing an Anti-corruption Institution, similar to that of the OCG, was formally made to the incumbent Contractor General by the then Deputy Governor of the Cayman Islands (CI) Government, the Hon. Donovan Ebanks.

Subsequently, on November 28, 2011, an official CI Government Delegation, which was led by the country's Premier, the Hon. McKeever Bush, met with the Contractor General and other OCG Officials in Jamaica when they were extensively briefed on the OCG's role in the monitoring and investigation of government contracts and licences.

On January 29, 2011, the OCG successfully completed its in-house development of an internet electronic spreadsheet database which contains the material particulars of all Government contract award recommendations which have been endorsed by the National Contracts Commission (NCC) since June 2000. The database, which can either be reviewed on the Internet or downloaded in the form of a searchable and portable Microsoft Excel spreadsheet, was formally launched, and is now freely accessible on the OCG's website at <https://www.ocg.gov.jm>.

Presently containing more than 4,400 contract endorsement entries with respective currency values totaling US\$2.3 Billion, JAS\$137.4 Billion, €35.8 Million, CAN\$23.6 Million, and £\$6.7 Million, the database, which is updated at the end of each month, provides 10 columns of information for each contract endorsement.

In the year 2011, the Caribbean International Network (CIN) announced that Contractor General, Mr. Greg Christie was selected to deliver the Seventh Annual Lecture, in the distinguished Annual Caribbean Lecture Series, which is presented each year in New York by CIN.

The Lecture Series, which has now become one of the premier Caribbean events in the United States, attracts to the Schomburg Centre, each year, a capacity audience of 600 persons, which includes a large cross-section of members of the New York diplomatic and academic communities, media, business, government and religious leaders, and other members of the Caribbean community. Over the past six (6) years, the Lecture Series has presented individuals of unique achievement and superior commitment to the political, economic and social advancement of the Caribbean region. Past presenters include two former Caribbean Prime Ministers, P.J. Patterson and Edward Seaga; UCLA Professor, Robert Hill; the late UWI distinguished Professor, Rex Nettleford; Lowell Hawthorne, CEO of Golden Krust Restaurants; and R.G. Thwaites, Author, Attorney and Broadcaster.

On November 24, 2011, Senior Magistrate Judith Pusey handed down a Ruling in the Corporate Area Criminal Courts that the failure, on the part of the former Chief Executive Officer of the National Works Agency (NWA), Mr. Patrick Wong, to comply with a lawful requisition of a Contractor General, without lawful justification or excuse, was a "strict liability" offence under Section 29 (b) (ii) of the Contractor General Act.

This Ruling represents a huge landmark for the OCG since it represents the first time that such a conviction had been secured by the OCG under Section 29(b) (ii) of the Contractor General Act.

2012

On January 23, 2012, the Contractor General, Mr. Greg Christie was specially invited to attend an International Anti-Corruption Conference on '**Overcoming Barriers to International Asset Recovery**', which was to be held at New Scotland Yard in London on January 30 and 31, 2012.

The Conference was hosted by the London Metropolitan Police Service's Proceeds of Corruption Unit, in its ongoing efforts to tackle the scourge of 'Grand Corruption', and was aimed at fostering improved relations between the Unit and foreign Anti-Corruption Commissions, such as the Office of the Contractor General.

The year 2012 saw another OCG Senior Officer, Ms. Carla-Gaye Kelly, being selected as the only Jamaican to be asked by the Government of Singapore and the Commonwealth Secretariat to participate in a major 2-week Corruption Management Training Programme in Singapore.

Commencing in March of 2012, the OCG deployed a revamped training and education initiative which involved the OCG delivering revised presentations to all 200 Public Bodies, spanning a range of topics, inclusive of the provision of resolutions to special issues or concerns that are unique to some of the respective Public Bodies.

In January 2012, the Contractor General was invited by the Speaker of the Trinidad and Tobago House of Representatives, the Hon. Wade Mark, to pay a one-day visit to the twin-island State to hold '*in camera*' discussions with members of that country's Joint Select Parliamentary Committee on Public Procurement, as the Committee sought to gain a first-hand and expert account of the OCG and the operation and oversight of Jamaica's procurement systems.

The Trinidad and Tobago Government is currently engaged in the process of reforming its procurement framework to secure, among other things, improved levels of effectiveness and transparency in the award and oversight of Government contracts.

On March 12, 2012 the OCG took the decision to commence the delivery of a series of Special Procurement-Related Training Presentations to the country's Permanent Secretaries, as well as to the Accountable Officers of the roughly 200 Public Bodies which fall within the purview of the OCG's contract monitoring and investigation jurisdiction. The Presentations were geared, among other things, towards sensitizing Permanent Secretaries and their Accountable Officers to their respective roles and responsibilities in the Jamaica Public Sector procurement process, and highlighting and correcting deficiencies in Public Body procurement practices.

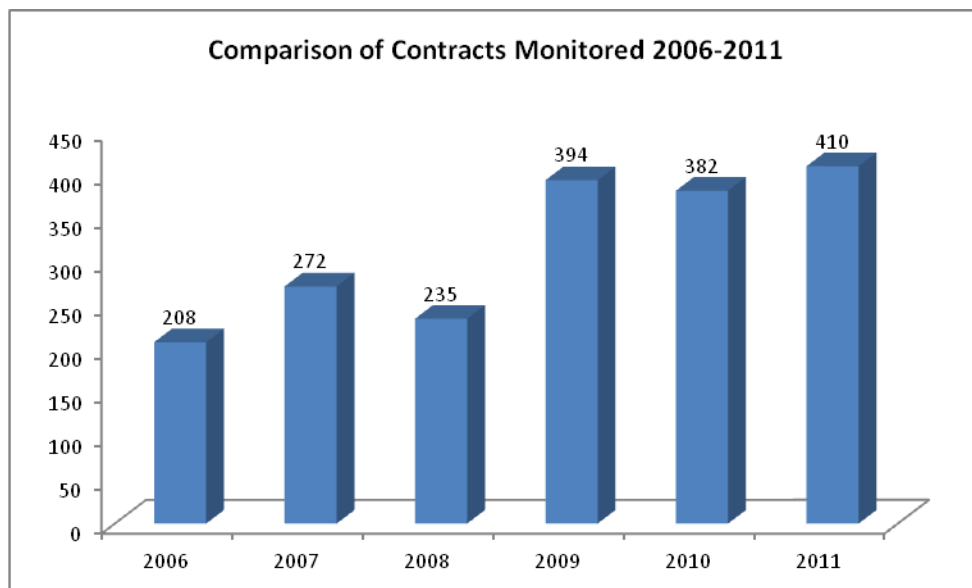
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MONITORING OF CONSTRUCTION CONTRACTS

During the 2011 calendar year, the Construction Contracts Division of the Office of the Contractor General (OCG) monitored the Pre and Post Contract Stages of four hundred and ten (410) Contracts¹. As such, there was a 7.3% increase in the number of Works Contracts which were monitored for the year 2011, in comparison to the previous year, when three hundred and eighty-two (382) contracts were monitored.

As is customary, the Division undertook sustained monitoring of Works Contracts which were primarily above the J\$10,000,000.00 threshold, and which would have required endorsement of the National Contracts Commission (NCC). For the year 2011, the NCC endorsed a total of one hundred and seventy-five (175) Works Contracts which had an aggregated value of J\$14,137,796,921.00. Of the one hundred and seventy-five (175) Works Contracts which were endorsed by the NCC, fifty-six (56) were monitored by the Construction Contracts Division.

Chart 1: Comparison of Number of Construction Contracts Monitored 2006-2011



PRE-CONTRACT MONITORING

The Construction Contracts Division's effort to attain sustained monitoring of construction projects, by way of effectively engaging Public Bodies through various channels, has resulted in marked improvements in the compliance levels of the Public Bodies. This was done in accordance with the Government of Jamaica Handbook of Public Sector Procurement Procedures – October 2010 (*hereinafter referred to as 'Government Procurement Procedures'*).

Notwithstanding the foregoing, the proper application of the Government Procurement Procedures at the Pre-contract Stage continues to be problematic for several Public Bodies. The OCG's monitoring activities have revealed that several Public Bodies are still faced with challenges as it relates to adequately trained administrative and technical personnel, which, oftentimes, is reflected in the lack of diligence in the execution of pre-contract award activities.

¹ Please refer to Appendices III and V.

(a) Comparable Estimate vs Contract Value

During the Pre-contract Stage of a project, it is extremely important to develop a realistic and informed Comparable Estimate, prior to undertaking the procurement process. Accurately prepared Estimates facilitate proper planning in the following areas:

- The determination of the appropriate Level/Grade of Contractors to bid on a project;
- Ensuring that necessary funding is available for implementation;
- The accuracy of Financial Proposals; and
- The determination of the requisite approvals to be obtained (e.g. NCC and Cabinet approvals if the project estimate is over J\$10M and J\$30M, respectively).

Interestingly, there are a number of Public Bodies which have neglected to conduct the necessary due diligence in the preparation of Comparable Estimates, prior to the issuance of Tender Documents to potential Bidders. This lack of due diligence usually leads to confusion and scepticism during the tender process and, on occasions, poor decisions in the selection of Contractors.

In this regard, Public Bodies must ensure that they have qualified and experienced professionals to prepare the Comparable Estimates. However, if the relevant professionals are not available within the Public Body, provisions should be made to seek assistance from other Public Bodies with the requisite experience. It is imperative that a Comparable Estimate is prepared, as it guides and directs the Procurement Committee in the evaluation, summation and recommendation of the preferred Bidder to the relevant approving Public Bodies.

Ideally, the contract value should be within a 15% range of the Comparable Estimate. The table below illustrates a sample of six (6) Public Bodies which had prepared Comparable Estimates prior to the publishing of the Invitation to Tender.

Table 1: Selected Cases - Public Bodies that had Utilised Comparable Estimates

Comparable Estimate vs Contract Value					
Public Body/ Entity	Name of Project	Contract Award Date	Contract Value (J\$)	Comparable Estimate (J\$)	Difference (J\$) and Percentage (%) above/ below Comparable Estimate
Ministry of Housing, Environment, Water and Local Government/National Water Commission	The Construction of Mona Road (Extension) & Roads Leading-Off, Sanitary Collector Sewers, Liguanea, St. Andrew	2011-09-01	\$47.00M	\$41.24M	\$5.76M 13.96%
Office of the Prime Minister/National Housing Trust	Supply of 5.8Km Ductile Iron Pipeline Material and Appurtenances	2011-07-26	\$71.22M	\$110.53M	(\$39.31M) -35.56%
Ministry of Housing, Environment, Water and Local Government / National Water Commission	Lot No. 2B Development of New Water Source for South East St. Catherine	2011-10-05	\$1.27405B	\$1.52526B	(\$251.21M) -16.47%
Ministry of Education/Moneague College	Construction of Office Building Extension	2011-09-13	\$15.93M	\$14.45M	\$1.48M 10.24%
Ministry of Finance and the Public service/CHASE Fund	Renovation of the Riversdale Cultural and Community Centre - Riversdale	2011-07-07	\$8.41M	\$9.97M	(\$1.56M) -15.66%
Ministry of Agriculture and Fisheries/National Irrigation Commission Limited	Installation of Pipes and Fittings and Ancillary Works for New Forest/Duff House Irrigation System Block A	2011-11-22	\$48.72M	\$51.49M	(\$2.77M) -5.38%

Based upon Table 1 above, the OCG noted that in two (2) instances, the priced bids exceeded the Comparable Estimate by an average of 12.1%, whilst, in the remaining four (4) instances the priced bids were below the Comparable Estimate by an average of 18.3%. Therefore, it is reasonable to conclude that said Public Bodies are generally being diligent and some effort is being placed in the preparation of the Comparable Estimate.

In the foregoing regard, the OCG maintains that the non-disclosure of the Comparable Estimate to all potential Bidders creates an opportunity for the undermining of the legitimate procurement process and is a corruption enabling tool. In that regard, corrupt Contractors may attempt to ascertain the amount that is earmarked for the contract and, therefore, seek to ensure that their bid closely corresponds with that sum. Consequently, those Contractors will have a competitive advantage over other Bidders.

Having identified this corruption enabling tool, the OCG has made representations and consequent recommendations to the Government of Jamaica regarding the full disclosure of the Comparable Estimate as part of the Invitation to Tender. The OCG again calls for the Government to consider the OCG's Proposal.

(b) Pre-Contract Timeline

At the conclusion of the Pre-contract Stage, there is the possibility for enormous cost savings if the project commences within the shortest possible time. The old adage “Time is Money”, highlights the importance of maintaining the project timeline during the contract implementation stage. In fact, a project that is delayed for a minimum period of six (6) months is likely to accumulate tens of thousands of dollars due to market volatility, which may result in significant cost overruns or an abortion of the project.

The timeline between the tender opening date and the actual contract start date is, therefore, important for a number of reasons, namely, to ensure that (a) the Public Body and the prospective Contractor adhere to the Tender Validity Period (b) the validity of the Bid Bond is honoured, and (c) the cost associated with inflation and its impact on getting “Value for Money” is mitigated.

On average, the Tender Validity Period for the Government’s bidding process falls between three (3) and four (4) months. In the event that an extension is required, as a result of delays that are caused by the Public Body, the successful Bidder may not be willing to amend the Tender Validity Period. This situation could very well cause further delays in the process, or the necessity to award the Contract to a Bidder with a higher tender sum.

The table below shows the timelines ranging from four (4) to nine (9) months, for the pre-contract activities which were undertaken by a number of Public Bodies in respect of certain construction contracts. The majority of the projects that are tabulated below were subjected to an extension of the Tender Validity Period at the Pre-contract Stage; and were exposed to the potential risk of further delay and, consequently, the loss of value for the project.

Table 2: Selected Cases – Pre-contract Timeline for six (6) Public Bodies

Analysis of Pre-contract Timeline								
Public Body / Entity	Name of Project	Tender Date	Date of NCC Endorsement	Date Cabinet Approval	Contract Award Date	Contract Sum (J\$)	Contract Start Date	Duration from Tender Opening Date to Contract Start Date (approx. mths)
Ministry of Agriculture and Fisheries / National Irrigation Commission Limited	Construction of Water Users Association / NIC Office Building	2011-03-25	2011-06-01	N/A	2011-06-22	\$12.57M	2011-07-04	4.0
Office of the Prime Minister / Jamaica Bauxite Mining Limited	Rocky Point Market Reconstruction (#72406)	2011-03-08	2011-05-04	N/A	2011-06-09	\$45.54M	2011-12-09	9.0
Office of the Prime Minister / Jamaica Social Investment Fund (JSIF)	Water Wheel to Peasant Hill Road Rehabilitation (#072531)	2011-06-21	N/A	N/A	2011-10-13	\$22.39M	2011-10-19	4.0
Office of the Prime Minister / Jamaica Social Investment Fund	Wilson Run Primary School Sanitation Upgrade (#072491)	2011-06-2	2011-09-07	N/A	2011-10-27	\$28.23M	2011-10-27	4.0
Ministry of Education / Moneague College	Construction of Office Building Extension	2011-04-29	2011-07-20	N/A	2011-09-13	\$15.93M	2011-09-19	4.5
Ministry of Finance / Bank of Jamaica	Renovation of the Pension Fund Building at 76 Knutsford Boulevard	2011-04-27	2011-08-17	N/A	2011-10-27	\$13.10M	2011-10-27	6.0

During the 2011 calendar year, the Construction Contracts Division also identified other problems which occurred in the Pre-contract Monitoring Stage which normally results in an increase in costs and delays to remedy same. These include, *inter alia*, a failure by the Public Body to (a) adequately review the existing site conditions which usually results in the discrepancy of Bills of Quantities and inconsistencies in drawings compared to that on site (b) acquire the requisite approval/permit from the respective Entity, and (c) carry out adequate soils tests.

POST-CONTRACT MONITORING

The OCG cited some areas of concern in the conduct of the Post-Contract Monitoring activities. These included, *inter alia*, the following:

Contract Administration and Management

Public Bodies, in the execution of their projects, in most instances, utilised a Project Manager or Consultant to administer and manage the implementation stages of the contract. The respective individuals are either in-house experts or persons who are externally engaged.

During the conduct of sustained monitoring exercises, the OCG has found that where there is an inadequacy in the application of Project Management skills, it is likely that the implementation/execution of the project will be delayed and consequently extended.

The OCG identified similar problems in the following two (2) instances:

- (1) The Ministry of Education awarded a contract on March 22, 2011, for the Construction of a Replacement School for Red Hills Primary School, via the Limited Tender Procurement Methodology, in the amount of \$256,030,060.00. The OCG found that there were delays by the Public Body to issue required instructions regarding large soil cavities that were encountered by the Contractor, during the excavation of the foundations of the class room blocks.
- (2) The Ministry of Education awarded a contract on October 28, 2009 to Redevelop, Rehabilitate and Expand Foga Road Basic School & Clarendon Resource Centre, via the Open Tender Procurement Methodology in the amount of \$72,819,352.00. The OCG found that there was a failure by the Public Body to carry out adequate soil tests and re-design of various external Works. There was also an inadequacy in aspects of roof designs which contributed to the delays in the completion of the Works and will likely result in an increase to the final cost of the project.

Poor Performance

Due to the poor performance of one or more of the stakeholders that were involved with the relevant contract, there are a number of Government projects which have been unsuccessful. The relevant stakeholders include; Public Bodies, Contractors, Consultants and Project Managers. Problems have been encountered as a result of the poor performances of such entities and/or persons, in respect of the execution of their responsibilities, during the Pre and Post-contract Stages of the project.

However, there are activities that can be undertaken to possibly mitigate these unwanted eventualities. These activities include the following:

- Using qualified and competent Contractors and Consultants;
- Ensuring that all professionals that are involved with the project are recommended by well respected individuals within the industry;
- Accurate and precise record keeping of events during implementation/execution of project by the Public Body, Consultant and Contractor;

- 'Blacklisting' Contractors and Consultants who have performed poorly on construction contracts in the past; and
- Reporting negligent Public Bodies and Project Managers to the appropriate Authority (e.g. the Attorney General or the Solicitor General), in order to obtain advice on the appropriate corrective actions and penalties that may be imposed.

Over the years, Government contracts have been treated with scant regard by those in responsible positions and by those who can make a difference in the outcome of the performance of the contracts. Proactive decisions ought to be made in order to curb the delay, the unnecessary spending, the cost overruns, the substandard workmanship and the poor project administration that are typically associated with such contracts.

Table 3 below gives examples of contracts that have suffered from a variety of poor performance considerations.

Table 3: Selected Cases - Contracts indicating issues relating to Poor Performance

Poor Performance on Projects						
Public Body/Name of Project	Contract Sum (J\$)	Public Body	Consultants	Project Manager	Contractor	Comments
National Water Commission/Installation of Twenty-Three (23) Flow meters and Associated enclosure completed with Transmitter Pressure Transducer and Loggers.	\$13.11M	x			x	Delays experienced on the project were as a result of poor coordination between NWC operations staff and the Contractor.
National Water Commission/Essex Valley Water Supply Project Phase 1 - Contract 1 B	\$67.88	x		x	x	Financial constraints by Entity in addition to poor project management and tardy performance by the Contractor have resulted in the project's prolonged duration.
St. Mary Parish Council Construction/Renovation of Roads and Works Building.	\$21.20.0M	x				Inadequate due diligence by the Entity resulted in delays and variations to the project, as during the execution of the Works, discrepancies were identified between the Working Drawings and Bills of Quantities.
Housing Agency of Jamaica/Land Surveying Services - Belle Air 3 & Mt. Edgecombe, St. Ann.	\$9.66M	x				Delay by the Entity in providing the Contractor with requisite information resulted in prolonged delays in completion of the project

Poor Performance on Projects						
Public Body/Name of Project	Contract Sum (J\$)	Public Body	Consultants	Project Manager	Contractor	Comments
National Irrigation Commission Limited Supply and Installation of Three (3) Irrigation Deepwell Pumps, Motors, Variable Speed Drives and Construction of Pump houses.	\$77.31M	x			x	The project incurred variations and additional cost as the Entity failed to include required items of Works in the contract. The Contractor's failure to perform in a diligent manner contributed to delays in the completion of the project.
Housing Agency of Jamaica Construction of 132 No. Two (2) Bedroom Houses and attendant Infrastructure Works at Westmeade.	\$663.86M				x	Inadequate supply of materials and poor Works methodology employed by the Contractor resulted in delays to the project.
National Education Trust Limited/Renovation and Extension of an Existing Facility to be used as a Special High School at Malvern, St. Elizabeth.	\$51.14M	x			x	Inadequate planning by the Entity, unforeseen issues and poor performance by the Contractor resulted in the project incurring approximately 51% variations in cost and an extension to the completion deadline.

X -Poor performance by stakeholder on project

Contract Performance Monitoring

The primary purpose of monitoring Contractor performance is to continuously review the planned, ongoing or periodic activities of contracts. This would facilitate the measurement and management of the Contractor's compliance, in relation to the terms and conditions that are outlined in the contract, in an effort to determine whether the required results are being achieved. Without sustained monitoring, the successful completion of projects could be jeopardised in a number of instances, some of which are outlined in Table 4.

Table 4: Selected Cases - Contract Performance Monitoring

Contract Performance Monitoring				
Contract Award Date	Ministry/Entity	Name of Project	Tender Method & Contract Value (J\$)	Remarks
2011-03-16	Office of the Prime Minister/National Housing Trust	Creighton Hall Housing Development Infrastructure Construction Works	Selective Tender \$165,844,556.50	Poor performance in the timely execution of the works by the Contractor resulted in the Entity applying Liquidated Damages in accordance with the contract.
2010-06-11	Ministry of Health/South East Regional Health Authority	Repairs to Roof and Interior of Building at Port Morant Health Centre	Limited Tender \$5,294,451.75	Poor performance in the execution of the Works by the Contractor resulted in the Entity applying Liquidated Damages in accordance with the contract.
2010-02-24	Office of the Prime Minister/National Housing Trust	Industry Cove Housing Development – Civil Engineering Services	Selective Tendering \$8,297,486.00	Services of Contractor was terminated due to non-performance

Contract Performance Monitoring				
Contract Award Date	Ministry/Entity	Name of Project	Tender Method & Contract Value (J\$)	Remarks
2010-07-12	Ministry of Housing, Environment, Water and Local Government/ Housing Agency of Jamaica	Construction of 132 No. Two (2) Bedroom Houses and attendant Infrastructure Works at Westmeade	Limited Tender \$663,867,750.00	Continuous tardy performance in regard to the planning and execution of the Works in a timely manner resulted in the project being significantly behind schedule.
2009-08-20	Ministry of Transport and Works/National Works Agency	Jamaica Development Infrastructure Programme - Eleven Miles Box Culverts, Bull Bay, St. Thomas	Sole Source \$135,823,783.18	Tardy performance in the timely execution of the Works by selected Sub-Contractor resulted in the project being significantly behind schedule.
2008-12-29	Ministry of Housing, Environment, Water and Local Government/National Water Commission	Essex Valley Water Supply Project Phase 1 - Contract 1B	Selective Tender \$67,882,400.00	Contractors performed in a tardy manner during execution of the Works, resulting in a prolonged contract period.

Payments to Contractors

In 2011, the OCG observed, by way of several correspondences between Contractors and Public Entities, that there were issues relating to delayed payments to Contractors for several projects that were monitored. In this regard, it was noted that the unavailability of Government funds was a significant factor which compounded the issue.

The foregoing has been a major cause for concern as these delays may result in additional costs for the project, by way of interest payments, delays in carrying out contract related activities or cessation of the Works. Table 5 below illustrates a few examples of such delays in payment.

Table 5: Selected Cases - Issues Identified Regarding Payment to Contractors

Delayed Payments to Contractors				
Contract Award Date	Ministry/Entity	Name of Project	Tender Method & Contract Value (J\$)	Remarks
2011-08-23	Ministry of Housing, Environment, Water and Local Government	Mile Gully/Warwick Castle Water Supply	Local Competitive Bidding \$2,427,046.30	Budgetary constraints and protracted delays in the delivery of Water Tanks by the Entity resulted in the Contractor not completing the project in a timely manner.
2010-06-11	Ministry of Health/South East Regional Health Authority	Repairs to Roof and Interior of Building at Port Morant Health Centre	Limited Tender \$5,294,451.75	Budgetary constraints by the Entity resulted in delays in payments to the Contractor.
2010-08-10	Ministry of Education	Redevelop, Rehabilitate and Expand Foga Road Basic School & Clarendon Resource Centre	Open Tender \$72.8M	Entity was not diligent in making payments to the Contractor as it relates to variations.

Contract Variations, Cost Overruns and Fluctuations

In accordance with the Government Procurement Procedures, a cost overrun is defined in Volume 2 page (vi) as “an increase to the contract sum resulting from escalation in the price of labour and or material.”

In 2011, the cost overruns on Construction Projects sampled decreased from the previous year. During the conduct of the OCG’s monitoring exercise, cost overruns impacted fifteen (15) of the four hundred and ten (410) Works contracts resulting in a cost of approximately J\$1.2B.

The cost overruns incurred for the reporting period, represents approximately 8.5% of the total monetary value of all the contracts which were endorsed by the NCC. Table 6 below illustrates a comparison of the cost overruns which occurred between 2010 and 2011.

Table 6: Comparison of Cost Overruns which occurred between 2010 and 2011

Cost Overruns			
Year	Value of NCC Endorsed Contracts (J\$B)	Cost Overrun (OCG Monitored Projects) (J\$B)	Percentage (%)
2010	\$12.5	\$1.36	10.9
2011	\$14.14	\$1.20	8.5

VARIATIONS AND FLUCTUATIONS

A Variation is a change to the deliverable(s) under a contract (e.g. an increase or decrease in the scope of works to be performed, amount/type of goods to be supplied, etc.), and must relate to the subject of the specific deliverables that are contained in the original contract, i.e. project site, road, buildings, etc.

A Fluctuation refers to changes in the price of labour, materials or other inputs under the contract.

It is evident that, in most instances, there are Variations/Fluctuations that seemingly plague Government Contracts. Hence, investigations should be conducted to determine whether the cases of overspending had adverse effects on the attainment of “Value for Money” on the projects and/or whether the overruns were as a result of poor planning, poor designing, or the inefficiencies of the Public Bodies and/or the Consultants/Project Managers.

It should be noted that Public Bodies are responsible for authorising Variations to a Contract pursuant to the Government Procurement Procedures. However, the OCG observed, during several NCC Sector Committee meetings, that some Public Bodies were not adhering to the variation procedures. This was evidenced by comments made on the Variation Transmittal Forms that were submitted, which included, *inter alia*, the following:

- The project is already complete; why is this Variation Transmittal just being submitted for approval.
- The Variation Transmittal should have been sent through the Sector Committee before coming to the NCC for endorsement.
- There are Fluctuations included on the Variation Transmittal form and these should not have been included as variations.
- There is no approval seen from the Permanent Secretary for this variation as required by the Government Procurement Procedures.

- This variation doesn't need to come to this committee as it is below the threshold percentage in variance.

The OCG has continuously emphasised the importance of proper procurement planning to mitigate overspending at the Pre and Post-contract Stages. It is, therefore, imperative that all persons involved in the procurement process are diligent in the execution of their respective duties.

Table 7 below illustrates the impact of Variations and Fluctuations on contract sums for select Government contracts which are reported in Appendix II.

Table 7: Selected Cases - Variations and Cost Overruns in Selected Government Contracts

Variations and Cost Overruns									
Public Body / Entity	Name of Project	Contract Award Date	Contract Sum	Contract Duration (Months)	Contract Start Date	Scheduled Completion Date	Completion Date	Time Overrun (Months)	Variation /Cost Overrun
Office of the Prime Minister /National Housing Trust	Hampden Sugar Housing Development	2010-03-04	J\$199.9M	12	2010-03-01	2011-02-28	Ongoing	10	J\$102.4M
Ministry of Transport and Works/ National Works Agency	Construction of Dry River Bridge at Harbour View	2010-03-19	US\$8.9M	18	2010-03-01	2011-09-24	2011-10-31	1	US\$1.2M
Ministry of Transport and Works/ National Works Agency	Fifth Road (Washington Boulevard Improvement) Project	2009-10-09	J\$1.2B	16	2010-01-04	2011-05-03	2011-10-11	5	J\$561.2M
Ministry of Transport and Works/ NMIA Airports Authority	Reinforced Concrete Water Storage Tank - Norman Manley International Airport	2011-01-27	J\$22.3M	5	2011-02-21	2011-07-09	2011-10-25	3.5	J\$4.4M
Office of the Prime Minister/ Jamaica Social Investment Fund	Investing for Community Development Poverty Reduction Programme II (PRPII) - Completion of Three (3) Classrooms (Upper Floor) Windward Road Primary and Junior High School	2010-09-23	J\$15.7M	4	2010-10-11	2011-02-11	2011-08-28	6	J\$5.8M
Ministry of Agriculture and Fisheries/ Ministry of Agriculture	Gustav Farm Roads Rehabilitation Project - Peters Hill to Clifton Hill.	2011-01-11	J\$19.8M	2.0	2011-02-07	2011-03-31	Ongoing	8	J\$7.0M

CONTRACTING UNDER EMERGENCY CIRCUMSTANCES

In accordance with the Government Procurement Procedures, Volume 2 1.1.5, Emergency Contracting is permitted in any of the following circumstances:

- (a) For repairs or remedial action necessary to preserve public safety or property; or to avoid great social harm or significant public inconvenience;
- (b) For the procurement of Goods, Services or Works in any extenuating circumstance in which the Procuring Entity is likely to incur or suffer financial loss if the procurement is not executed immediately;
- (c) For the procurement of Goods, Services or Works in any circumstance in which the national interest and/or national security considerations demand that the procurement be undertaken immediately; or
- (d) For the business-sensitive procurement of Goods, Services or Works in any extenuating circumstance, in which the operating functions or business objectives of a Procuring Entity are likely to be significantly impeded or placed in jeopardy, if the procurement is not executed in a limited timeframe.

The need for such procurement must be sudden, unexpected or exigent.

Where an emergency situation exists as defined above, the Procuring Entity may engage a Contractor by means of Direct Contracting. The Head of the Procuring Entity shall give approval for the issuing of emergency contracts. This approval shall be in writing and shall form part of the procurement record kept by the Entity.

Contracts awarded under emergency circumstances, which are valued above **J\$3M**, shall be reported to the NCC within a month of which the award was made, along with full justification for the procurement.

The Report shall be done within the month the contract is awarded and shall include:

- (a) A justification;
- (b) A statement as to why the contractor was selected; and
- (c) The value of contract awarded.

During the reporting period, the OCG has noted that some Entities have opted to use the Emergency Contracting Methodology to award contracts for values ranging from J\$1.05M to J\$230.5M. Whilst some of these projects warrant the usage of the referenced Methodology, it is evident that with proper planning, the other projects could have been procured using a more appropriate Procurement Methodology.

The OCG's concerns with the usage of Emergency Contracting is founded on the premise that Entities may not carry out the required due diligence and will, therefore, recommend awards to Contractors that (a) have exceeded their Workload Limits, or (b) are not registered with the NCC in the required Grade and/or category.

In addition, the OCG is concerned whether (a) value for money will be achieved using the referenced Methodology, (b) the Local Competitive or Limited Tender Procurement Methodology could have been used to accomplish the procurement within a reasonable time, and (c) the decision to use the Emergency Contracting Methodology was made in a sufficiently timely manner, which would warrant the project being termed ***an emergency***.

Item (c) above is of particular interest as it has been observed that several projects which were awarded via the Emergency Contracting Methodology, could have been procured utilizing the Local Competitive Bidding Procurement Methodology, as the proposed project had been in existence for a duration that, with proper planning, could have facilitated the appropriate procurement procedure.

During the year 2011, Works Contracts with an approximate value of J\$1.4B were awarded utilising the Emergency Contracting procedures.

Table 8: Selected Cases – Contracting Under Emergency Circumstances in Selected Government Contracts

Contracting Under Emergency Circumstances				
Ministry/Entity	Name of Project	Contract Sum	Contract Award Date	Remarks
Ministry of Transport and Works/National works Agency	Repairs to Reinforced Concrete Roof, Gordon House	J\$10,104,475.00	2011-08-03	Selective Tender Procurement Methodology was initially used; sole bid sum was 43.3% above Comparative Estimate and the decision was taken to re-tender the project. Subsequently the NCC was advised, by way of a letter, that the Contracting under Emergency Circumstances Procedure was used to engage the Contractor.
Ministry of Transport and Works/National works Agency	Tropical Storm Nicole Drainage Network Rehabilitation Project - Cariwina Avenue and Red Hills Boulevard/Renfield Drive	J\$49,156,327.13	2011-07-15	The Limited Tender Procurement Methodology was utilised to invite Contractors. Following the opening and evaluation of Tenders, the lowest responsive tender was recommended for award of contract. Subsequently the NCC was advised, by way of a letter from the Entity, that the Contracting under Emergency Circumstances Procedure was used to award a contract to the Bidder who submitted the lowest responsive tender.
Ministry of Transport and Works/National Works Agency	Tropical Storm Nicole Drainage Network Rehabilitation Project – PriceSmart (Red Hills – Perkins Boulevard)	J\$72,613,190.70	2011-07-15	The Limited Tender Procurement Methodology was utilised to invite Contractors. Following the opening and evaluation of Tenders, the lowest responsive tender was recommended for award of contract. Subsequently the NCC was advised, by way of a letter from the Entity, that the Contracting under Emergency Circumstances Procedure was used to award a contract to the Bidder who submitted the lowest responsive tender.
Ministry of Energy and Mining/Petrojam Limited	Drum Cleaning - June Shutdown 2011	J\$2,175,000.00	2011-04-20	The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors. Following the opening and evaluation of the tenders, it was recommended by the Procurement Committee that the process be aborted and re-tendered. The Entity, however, informed the OCG that due to an emergency shutdown, and to avoid financial losses and public inconvenience, the Contracting under Emergency Circumstances procedure was used to award the contract.
Office of the Prime Minister/National Housing Trust	The Installation of 5.8km of Ductile Iron Pipeline Materials and Appurtenances for the Longville Park Phase 3, Off-Site Water Supply.	J\$80,853,850.00	Unavailable	The NCC was advised, by way of a letter from the Office of the Prime Minister (OPM), that the Emergency Contracting Methodology had been utilised for the award of contract for the provision of Water Supply to the Longville Park, Phase 3 Project. The OPM also noted that the procurement had not disclosed any sudden, unexpected and pressing necessity or exigency. On the contrary, it was suggested that the NHT was aware of the intended procurement a few months prior to the award of contract.

MAJOR PROJECTS

Jamaica Development Infrastructure Programme (JDIP)

Last year, the Office of the Contractor General (OCG) reported on the Jamaica Development Infrastructure Programme (JDIP) which was being undertaken by the Government of Jamaica (GOJ) to upgrade and enhance the land-based transport infrastructure. This venture was to be executed over a period of five (5) years.

The JDIP commenced towards the end of 2010, and was monitored by the OCG throughout the reporting year 2011.

Meeting at the OCG

In an effort to get a clearer understanding of the JDIP, the OCG invited senior officials from the National Works Agency (NWA) to a meeting at its office on February 3, 2011. Included in the NWA's team were Messrs. Patrick Wong, George Knight and Dwight Wilson, who enlightened the OCG staff members in attendance, as to the process for the award of sub-contracts and the implementation of the JDIP projects.

Some of the salient points confirmed by the NWA officials during the meeting are as follows:

- i. The Ministry of Transport and Works (MTW) had entered into a contract with China Harbour Engineering Company Limited (CHEC) as the main Contractor for the JDIP. Grade 1 General Road Works Contractors were invited to participate in a Prequalification Exercise with a view to being selected as Sub-Contractors for JDIP projects;
- ii. The NWA did not get involved with the selection of the Sub-Contractors and did not have documentation of the process that was utilised by CHEC to select same;
- iii. Once CHEC had selected the Sub-Contractors, their names would be submitted to the NWA to get a "no objection";
- iv. Mr. Wong would be suggesting to the Government, that for future projects like JDIP, some process should be developed in terms of the selection of the Sub-Contractors;
- v. With regard to the selection of roads for construction, repairs etc., decisions were made from (a) information received through a Conditions Survey that had been completed, (b) an analysis of the location of "black spots", and (c) complaints that were received from the general public;
- vi. CHEC was not required to be National Contracts Commission (NCC) and Tax Compliance Certificate (TCC) compliant. However, Mr. Wong advised that he would be recommending that this be done.

OCG's Requisition

Based upon the information provided by the NWA to the OCG, during the meeting held at its office on February 3, 2011, the OCG, by way of a letter which was dated February 18, 2011, requisitioned a number of documents along with relevant information.

Included in the list of requisitions were (a) a copy of the signed and dated Contract Documents, (b) the names of Sub-Contractors selected, and (c) evidence of NWA's 'no objection' of the Sub-Contractors selected by CHEC.

The NWA was given a deadline of March 18, 2011, to forward the requisitioned items to the OCG.

Loan Agreement

In a letter which was dated February 8, 2011, the OCG also requested that the NWA provide it with a copy of the Loan Agreement between the GOJ and the Export-Import Bank of China.

This document was forwarded to the OCG by the NWA, on February 15, 2011.

Warning Letters

The NWA, despite providing the OCG with some of the documents and information that were requested in the letter of February 18, 2011, failed to fully satisfy the OCG's lawful request and was, therefore, issued with warning letters which were dated April 7 & 29, 2011.

On May 9, 2011, the NWA finally submitted to the OCG, a list of the Sub-Contractors assigned by CHEC to specific projects that were being implemented under the JDIP for years 1 and 2 of the Programme.

However, the entire list of requisitioned items had still not been submitted by the NWA and this resulted in the OCG issuing a comprehensive letter to the NWA, which was dated May 16, 2011, with the following sub-headings:

- i. Discharge of the Office of the Contractor General's Statutory Contract Monitoring Mandate;*
- ii. Chronology of interchanges between the OCG and the NWA, following upon the foregoing exchange of correspondence between the OCG and the MTW;*
- iii. OCG's assessment of documents received from the CEO, NWA, under cover of letter dated May 9, 2011 and OCG's formal demand for the NWA's compliance with the OCG's Statutory Requisitions;*
- iv. Telephone discussion on May 9, 2011 between the Contractor General and the CEO, NWA; and*
- v. Full cooperation of the NWA required."*

The letter reiterated the OCG's concern that was demonstrated to Permanent Secretary, Alwin Hales, in its letter dated September 15, 2010, wherein the OCG stated that:

"Having regard to the OCG's considered concerns articulated above, we propose that the following provisions are included in the Contract Agreement between CHEC and the Government of Jamaica, to stipulate:

- (a) That only NCC Registered Contractors are utilized on the project;*
- (b) That a competitive bidding process must be employed in the engagement of Sub-Contractors; and*
- (c) That proper records are maintained for the Sub-Contractor's selection process, so that pertinent records can be scrutinized and/or be investigated by the Office of the Contractor General, in tabling appropriate reports to the houses of Parliament of Jamaica."*

In the referenced letter dated May 16, 2011, sub-section *"ii. Chronology of interchanges between the OCG and the NWA..."*, one of the more significant issues brought out involved the OCG's requisition of April 7, 2011, for the NWA to provide the names of the Sub-Contractors assigned to specific projects currently being implemented.

Background information is provided by the OCG on this matter by making reference to the same meeting that was held at its office on February 3, 2011, during which the OCG sought information regarding the NWA's role in the selection of Sub-Contractors for the JDIP projects. Mr. Beresford, the Senior Director of Monitoring Operations and Corporate Communications and Special Projects, at the OCG, had stated that he was aware that the NWA did not participate in the selection process of the Sub-Contractors and queried as to how the NWA would be assured that only NCC registered Sub-Contractors were utilised.

An extract from the Minutes of the referenced meeting indicated that *"Mr. Knight responded that once CHEC selected the Sub-contractors, their names would be submitted to the NWA to get a 'no objection'. Mr. Knight stated that the NWA examines whether the Sub-contractors are qualified to complete the works in the particular grade and if they are registered with the NCC."*

It was, therefore, quite surprising to the OCG that the NWA, in a letter which was dated May 2, 2011, responded to the referenced requisition by stating that *“The names of the sub-contractors assigned to specific projects have been requested from CHEC and will be sent as soon as it is received.”*

The OCG concluded the referenced comprehensive letter of May 16, 2011, to the NWA, by stating that, due to the non-submission of requisitioned information to the OCG:

“It is, therefore, pellucid from the foregoing interchanges, that there has been an unacceptable degree of obstruction, on the part of the NWA, in providing to the OCG, detailed particulars of information regarding the execution of projects under the JDIP and, in particular, OCG requisitioned particulars regarding the sub-contractors who have been or who are to be engaged on works projects which are to be executed under the JDIP.”

The OCG advised that it was imperative that the NWA appreciated that the OCG's could not be effectively satisfied until and unless it received the full and unfettered cooperation of the Entity, and until the OCG was seized, in a timely fashion, with all pertinent documents that were related to the JDIP Project.

The OCG then emphasised that the NWA's cooperation in fully complying with future OCG Requisitions, regarding the JDIP, would, among other things, enable the OCG to (a) establish whether the commitment which was given by the MTW Permanent Secretary (that only NCC registered Sub-Contractors, in the appropriate Grade and Category, will be engaged), was one which was in fact being complied with, (b) secure evidence that the JDIP Works were, in fact, being undertaken at the locations which had been indicated, (c) effectively monitor all JDIP sub-contract projects at the locations indicated, to ensure the highest degree of quality, and (d) ensure that value for money, for and on behalf of the taxpayers of Jamaica, was secured on every JDIP sub-contracted project.

The NWA's Response

In its response to the OCG, by way of a letter which was dated May 18, 2011, the NWA advised that its role in the implementation of the Works under the JDIP was to ensure that the time, cost, scope, quality and standard of the Works being executed were in accordance with the terms and specifications of the contract between the GOJ and CHEC, while at the same time maintaining the NWA's quality of service and value for money goals.

On the matter of the 'no objection' of the Sub-Contractors selected by CHEC, the NWA stated in its letter that *“It is apparent that Mr. Knight's statement was misconstrued as his intent was to convey the standard procedure for the selection of the Sub-contractors by CHEC.”* In other words, the NWA's 'no objection' was, in fact, meant to be associated with the Pre-qualified Contractors and not the Sub-Contractors that were being utilised by CHEC.

The OCG maintains that Mr. Knight's minuted statement on the 'no objection' of Sub-contractors (not Pre-qualified Contractors), was made during the meeting held at the OCG on February 3, 2011, in the presence of Mr. Patrick Wong who did not challenge the referenced statement.

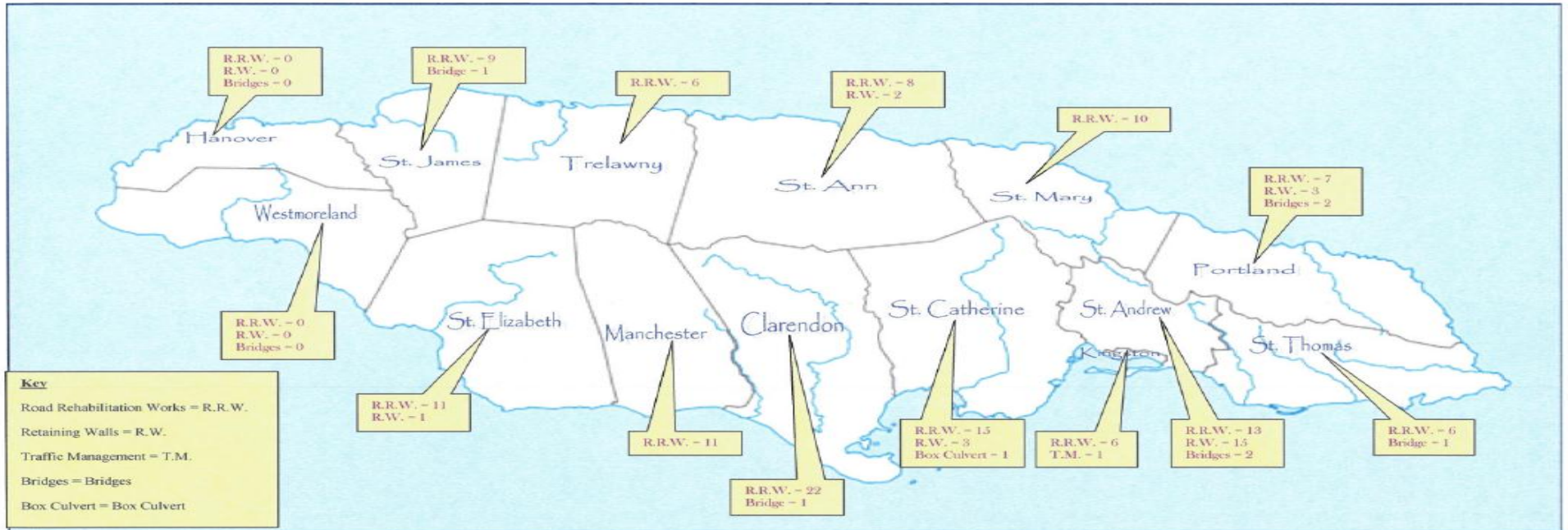
The NWA, in closing its letter, assured the OCG that it remained committed to working with the OCG to uphold the highest standards of accountability and to satisfy the people of Jamaica that the programme of Works under every aspect of the JDIP was being conducted with the highest degree of probity and that they were indeed getting value for money.

By way of a letter which was dated May 27, 2011, the OCG again outlined to the NWA, a number of requisitioned documents that were still outstanding. Finally, under cover of letter dated June 9, 2011, the NWA submitted to the OCG, the remaining requisitioned documents, some of which had been requested from as far back as November 8, 2010.

Displayed, below, are the following:

- i. A graphic representation of the Parishes of Jamaica showing the distribution of the JDIP projects islandwide;
- ii. A chart indicating the JDIP Sub-Contractors along with the number of projects to be implemented by each.

MAP OF IDIP PROJECTS IN EACH PARISH



JDIP PROJECTS IN EACH PARISH

Parish	Road Rehabilitation Works (R.R.W.)	Retaining Walls (R.W.)	Traffic Management (T.M.)	Bridges	Box Culvert
Clarendon	22	0	0	1	0
St. Andrew	13	13	0	2	0
St. Catherine	13	3	0	0	1
St. Elizabeth	11	1	0	0	0
Manchester	11	0	0	0	0
St. Mary	10	0	0	0	0
St. James	9	0	0	1	0
St. Ann	8	2	0	0	0
Portland	7	3	0	2	0
St. Thomas	6	0	0	1	0
Trelawny	6	0	0	0	0
Hanover	0	0	0	0	0
Westmoreland	0	0	0	0	0

List of JDIP Sub-Contractors

OFFICE OF THE CONTRACTOR GENERAL (OCG) LIST OF SUB-CONTRACTORS ENGAGED UNDER THE JAMAICA INFRASTRUCTURE DEVELOPMENT PROGRAMME, SUBMITTED ON JUNE 09, 2011, BY THE NATIONAL WORKS AGENCY PURSUANT TO AN OCG STATUTORY REQUISITION DATED MAY 27, 2011

GENERAL SUMMARY

LIST OF SUB-CONTRACTORS ENGAGED UNDER JDIP AND NUMBER AND VALUE OF CONTRACTS AWARDED

	Name of Sub-Contractor	Number of Contracts Awarded	Aggregated Contract Sum	Variation	Total Value (Aggregated Contract Sum and Variation)	Percentage of Grand Total
1	Y.P. Seaton & Associates Co. Ltd.	11	3,700,392,592.30	80,579,047.68	3,780,971,639.98	26.26
2	Build Rite Construction Co. Ltd.	3	2,055,780,804.62	95,921,643.46	2,151,702,448.08	14.94
3	Rogers Land Development	8	1,712,232,818.82	48,420,029.65	1,760,652,848.47	12.23
4	Dwights Construction Ltd.	2	1,559,978,112.06	61,140,747.50	1,621,118,859.56	11.26
5	Alcar Construction & Haulage Co.	5	1,470,964,092.01	-	1,470,964,092.01	10.22
6	Asphaltic Concrete Enterprise	5	1,127,209,684.39	17,548,917.32	1,144,758,601.71	7.95
7	General Paving Company Ltd.	3	527,292,786.77	68,691,081.34	595,983,868.11	4.14
8	Construction Solutions Ltd.	2	434,237,795.56	66,860,274.25	501,098,069.81	3.48
9	Valley Slurry Seal (Caribbean Ltd)	1	386,964,072.00	37,119,026.52	424,083,098.52	2.95
10	Brighton Engineers Ltd.	2	306,699,145.69	5,736,832.63	312,435,978.32	2.17
11	Surrey Paving & Aggregates Co. Ltd.	3	244,770,897.86	75,542,134.33	320,313,032.19	2.22
12	N.F. Barnes Construction & Equipment Co.	1	174,575,551.40	3,471,662.59	178,047,213.99	1.24
13	Chin's Construction	1	50,727,806.42	-	50,727,806.42	0.35
14	Nakash Construction Co.	1	44,131,175.00	-	44,131,175.00	0.31
15	Pavement & Structures	1	42,815,383.13	-	42,815,383.13	0.3
	Grand Total	49	13,838,772,718.03	561,031,397.27	14,399,804,115.30	100

Preferential Buyer Credit Loan Agreement on Jamaica Road Improvement and Rehabilitation Works Project, between the Road Maintenance Fund of Jamaica and The Export-Import Bank of China

In another matter concerning the JDIP, the OCG, by way of a letter which was dated June 28, 2011, addressed to the Permanent Secretary in the MTW, Dr. Alwin Hales, made reference to an article which was published on the Gleaner Power 106 website, on June 27, 2011, entitled "*OCG manipulating JDIP info*". The article reported the Minister of Transport and Works, the Honourable Mike Henry, as asserting, *inter alia*, that "...the US\$340 million loan being used to fund the project came from the China Exim Bank with a pre-condition for a Chinese firm of their choice to undertake the programme."

The OCG went on to request that the Ministry provide it with a detailed and comprehensive Executive Summary, outlining, *inter alia*,

"...3) *The specific provision, in the agreement between the GOJ and The Export-Import Bank of China, which imposes the pre-condition upon the Government of Jamaica to engage China Harbour Engineering Company Limited.*"

In response to the OCG, by way of a letter which was dated July 19, 2011, Dr. Hales stated that "...*The specific provision, in the agreement between the GOJ and the Export Import Bank of China, which imposes the pre-condition upon the Government of Jamaica to engage China Harbour Engineering Company Limited cannot be fulfilled, as there is no such provision in the agreement. The agreement speaks to the selection of a Chinese Contractor and a signed contract by the said Chinese Contractor.*"

Media Release

Following the foregoing statement made by Dr. Hales, the OCG, by way of a Media Release which was dated July 22, 2011, advised the Jamaican public of its intention to launch a Special Investigation into the award of US\$400 Million JDIP Contract to CHEC after the Permanent Secretary in the MTW failed to substantiate public statements made by Minister Mike Henry.

Auditor General's Report and Resignations

On November 20, 2011, *The Gleaner* announced that in the wake of a highly critical report into the JDIP, by the Auditor General's Department, which was tabled in the House of Representatives on November 13, 2011, Mr. Patrick Wong was asked by the Minister of Transport and Works to resign. The report said that "*The Ministry of Transport and Works, together with the National Works Agency (NWA) and the Road Maintenance Fund, which has the responsibility for the implementation of the JDIP, has not executed the programme in a transparent manner. This is evidenced by inadequate capital project planning, monitoring and record keeping.*"

In the circumstances, the then Prime Minister Andrew Holness, assumed temporary control of the JDIP.

The Gleaner further reported that it was revealed on November 29, 2011, during the meeting of Parliament's Public Accounts Committee, that more than J\$60 million was spent on furniture for the NWA's offices, in addition to the J\$102 million refurbishing that sparked controversy after it was revealed in the Auditor General's Special Report on the JDIP.

In a Media Release made on November 30, 2011, Minister Henry said that "*In light of the ongoing attacks on the JDIP, which continue despite the prime minister and I having acted to address the issue, as the line minister, I take full responsibility for the issues which have arisen, and today tendered my resignation as minister of transport and works with immediate effect.*"

On November 30, 2011, it was also revealed in a news article that Permanent Secretary, Dr. Alwin Hales, had made a request to the Cabinet Secretary, Ambassador Douglas Saunders, to take a leave of absence from the Ministry in order to facilitate on-going investigations into the JDIP and related matters.

The Contractor General announced on November 29, 2011, that the OCG had commenced a formal enquiry into what appeared to be serious irregularities in the procurement by the NWA of the office furniture, valued at J\$62 million, which was acquired through the Palisadoes Shoreline Project.

Christina Development Road Project

The JDIP lists as one of its Major Projects, the Christiana Development Road Project. This project is comprised of a 1.053 km stretch of road located in Christiana, which is the second largest town in the parish of Manchester, and is 28 km (17.4 miles) north of the parish capital Mandeville. The road, with a design vehicular speed of 50 km/h, has two lanes of roadway with a total width of 11.96 m, runs west of the existing town centre, and consists of underpasses, HDPE pipe culvert, retaining walls, traffic signals and storm water drainage.

The NWA submitted an Executive Summary to the OCG, under cover of letter dated June 7, 2011, wherein it was indicated that the primary purpose of constructing this Corridor was to reduce traffic congestion in the town centre and on local adjoining main roads.

Project Objectives and Demand Analysis

The referenced Executive Summary indicated that the Christiana Development Road will allow the following to be achieved:

- Reduced congestion of traffic in the town of Christiana;
- Improved travel times along Manchester to Trelawny main roads (a reduction of 50% of travel time is projected throughout the town);
- Reduction in fuel consumption;
- Reduced vehicular emissions;
- Reduction in the potential for accidents;
- Reliable delivery time of goods for the market; and
- Improved driver safety and more efficient travel times on wet/rainy days.

Comparison of Estimates

The table below shows a summary of the CHEC's Estimate of the main aspects of the Project, compared to the Engineer's Estimate.

Table 1 - Cost Comparison

Item	Description	CHEC's Estimate (US\$)	Engineer's Estimate (US\$)	Percentage (%) Above
	General Summary			
1	Bill #1 Preliminaries	\$2,069,572.09	\$1,935,000.00	7
2	Bill #2 Road Works	\$4,310,026.69	\$4,220,567.25	2.1
3	Bill #3 Drainage	\$231,068.11	\$191,830.90	20.5
4	Bill #4 Slope Protection	\$599,633.00	\$526,694.00	13.8
5	Bill #5 Retaining Walls	\$1,138,566.00	\$1,080,942.23	5.33
6	Bill #6 HDPE Culverts	\$95,656.39	\$76,535.51	25
7	Bill #7 RC Pipe Culverts	\$120,515.04	\$105,690.56	14
8	Bill #8 6m x 3.6 m RC Box Culverts	\$189,619.35	\$163,040.73	16.3
9	Bill #9 6m x 5.5 m RC Box Culverts	\$234,012.61	\$205,113.94	14.1
	Total	\$8,988,669.28	\$8,505,415.12	5.7
	Contingency Sum (15%)	<u>\$1,348,300.39</u>	<u>\$1,275,812.27</u>	
10	Grand Total	\$10,336,969.67	\$9,781,227.39	5.7

Project Cost and Variations

The referenced NWA's Executive Summary has indicated that based upon a preliminary design, the original sum for the project at its launch was US\$7 Million. Due to the realignment of the roadway and its subsequent increase in length by 700 m, the construction cost for the final design increased to US\$8.9 Million. With an additional 15% allocated for contingencies, the total contract sum amounted to US\$10,336,969.67. The development is classified as a Turnkey Project, which incorporates both the design and the construction of the Corridor.

Payment Certificate Nos. 1 & 2 indicated the cost for the most expensive items of Works, as listed in the table below. It must be noted that all the items and their respective quantities, rates and totals, are the same as those provided in the Bills of Quantities for this project.

Table 2 - Cost of Most Expensive Items

Description	Unit	Quantity	Rate/ (US\$)	Total (US\$)
Excavate in soil to specific levels and elevations as per drawing including removal	M ³	27,786	18.6	516,819.60
Excavate in stone to specified levels and elevations as per drawing	M ³	11,223	37.21	417,607.83
Borrow material to sub grade as per specification	M ³	26,905	23.26	625,810.30
Transport soil to site and construct sub grade	M ³	13,462	11.63	156,563.06
Transport stone to site and construct sub grade	M ³	29,582	22.09	653,466.38
Sub base course material of crushed limestone laid and compact as per drawing	M ³	6,192	36.03	223,097.76
Paving 50 mm Bottom Asphalt concrete- Asphaltic concrete supply, machine lay and compact to finish	M ²	18,659	33.28	620,971.52
Supply, transport material to site and construct slope protection by Manpower (provisional)	M ³	1,300	197.67	256,971
Formwork for the concrete wall, vertical faces of footing and retaining wall	M ²	6,056	36.71	222,315.76
Supply, transport & pour concrete to concrete retaining wall on site (30 Mpa)	M ³	1,443	255.81	369,133.83
Supply, transport & pour Flag Stone Concrete to rubble concrete retaining wall on site (20 Mpa)	M ³	1,071	174.42	186,803.82
High tensile steel bars	Kg	160,029	2.05	328,059.45

Rates

The Asphaltic Concrete component of the roadway has the widest cost disparity between the Contractor's rate and the Engineer's Estimate. CHEC's contract rate for this item is US\$33.28 per square metre while the Engineer's Estimate was calculated at US\$25.00, which is 33.12% lower than that quoted by CHEC. The overall sum tendered by CHEC for this component was US\$620,971.52, compared to the Engineer's Estimate of US\$466,475.00, a difference of US\$154,496.52.

The current market rate to supply and place 40 mm thick Asphaltic Concrete which is rolled to falls and cambers in accordance with specifications, is approximately J\$1,400.00 or US\$16.47 per square metre. The rate quoted by CHEC is approximately 102% higher than the current market rate. It is instructive to note that the asphaltic material was sourced outside a 10 km radius of the project site.

In the foregoing regard, the OCG strongly believes that the MTW should have ascertained whether there was justification for the seemingly exorbitant rate charged by CHEC for the Asphaltic Concrete surfacing on this project.

Land Acquisition

The original sum set aside for Land Acquisition was US\$650,000.00 or J\$56.1M, which was approved by the Cabinet via Cabinet Decision No. 38/10, on December 6, 2010. This sum was, however, revised as additional lands were required. By way of Cabinet Decision No. 6/11, which was dated February 14, 2011, approval was granted for the revised budget of J\$86.1M, to carry out the exercise in its entirety.

Project Progress

As at December 31, 2011, the project was 90% complete. CHEC submitted a revised Work Plan to the NWA in order to fast track the remaining Works - mostly Road Works, in order to achieve Practical Completion by March 2012. Road Works began in November 2011, with Asphaltic Concrete surfacing slated to commence in February 2012.

Slope Protection Structures were done on one expanse of slope, while two (2) Gravity Retaining Walls were erected. There was a serious issue of shearing which occurred above these Gravity Retaining Walls. As such, CHEC provided covering to the slopes above these walls to prevent further splash action by rainfall and further shear activity until a remedy is found. Further to this, two (2) additional Gravity Retaining Walls, which were not in the original Scope of Works, have been built due to slope instability that occurred after excavation.

Road repairs will be done by CHEC from the entrance of Webb Road to the first Underpass, under the Christiana Development Road Project. This is a trade-off between CHEC and Build Rite Construction Company Limited that had done rehabilitative Works on the length of Webb Road up to the Underpass. Subsequent to this, heavy equipment operated by CHEC damaged the rehabilitated roadway. Build Rite Construction Company Limited carried out the remedial Works and it was agreed that CHEC would do the rehabilitative work to Webb Road starting from Main Street up to the underpass.

Despite an additional Variation Order which was submitted by CHEC, the NWA insisted that this variation would not increase the Contract Sum, as the total variation would not have exceeded the amount set aside in the contract for Contingencies.

Conclusion

After examining all the relevant documents pertaining to the Christiana Development Road Project, cost overruns and any significant delays in work progress were identified. The Project, as at the end of the reporting period, was kept within its budget despite some design modifications. The significant issue was the high cost of Asphaltic Concrete which was supplied for the project.

Notwithstanding the high cost of the Asphaltic Concrete road surfacing, the cost of the overall Road Works submitted by CHEC (US\$4,310,026.69) was only approximately 2.1% higher than the Engineer's Estimate (US\$4,220,567.25).

CHEC's quotation of US\$10,336,969.67 to undertake the Christiana Development Road Project surpassed that of the Engineer's Estimate (US\$9,781,227.39) by 5.68% or US\$555,742.28. This disparity may be viewed in such a manner which reflects that the GOJ did not receive value for money and one can only imagine what the most responsive bid would have been if the procurement had been opened up to a competitive tender process.

Furthermore, in assessing the NWA's justification for implementing this Project, the OCG concludes that the necessity for developing a project of this nature, at this particular time and in the present economical climate of Jamaica, is questionable.

Accident on Construction Site in Barbican

Last year, the OCG reported on the tragic accident where two (2) men were killed at a National Water Commission (NWC) Project Site for the Construction of Sanitary Collector Sewer at Barbican Road, Cedar Valley, Standpipe Lane, Ravinia and College Green, St. Andrew, when the walls of a sewer trench in which they were working, collapsed and trapped them beneath the earth. At the time of the accident, Ronham and Associates Limited was the Contractor responsible for the implementation of this segment of the Works. This project was **not** monitored by the OCG.

Subsequent to sending a requisition to the NWC, the OCG received an Accident Investigation Report on December 8, 2010, wherein the NWC outlined the cause of the accident as follows:

“Direct Cause of the Accident

The accident was caused by slippage of earth from the left embankment into the excavation likely as a result of a combination of the imposed load of the perimeter wall, the granular texture of the soil and vibration from the excavator.

Indirect Cause(s) of the Accident

The accident was indirectly caused by:

- a) *Failure to put in place protective structure or measures to prevent cave-in of the embankment of the excavation.*
- b) *Failure to anticipate and predict the need for protective measures to prevent trench collapse*

Root Cause of the Accident

A lack of systems and procedures to assess and manage safety risks at the worksite.”

OCG’s Review

The OCG, upon a review of the NCC Contractor Registration File for Ronham and Associates Limited, noted that the referenced Contractor’s registration expired on December 11, 2009. It must be noted, however, that the contract was signed prior to the expiration of the Registration Certificate.

The Contractor applied for re-registration on March 29, 2010. However, upon review of the NCC Contractor Registration file, the OCG discovered that there were misrepresentations in the current and previous applications of the referenced company. Consequently, representatives from Ronham and Associates Limited were interviewed, after which a subsequent recommendation was made to the Fraud Squad for further investigation. In the interim, the NCC was requested to make a determination on the application of Ronham & Associates Limited, given the circumstances.

The OCG, during its review of the events leading to the accident, was informed by way of correspondence from the NWC that the Contractor produced poor quality work during the execution of the project. Ronham & Associates Limited was given an opportunity to address the poor quality of the construction on Barbican Road, when a letter which was dated August 31, 2010, was written to it by the NWC highlighting the defective work being implemented. The Contractor did not make good the defective work and, consequently, the Client had to appoint the services of the NWA to correct this poor and unacceptable work by Ronham & Associates Limited.

Furthermore, Site Instructions were issued to the Contractor by the NWC on at least six (6) occasions, from as early as November 26, 2009, when Ronham & Associates Limited was advised that there were serious concerns regarding safety issues on the site, and was consequently instructed to take the necessary precautions to avoid these safety hazards.

On October 21, 2010, the NWC also issued to the Contractor a Site Instruction that included a sketch of a cross section through a typical reinstated trench detail. The instruction was for the Contractor to replace the material in the excavated trench as indicated on the sketched detail. The OCG has not received any confirmation from the NWC that any of these Site Instructions were followed, or that any remedial Works was done to make good the defective construction.

This demonstrated the Contractor's reluctance or inability to comply with specific instructions, notwithstanding the contractual obligations that should have been observed throughout the execution of the project.

Autopsy

In a dramatic turn of events, it was reported in an article entitled "*Murder, not accident*", in *The Gleaner*, dated September 24, 2011, that autopsies conducted on the bodies of the two (2) men revealed that they had been murdered.

The article went on to say that their cause of death was disclosed by Labour Minister Pearnel Charles at a Press Conference one day earlier, when he said that the police had launched an investigation into the incident as post-mortems revealed that one of the men had been stabbed and the other was dead before the walls of a trench collapsed on them.

By way of a letter which was dated November 29, 2010, the OCG requested that the Ministry of Labour and Social Security (MLSS) provide it with a report of the Barbican Tragedy. Eventually, a document in the form of a Post Mortem Examination Report was sent to the OCG by the MLSS, in response to its request.

The Post Mortem Examination Report, however, gave the following summaries of opinion as to cause of death of the two (2) individuals:

Orlando Bennett

"OPINION: The deceased received two penetrating wound over the right and left side neck, the injury over the right side neck perforated the neck muscles, root of tongue and posterior aspect of mouth and transacted the body of C2 Cervical bone and the cord inside causing death instantaneously. Other injuries over the face, neck and head are from blunt force injuries and are trivial in nature. The stab is possibly due to a hard and heavy weapon with a Sharp and flattened cut end.

COMMENT: the deceased's neck was stabbed on both sides, and has died before the alleged Earth Mound collapse. The absence of mud particles in trachea, bronchioles confirm the same. THE Investigator is advised to relook into the circumstances."

Kirk Vernon

"OPINION: The deceased external respiratory passage, nose and mouth, ear has been blocked with Mud particles due to which he was smothered to death. The extensive nature of subconjunctival haemorrhage indicates the antemortem nature besides the thick mucus plug and mud particles in bronchioles and oesophagus.

COMMENT: the investigator is advised to relook into the alleged accidental nature of circumstantial evidence."

The Post Mortem Examination Reports were signed by Dr. Dinesh Rao, Consultant Forensic Pathologist, on November 29, 2010.

OCG'S Opinion

Despite the findings of the Forensic Pathologist, it is the opinion of the OCG that the accident may have been averted if the Contractor had employed competent staffing during the implementation of the Works. In addition, the NWC may have been delinquent in adopting the appropriate penalty or measures in accordance with the Conditions of Contract, in instances where the Contractor was reluctant in carrying out the authorized Instructions that were issued.

MONITORING OF THE CONSTITUENCY DEVELOPMENT FUND

Introduction

The Constituency Development Fund (CDF) became fully functional in the 2008/2009 financial year.

The Revised Constituency Development Fund (CDF) Operational Procedures, which was prepared by the then Ministry of Finance and Planning, and which was dated January 17, 2011, provides, *inter alia*, that “*The Constituency Development Fund (CDF) is a fund established to provide members of Parliament with financial resources to execute approved social and economic programs [sic] within their constituency.*” The main thrust of the Fund is to:

- *“Promote human and infrastructure development at the community and constituency level;*
- *Catalyze economic activities at the constituency level;*
- *Foster local governance including good environmental stewardship;*
- *Increase the effectiveness of the elected representative welfare activities/projects.”*

The operational framework of the Fund is based upon a consultative relationship between the Member of Parliament and his/her Constituency, which results in the development of projects for the 2010/2011 financial year. This is undertaken in conjunction with a five (5) year development plan for the respective Constituencies for a specified timeline. Projects are undertaken on a yearly basis, under the oversight of the Constituency Development Fund Programme Management Unit (CDFPMU).

Revised CDF Operational Procedures

The OCG has noted that the Revised CDF Operational Procedures provides guidelines regarding, *inter alia*, (a) the operation and limitations of the Fund, (b) the roles and responsibilities of particular stakeholders of the CDF, which include the CDF Parliamentary Committee, the CDFPMU and the Implementing Agencies and (c) the appropriate use of the funds and the prohibitions, particularly for Members of Parliament.

Regarding the procedures for the utilisation of the Fund, during the implementation of projects, Section 9.1 of the Revised CDF Operational Procedures, provides, *inter alia*, that “*Implementing Agencies shall ... undertake procurement in accordance with the procedures and guidelines outlined in the GOJ Procurement Handbook for the purchases of goods, services and works undertaken by the Fund.*”

Notably, the referenced provision was also included under Section 6.1 of the previous CDF Operational Manual of September 22, 2008. The OCG found that there was significant objection to the section. In this regard, the OCG's Annual Report of 2010, had made reference to a meeting on January 12, 2010, held with representatives from the CDFPMU, the Social Development Commission (SDC) and the Office of the Contractor General (OCG), regarding the “*Functions of the Implementing Agencies*”. In the referenced meeting, the CDFPMU expressed reservations regarding the utilisation of the GOJ Public Sector Procurement Procedures, as it was indicated that based upon the number of beneficiaries, and the way in which the funds were expended, the procurement procedures would not be applicable to some projects.

The OCG, therefore, maintains that in order to ensure that transparency, openness and value for money are obtained, in instances where contracts are being awarded for CDF projects, the CDFPMU and the Implementing Agencies should, at all times, be governed by the strictures of the GOJ Public Sector Procurement Procedures, as stipulated by the Revised CDF Operational Procedures.

Monitoring of CDF Projects by the OCG

The OCG monitors projects which are approved by the CDF Parliamentary Committee. During the reporting period, the OCG, in its continued efforts to improve upon its monitoring activities and maintain robust policies, revised its internal procedures, specifically as it regards the selection of CDF projects to be monitored.

In 2011, a total of fifty-seven (57) CDF projects were selected for sustained monitoring, based upon value and scope. Subsequent to a noted increase in the funds which were allocated to Beautification and Physical Enhancement projects, an additional forty-six (46) projects were selected in December 2011, for spot monitoring, which involved the verification of the completion and quality of works. This represents a total of one hundred and three (103) projects that were selected for monitoring and a 72% increase in the number of projects which were monitored by the OCG in the previous year.

Table 1 below illustrates the type and number of projects that were selected for monitoring by the OCG.

Table 1 – Breakdown of projects monitored by the OCG in 2011

No.	Project Types	Number of Projects	Percentage of all projects monitored
1	Physical Infrastructure	64	62.13%
2	Disaster Mitigation	10	9.71%
3	Human and Social Development	20	19.42%
4	Economic Enablement	9	8.74%
	Total	103	100.00%

For the 2010/2011 financial year, the CDFPMU indicated that a total of seven hundred and ninety three (793) projects were approved by the CDF Parliamentary Committee with a cumulative value of J\$1,157,839,201.29.

The CDF projects which were selected for monitoring by the OCG were valued at J\$236,164,031.68. This represents approximately twenty percent (20%) of the value of the CDF approved projects for the 2011/2012 financial year.

Figure 1, below, illustrates the total allocations for CDF projects and the cumulative values of the projects which have been monitored by the OCG for the 2008/2009 to 2011/2012 financial years.

Figure 1 - Total Allocation of Funds and Cumulative Values for projects monitored for the financial years 2008/2009 to 2011/2012

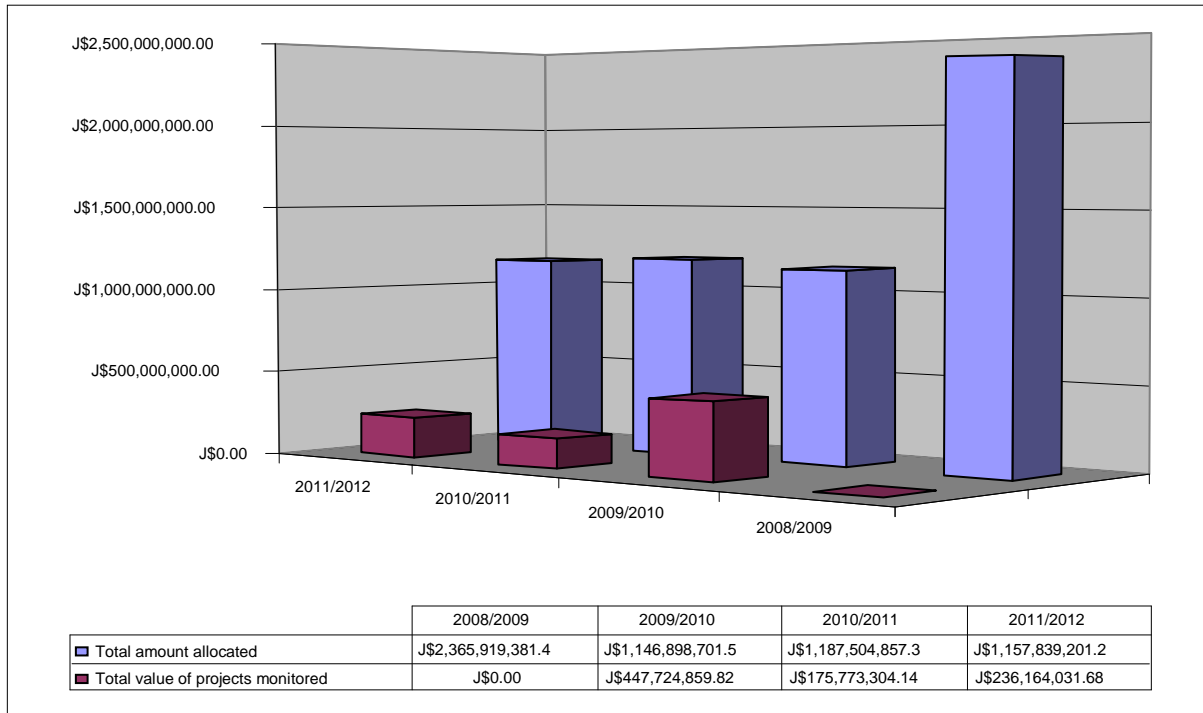


Figure 2 below illustrates the percentage allocation based upon the respective project types since the inception of the CDF in 2008 through to 2011.

Figure 2 - Percentage of Allocation by Project Types

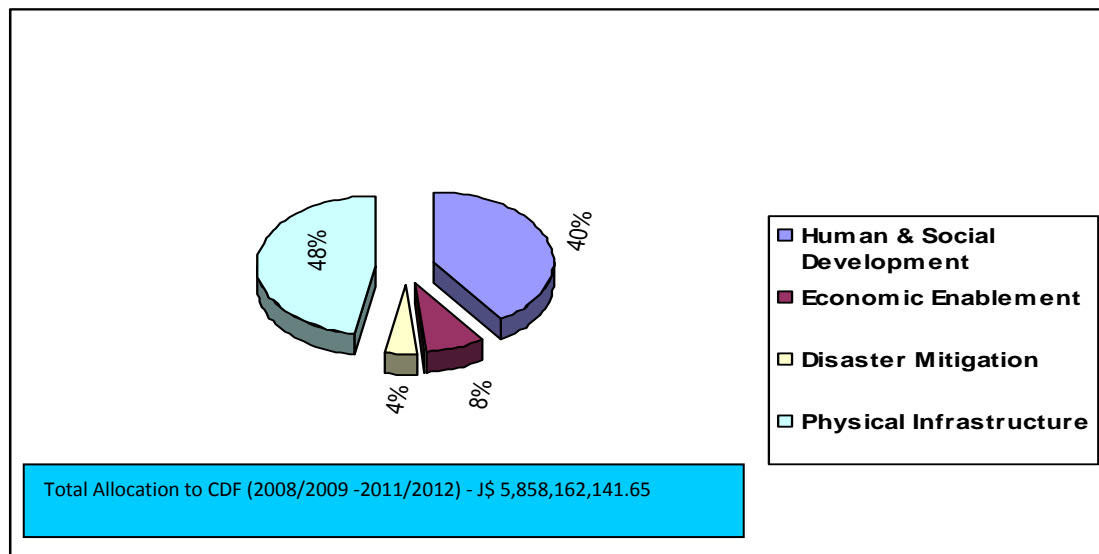
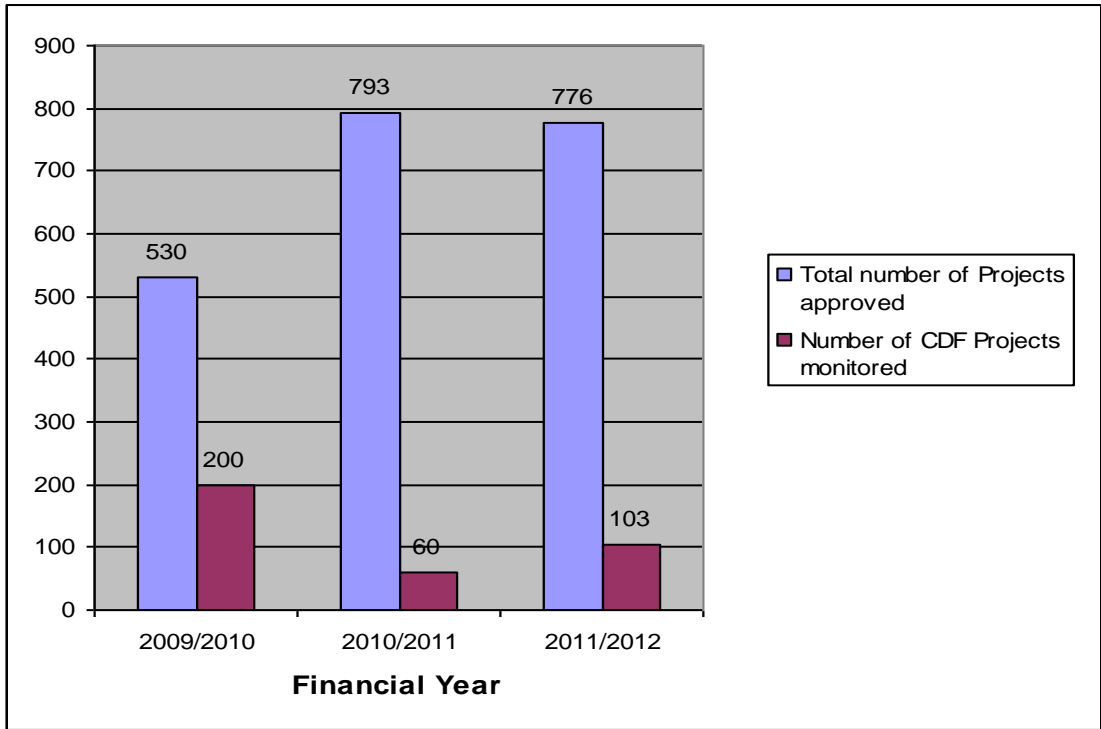


Figure 3 below illustrates the total number of projects which were monitored by the OCG against the total number of projects which were approved by the Parliamentary Committee, for the 2008/2009 to 2010/2011 financial years.



Figure 3 - Total number of projects approved by the Parliamentary Committee against the total number of projects monitored by the OCG, for the financial years 2008/2009 to 2010/2011







Special CDF Assigned Projects in December 2011



By way of a letter which was dated December 1, 2011, the OCG informed the Implementing Agencies of its intent to conduct site visits to verify the extent and quality of works which were being undertaken for certain selected Beautification projects. The OCG noted that several Implementing Agencies reported that (a) they were unaware of the approved projects, (b) they were not in receipt of the approved funds from the CDFPMU or (c) directives were not received from the Member of Parliament’s office to execute the Works.

Further to the foregoing, the OCG conducted the site visits to specific areas in eight (8) Constituencies, during December 2011. Table 2 below outlines the observations which were made by the OCG based upon the site visits which were conducted.

Constituency	Type & Value of Works	Quality of Work/Finishes:	Comments/Notes	Photographs
<p>Westmoreland Central</p>	<p>Bushing & Drain Cleaning - J\$3,000,000.00</p>	<p>The bushing and drain cleaning were adequate in some instances. However, it was observed that there were areas of the Works that was poorly done.</p>	<p>The project was implemented and managed by the Westmoreland Parish Council (WPC). However, it was explained that the Contractors were selected by the respective Councillor/Member of Parliament for the relevant Division. A Work Programme, detailing the name(s) of the Contractors, the respective location(s) and value(s) of the Works, was submitted to the WPC by the respective Councillor.</p> <p>The WPC contacted the relevant Contractors and advised of the Works to be undertaken. Subsequently, the Contractors employed persons from the community to undertake the relevant Works.</p> <p>The OCG noted that in instances where the Works were poorly done, the Implementing Agency's representative would contact the Contractor to carry out remedial Works, before payments were to be made.</p>	 <p>Bushed area in Llandilo Phase 1</p>
<p>Westmoreland Western</p>	<p>Bushing & Drain Cleaning - J\$3,000,000.00</p>	<p>The Works were completed satisfactorily.</p>	<p>The project was implemented by the Westmoreland Parish Council.</p>	 <p>Bushed area in McNeil Land</p>

<p>Westmoreland Eastern</p>	<p>Bushing & Drain Cleaning - J\$2,900,000.00</p>	<p>The Works were completed satisfactorily.</p>	<p>The project was implemented by the Westmoreland Parish Council.</p>	 <p>Bushed area in Darliston Square</p>
<p>St. Elizabeth South East</p>	<p>Beautification - Bushing - J\$3,060,000.00</p>	<p>The bushing of some areas was unsatisfactory.</p>	<p>The project was implemented by the St. Elizabeth Parish Council.</p>	 <p>Bushed area in Comma Pen</p>

<p>Manchester Central</p>	<p>Beautification - Bushing & Drain Cleaning - J\$3,500,000.00</p>	<p>The bushing and drain cleaning were satisfactory.</p>	<p>The project was implemented by the Manchester Parish Council.</p>	 <p>Cleaned drain in Belretiro</p>
<p>St. Andrew West Rural</p>	<p>Beautification - Bushing - J\$3,045,000.00</p>	<p>The bushing in all areas was satisfactory.</p>	<p>The project was implemented by the Kingston and St. Andrew Corporation.</p>	 <p>Bushed area in RockPond</p>

<p>Kingston East & Port Royal</p>	<p>Beautification – J\$3,000,000.00</p>	<p>The work was completed satisfactorily.</p>	<p>The Member of Parliament employed a Project Manager to supervise the implementation of the Christmas Work Projects. The Project Manager’s responsibility included site visits to verify and report on the status of the Works being conducted.</p> <p>The absence of shrubbery on Windward Road resulted in the reallocation of funding to other roads within the Constituency. The roads are as follows: Paradise Street, Range Crescent, Lucas Road, Warika Road/Warika Hill and drain cleaning in Port Royal.</p>	 <p>Bushed area on Paradise Street</p>
<p>St. James Southern</p>	<p>Disaster Mitigation – J\$3,000,000.00</p>	<p>The bushing was satisfactorily done in all areas.</p> <p>The Minor Road Works was unsatisfactory and poorly done in some instances.</p>	<p>The project was implemented by the National Works Agency St. James Parish Office and included bushing and minor road works (road patching, and asphalt and concrete overlay).</p> <p>It was explained that the Member of Parliament selected and provided the names of Contractors on the Work Programme which was sent to the Implementing Agency. The Implementing Agency then contacted the Contractors and informed them of the Works to be undertaken.</p> <p>Thereafter, a preliminary inspection was done by the Project Officer (from the Implementing Agency) prior to the commencement of the Works by the Contractor. The Contractor then independently employed workers from within the community to undertake the Works.</p> <p>The Minor Road Works was undertaken by a Contractor which was selected by way of the Direct Contracting Procurement Methodology. The referenced Contractor’s Scope of Work included three (3) activities: (a) the patching of a major pothole which the community identified as being extremely problematic; (b) asphalt overlay of a road with the inclusion of a cross-drain and (c) the laying of concrete to sections of a lane.</p>	 <p>Bushed roadway in Welcome</p>

It was observed that the cross drain had a sudden/unexpected slope. The road verge was uneven and roughly paved. In this regard, the Implementing Agency indicated that it was aware that the work was poorly done.



Concrete overlay on lane



Road with asphalt overlay and cross-drain

Challenges with the CDFPMU

Based upon the monitoring activities and the exchange of correspondence between the OCG and the CDFPMU, as well as the various Implementing Agencies, the OCG noted numerous challenges in the execution of projects which were funded by the CDF. Amongst the challenges were:

1. The non-adherence to the Revised CDF Operational Procedures. The OCG, during the conduct of its monitoring activities, noted inconsistencies in the procurement procedures which were utilised for the execution of some projects by the varying Implementing Agencies.

Further, the OCG observed the excessive involvement of several Members of Parliament in the execution of projects, which contributed to the circumvention of the applicable procedures for the implementation of CDF projects.

In a particular instance, the OCG discovered that a Member of Parliament had independently undertaken the execution of a CDF funded project in direct contravention of the stipulated role and responsibility of the relevant, appropriate and duly authorised Implementing Agency. The foregoing was in direct contravention of Section 9 of the Revised CDF Operational Procedures, which provides that *"Implementing Agencies shall be responsible for...Implementing the projects and activities of the CDF assigned to it By [sic] the CDF-PMU..."*

Additionally, the OCG noted that a Member of Parliament had reportedly placed his name and photograph on items which were paid for by the CDF. Again, such actions were in contravention of Section 4.8 of the Revised CDF Operational Procedures, which provides, that *"No project approved for CDF funding shall be publicly endorsed by a Members [sic] of Parliament, bear the name of a Member of Parliament or a Political Party, political party insignias or colours."*

2. The SDC's failure to submit CDF project information to the OCG in a timely manner. In the year 2011, it must be noted that 39 of the 103 projects (roughly thirty-eight percent 38%), which were selected for monitoring by the OCG, were implemented by the SDC. The OCG experienced significant difficulty in effectively monitoring the referenced projects due to the delays.

The OCG communicated its dissatisfaction to the SDC as it regards the said delays in the submission of CDF project information. The SDC, however, expressed certain challenges which attributed to such delays, inclusive of human resource constraints and limited office supplies to compile the requisite information.

Having regard to the foregoing, the OCG is of the considered opinion that the failure on the part of Implementing Agencies to follow the proper procedures in expending the allocated funds is primarily due to the lack of sustained monitoring by the CDFPMU. It is on this note that the OCG would like to reiterate its position that the CDFPMU and the Implementing Agencies ensure that the practices which are employed in expending the allocated funds are undertaken in a judicious and transparent manner.

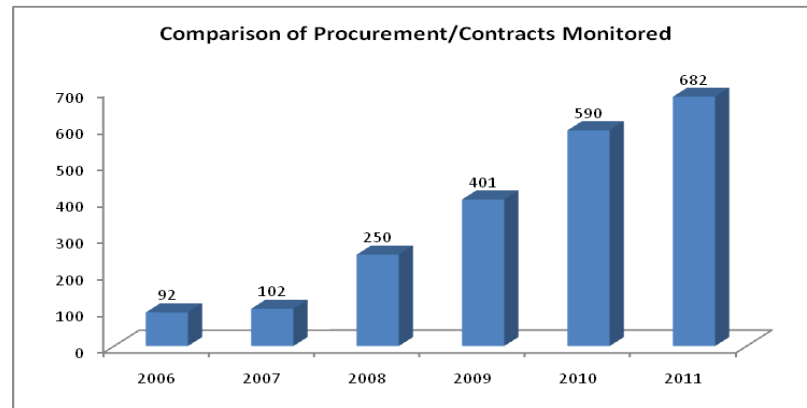
Whereas the OCG notes that the CDFPMU has experienced challenges due to certain resource constraints, in keeping with Section 7.1 (g) of the Revised CDF Operational Procedures, the Unit is required to *"Monitor the implementation of all CDF projects and activities to ensure their proper management and the achievement of objectives and targets within time and budgets"*.

Accordingly, the OCG recommends that the CDFPMU and the Implementing Agencies adhere to the provisions of the Revised CDF Operational Procedures and implement the necessary measure that will remedy the above-mentioned deficiencies.

MONITORING OF NON-CONSTRUCTION CONTRACTS, LICENCES, PERMITS AND CONCESSIONS

The Non-Construction Contracts, Licences and Permits Division (NCCLP), pursuant to Section 4 of the Contractor-General Act, monitors the award and implementation of Goods and Services contracts, and Prescribed Licences. The Division monitored approximately six hundred and eighty two (682) procurement opportunities/contracts during the calendar year 2011, in comparison to five hundred and ninety (590) procurement opportunities/contracts which were monitored in 2010. This represents a 15.5% increase in the number of Non-Construction contracts and concessions which were monitored, over the corresponding period.

Of the 682 procurement opportunities/contracts which were monitored during the year, four hundred and fourteen (414) monitoring assignments were carried forward from 2010. The remaining two hundred and sixty eight (268) or approximately forty percent (40%) represents new monitoring assignments for 2011.



Of the six hundred and eighty two (682) procurement opportunities/contracts which were monitored during the calendar year 2011, represented herein, approximately two hundred and fifty (250) projects are from a cross section of Public Bodies, which were at various stages of the procurement process and/or contract implementation. Please review the Appendices related to Non-Construction Contract Monitoring Activities for further information.

RESTRUCTURING OF THE NON-CONSTRUCTION CONTRACTS, LICENCES AND PERMITS DIVISION

The number of procurement opportunities/contracts which have been monitored by the Non-construction Contracts, Licences and Permits Division has increased by over six hundred and forty percent (640%) since 2006. This increase can be attributed to, among other things, various restructuring initiatives which have occurred over the period to enhance the oversight monitoring function of Government of Jamaica (GOJ) contract awards.

The Inspectorate Division has sought to use various methodologies and approaches, inclusive of the creation of specific Portfolios, to focus on certain key operational areas. During 2011, given the noticeable increase in the monitoring workload of the Division, an Inter-Divisional restructuring exercise was undertaken with the aim of focusing, *inter alia*, on Enquiry Management and Procurement Audits. The foregoing specified Portfolios were created given the increased volume of report of allegations which have been brought to the attention of the Office of the Contractor General (OCG), and its policy to review all allegations which are made to its Office. Further, the OCG is fully aware that there will be instances that it will have to review Public Bodies procurement practices, *ex post facto*, since it is unable to monitor all contract awards of Public Bodies as they occur. Therefore, the Audit function was given priority attention, given the OCG's mandate and its strategic objective to secure probity in all Government contract awards.

PROCUREMENT MONITORING

By way of Ministry of Finance (MOF) Circular No. 34, which was dated December 10, 2010, all GOJ Procuring Entities were advised of the revised Handbook of Public Sector Procurement Procedures (October 2010), which was effective January 2, 2011.

As was reported on page 80 of the OCG's 2010 Annual Report, the OCG was represented on a 'Multi-Agency Team' which was charged with responsibility to review the previous Handbook of Public Sector Procurement Procedures (November 2008). The OCG had also previously communicated that aspects of its considered positions had not been incorporated into the officially revised Handbook.

Notwithstanding, the Non-Construction Contracts, Licence and Permits Division continued to perform its statutory mandate in accordance with the revised Handbook. The following section represents some of the deviations which have been observed by the Non-Construction Contracts, Licence and Permits Division, in the conduct of its monitoring activities, during the calendar year 2011.

DEVIATIONS/DEFICIENCIES IDENTIFIED IN THE CONDUCT OF MONITORING ACTIVITIES

Non-utilization of the Standard Bidding Document

Volume 2, Appendix 7 of the Handbook (October 2010) states that "*Based on the nature and value of procurement, Procuring Entities are required to utilize Standard Bidding Documents as prescribed, for established contract thresholds. It should be noted that Procuring Entities may need to modify the Standard Bidding Documents to suit the specific procurement.*"

Accordingly, based on deviations observed in previous years [see page 76 of Annual Report 2010], wherein Procuring Entities had failed to utilise the Standard Bidding Document, by way of a letter which was dated April 12, 2011 to, *inter alia*, the Accounting Officers of Public Bodies, the OCG advised of the aforementioned requirement. The OCG also advised that effective May 1, 2011, if any procurement opportunity being monitored by the OCG is being undertaken without utilizing the Standard Bidding Document, the OCG will make the recommendation that the tender process be aborted..

Following upon the OCG's letter, the MOF, by way of Circular No. 10 dated July 28, 2011, entitled "Use of Other Forms of Bidding Documents", advised, *inter alia*, that "*Procuring entities should note that the use of GoJ Standard Bidding Documents is mandated for indicated values. Notwithstanding, it is recognized that external funding agencies may require the use of their own documents for procurements under projects that they fund. The procurement procedures make provision for this...*" The Circular also spoke to use of specific forms of construction contract documentation.

Accordingly, during 2011, the Non-Construction Contracts, Licence and Permits Division made recommendations in keeping with the abovementioned directive. Of the projects represented herein, approximately 8% exhibited issues related to the failure of Public Bodies to utilise the requisite Bidding Document. Examples of some of the projects wherein the OCG made these observations are outlined in the table below.

Procuring Entity	Project Name	Reference No.
Spectrum Management Authority	Procurement of Disaster Recovery Services	General Contract Monitoring Reference No. 991
Sam Sharpe Teachers' College	Provision of Security Services	General Contract Monitoring Reference No. 3581
National Housing Trust	Janitorial Services	General Contract Monitoring Reference No. 4662
National Water Commission	To upgrade Nortel/AYAYA CS 1000E PBX System	General Contract Monitoring Reference No. 4832

No Head of Entity Approval

Section 2.4 of Volume 1 of the Handbook (October 2010), “*Procurement Approval Thresholds*”, indicates that for contract awards J\$10M and below that “*The Head of the Procuring Entities shall approve, subject to the procedures included herein.*” For contract awards above J\$10M and up to J\$30M, it indicates that “*The Head of the Procuring Entities shall approve on the endorsement of the recommendation by the NCC.*” Further, and for contract awards above J\$30M, it is indicated that “*Cabinet shall approve the recommendation for contract awards following approval by the Head of the Procuring Entities/ Accounting Officer and the endorsement of the NCC.*”

Accordingly, it is evident that the approval of the Head of Entity is required for each contract award. The Non-Construction Contracts, Licences and Permits Division has observed instances wherein Public Bodies have systematically misinterpreted or ignored this requirement. In these instances, Public Bodies have been reminded that in accordance with Section 2.2.7 of Volume 1 of the Handbook, “*...Accounting Officers are advised that unless prior written permission is received from the Ministry of Finance, strict compliance with the procedures contained in this Handbook shall be enforced. Non-adherence will be addressed in accordance with the Financial Administration and Audit Act, the Public Bodies Management and Accountability Act and the Public Service Regulations.*”

During 2011, the Non-Construction Contracts, Licence and Permits Division made recommendations to Public Bodies in keeping with the abovementioned directive. Of the projects represented herein, approximately 7% exhibited issues related to the failure to receive Head of Entity approval. Examples of some of the projects wherein the OCG made these observations are outlined in the table below.

Procuring Entity	Project Name	Reference No.
Ministry of Education	Supply and Delivery of Office Furniture for the National Youth Service	General Contract Monitoring Reference No. 2261
Overseas Examination Commission	Supply and Installation of 45KVA -3 Phase Transformer	General Contract Monitoring Reference No. 3071
Bank of Jamaica	Printers (High Impact Matrix)	General Contract Monitoring Reference No. 4041
Jamaica Defence Force	Supply of Vehicles	General Contract Monitoring Reference No. 5922
National Housing Trust	Supply and Installation of Canvas for Dome	General Contract Monitoring Reference No. 5942

No Procurement Committee Approval

Prior to the revised Handbook (October 2010), Procurement Committee endorsement was required for all contract awards above J\$1M. The Handbook (October 2010), however, does not explicitly require the endorsement of the Procurement Committee for contract awards in excess of J\$10M. Section 2.2.5(i) of Volume 1 indicates that “*The Procurement Committee shall review all procurement within the threshold established by the Head of Entity. The lower limit of this threshold should be no greater than \$1M.*”

In keeping with the requirements of the various periods within which the procurement may have been undertaken, the Non-Construction Contracts, Licence and Permits Division, has, during 2011, observed Public Bodies which have operated contrary to the abovementioned procedure. Of the projects represented herein, approximately 6% exhibited issues related to the failure to receive Procurement Committee approval. Examples of some of the projects wherein the OCG made these observations are outlined in the table below.

Procuring Entity	Project Name	Reference No.
Registrar General's Department	International Courier Services	General Contract Monitoring Reference No. 1881
Financial Services Commission	Provision of Co-location Hot-site Services	General Contract Monitoring Reference No. 3491
Jamaica Promotions Corporation	Auditing Services	General Contract Monitoring Reference No. 3681

Failure to utilise the Bid Receipt Record or Number of Bidders who sign the Bid Receipt Record does not correspond with bids removed from Tender Box

Appendix 8 of Volume 2 of the Handbook (October 2010) outlines the procedures to be followed in managing the procurement process. Appendix A8.5, “Receiving Bids”, indicates that Procuring Entities shall ensure, *inter alia*, that “(d) Bidders sign the Bid Receipt Record..., indicating the date and time the bid was submitted and the number of packages received. A tender number shall be written on the outside of the bid envelope.” Further to same, Appendix A8.6, “Bid Opening”, indicates, *inter alia*, that “(d) all bids received are placed on a table, and the number of bid envelopes are consistent with the Bid Receipt Record. If there is a discrepancy, No bids shall be opened until all bids received are accounted for (in the room).”

The Non-Construction Contracts, Licence and Permits Division made recommendations to Public Bodies in keeping with the abovementioned directive. Of the projects represented herein, approximately 8% exhibited issues related to the failure to utilise the Bid Receipt Record, or to ensure that all Bidders sign the Bid Receipt Record when it was used. Examples of some of the projects wherein the OCG made these observations are outlined in the table below.

Procuring Entity	Project Name	Reference No.
Petrojam Limited	Petroleum Haulage Contract	General Contract Monitoring Reference No. 2921
Broadcasting Commission	Automated Content Monitoring System	General Contract Monitoring Reference No. 1441
Financial Services Commission	Provision of Co-location Hot-site Services	General Contract Monitoring Reference No. 3491
Knox Community College	Provision of Computers	General Contract Monitoring Reference No. 881

Other Deficiencies and/or Deviations Observed

No Contract Document prepared
No Comparable Estimate and/or failure to disclose estimate during Tender Opening Ceremony
Insufficient time for the return of tenders
Tender advertisement lack sufficient information
Absence of and/or insufficiently defined Evaluation Criteria
Evaluation not conducted in accordance with stated Evaluation Criteria

REVIEW OF PORTFOLIOS UNDER THE NCCLP DIVISION

Given the increased workload which has been faced by the OCG, the NCCLP Division has relied heavily on the performance of its Portfolios in order to ensure the full discharge of its mandate. Needless to say, at times, even with the best of intentions and due to strategic changes and/or priorities, the Division has not always been able to accomplish what it had set out to undertake.

The Section below gives a brief overview of the Portfolios of the NCCLP Division, with a more detailed review of each Portfolio in subsequent pages.

Licences and Permits

The implementation of the Phase II Licences and Permits Monitoring, as was reported on page 81 of the OCG Annual Report 2010, is one such initiative which was not achieved during the year. The OCG recognizes the strategic importance of specific Prescribed Licences which are issued, and nonetheless, intends to execute its strategic mandate in this regard in the next calendar year. Notwithstanding, the Office continued its monitoring of select Prescribed Licences during the year.

Asset and Land Divestment

The OCG has consistently reported in its Annual Report the challenges which had previously being raised regarding the Offices jurisdiction in matters related to the Divestment of GOJ owned Assets, inclusive of Land. The OCG had, in its previous Annual Reports, referred to related case law, namely the decision that was reached in Wright v. Telecommunications of Jamaica, and to other legal opinions which have been written, inclusive of a Policy Statement which was made by the Most Hon. P.J. Patterson, in the Houses of Parliament.

Further to same, the OCG continues to use this medium to reiterate its opinion that transactions involving the sale of GOJ owned Assets and Lands should be subject to the Office's independent scrutiny. This is of particular importance as during 2011, there have been steps taken to remove the independent oversight of the OCG. The OCG has reviewed the draft Government of Jamaica – Policy Framework and Procedures Manual for the Privatization of Government Assets during the latter part of 2011. This document is proposing to remove, in its entirety, the oversight of the OCG in matters that are related to the divestment of GOJ Assets, save and except, for the procurement of Consultancy related services.

Accordingly, and despite various requests that have been made by the OCG for a formal position of the Government on the matter, none was forthcoming as at the time of this Report. The OCG, nonetheless, remains resolute in its opinion, that the Contractor-General Act allows the Office oversight responsibilities for monitoring asset privatisation matters and will act decisively and resoundingly where this issue is concerned.

Regarding the revision to the Policy Framework for the divestment of GOJ owned Lands, as at the end of December 2011, an approved document was not yet in place.

Enquiry Management Portfolio

The Inspectorate Division, in accordance with Sections 4 and 15 of the Contractor-General Act, has an established Enquiry Management Portfolio through which complaints are reviewed and enquired into by the Inspectorate. Given that there has been a significant increase in the number of such enquires which have been received and/or initiated during and prior to 2011, one aim of the restructuring of the Inspectorate Division was to give increased focus to the management of this Portfolio.

Notwithstanding, there are some matters which are not channelled directly through the Enquiry Management Portfolio, but were handled either by an assigned Inspector, Senior Inspector or Portfolio Manager.

Among the significant Enquiries which have commenced during 2011; were the Enquiry into the use of J\$100M of JDIP funds to refurbish the NWA's office, the procurement of NWA Office furniture worth approximately J\$62M, and the award of contracts to a fake contractor by the Kingston and St. Andrew Corporation (KSAC). Among the Enquiry Management Reports (EMRs) which have been concluded during the year were; Allegations regarding grant of Casino Licence, Hosting of Haitians in Jamaica, and the refurbishing of the Canteen at the Ministry of Education.

Audit

The predominant focus of this Portfolio, during 2011, was the conduct of Parish Council Audits, as was indicated on page 82 of the OCG Annual Report 2010. By way of a Media Release which was dated March 3, 2011, the OCG announced that, as a part of its strategic objective for 2011, it would be conducting an Audit of the procurement practices of Parish Councils. Accordingly, members of the Inspectorate Division made initial visits to all Parish Councils, inclusive of the KSAC and the Portmore Municipal Council, to ascertain preliminary information regarding each Council's procurement procedures. Thereafter, a detailed review of the procurement records was done for four (4) Councils. This process will continue into the 2012 calendar year.

Exempted Public Bodies

By way of Ministry of Finance Circular No. 34, dated September 22, 2008, and as was indicated by Subsection S-1000(IV), "*Special Conditions for Commercial Entities*", of the Handbook (November 2008), certain Public Bodies were afforded particular exclusions from the regular procurement procedures. Accordingly, the OCG has reported in its previous Annual Reports, contract related activities which have been undertaken under the aforementioned exclusions.

With the revised Handbook (October 2010), the aforementioned Section was removed, and some of the specific exclusions were incorporated under Section 1.2.1, "*Exclusions*". In this regard, the OCG has written to the MOF noting its observation regarding the removal of the special conditions and seeking clarification.

Subsequent to same, the OCG has noted Circular No. 17, dated May 14, 2012, entitled "*Business Sensitive and Other Related Procurement Provisions*". The Circular indicates, inter alia, that "*The provisions that were issued by way of Circular 34 dated September 22, 2008 for commercial entities have been revised and should be noted...*"

Parliamentary Exemptions

The OCG continues to report on Exemptions Motions which have been approved by the Parliament for the calendar year 2011.

Quarterly Contract Awards (QCA)

For all quarters of the years 2009 and 2010, the OCG has recorded 100% compliance rates with regards to the submission of QCA Reports by the country's Procuring Public Bodies. This rate of compliance continued in 2011.

Given that the changes to the Handbook became effective January 2, 2011, the OCG made corresponding changes to its QCA Report Form and assessment criteria to reflect same. By way of its "*Special Reminder Notice to the Principal and/or Accounting Officers of Public Bodies Regarding the Submission of 2011 1st Quarter QCA Report Forms*" on April 13, 2011, the OCG indicated to Public Bodies that it would be amending its QCA Report Form in order to account for the changes in the various terminologies used to describe the procurement methodology. Accordingly, and by way of its "*Special Reminder Notice to the Principal and/or Accounting Officers of Public Bodies Regarding the Submission of 2011 2nd Quarter QCA Report Forms*" on July 13, 2011, Public Bodies were advised of the revised QCA Report Form.

The OCG's assessment of QCA Reports submitted by Public Bodies continued, and as was in the case of previous years, Public Bodies continued to engage in dialogue with the OCG in terms of the assessment results which are generated. On occasion, the OCG has reissued new assessment results when representations made to the Office warranted same. The OCG, however, will not conduct a reassessment if it is found that the assessment result was requested based upon incorrect information and/or errors which were recorded on QCA Reports Form.

Public Bodies are encouraged to ensure that the correct information is recorded as all QCA reports are submitted under the provisions of the Contractor-General Act, inclusive of Section 29, which, *inter alia*, makes it a criminal offence to wilfully make a false statement to mislead or attempt to mislead a Contractor General.

The QCA Reports are predominately used to inform OCG Audits. Notwithstanding, and during the Calendar year, the OCG has increased its due diligence checks of the QCA reports which have been submitted. Arising from these checks, the OCG discovered, in at least one instance, the deliberate attempt to mislead a Contractor General as, *prima facia*, a fabricated Contractor Registration Number was reported as belonging to a Contractor, which, checks revealed, was never registered by the National Contracts Commission (NCC).

Strategic Initiatives - Review of 2011

Page 81 of the OCG Annual Report 2010 outlined the New Initiatives which had commenced during 2010, while page 82 outlined the Strategic Initiatives which were proposed for 2011.

During 2011, the OCG continued to build upon these Initiatives. The OCG has commenced its Audit of Parish Councils, the Portmore Municipal Council and the Kingston and St. Andrew Corporation.

Some Initiatives, however, due to various constraints, have not been completed, namely; Wrecking Services (Special Project) and Phase II Licences and Permits Monitoring.

Risk-Based Approach to Contract Monitoring, including the Automation of Business Processes

The Inspectorate Division has, since 2010, established a team to develop and implement a Risk Based Approach to GOJ Contract Monitoring, which would be informed by a Public Body Rating System (PBRS).

The stated aim of this Initiative is to provide a framework for assessing the procurement practices of all Public Bodies, by designating a specific score to the Public Body based upon its level of compliance to the established GOJ Procurement Procedures, as well as its maintenance of good governance standards generally during the public contracting processes. The Public Body will be assessed in accordance with the risks that are associated with each criteria outlined, and the weighting to be applied to each. In this instance, Public Bodies whose score accumulate to a high risk category will be monitored more aggressively than a Public Body which falls in the low risk category. Accordingly, this framework will be used to inform the category in which the Public Body is to be placed, and will form the basis of the Inspectorate Division's monitoring activities.

To date, the Risk Based Process as well as the scoring criteria, has already been developed. It is anticipated that this Programme will be implemented on a phased basis during 2012.

Strategic Initiatives - Proposals for 2012:

Web-based and Expanded QCA Reporting

In response to amendments to the Procurement Procedures over the years, interaction with Public Bodies and the Division's review of QCA Reports which have been submitted, it is intended that a new model for the completion, submission and assessment of QCA Reports will be launched during 2012. This model will make better use of technology, is expected to be more user friendly to the Public Bodies and will reduce the manual interface by Inspectors.

Additionally, the QCA reporting requirements for Public Bodies will be amended to make the upper limit of contracts awarded infinite.

Development of Referral Process

The Contractor-General Act Procurement Regulations 2008, makes it, *inter alia*, a criminal offence to contravene any of the provisions of the Regulations and, by extension, the applicable Handbook of Public Sector Procurement Procedures. Additionally, under the Contractor-General Act, it is an offence, *inter alia*, without lawful justification or excuse, to obstruct, hinder, resist or fail to comply with any lawful requirement of a Contractor General.

Accordingly, the Inspectorate Division intends to commence, independent of other Divisions within the OCG, the referral of individuals who may be guilty of any of the aforementioned, or any other applicable offence, to the relevant Authorities.

Presentations to Accounting Officers

This Initiative is being launched by the Inspectorate Division based upon requests for training received from Public Bodies. Given that the MOF is responsible for procurement related training, the OCG's Inspectorate Division, during 2011, developed a Presentation which was targeted at sensitizing Accounting and Accountable Officers within Public Bodies about the role and functions of the OCG and, in particular, the Inspectorate Division. The Presentation also outlines, *inter alia*, the main areas of deficiencies which the OCG has observed during its monitoring activities, as well as the applicable legislations that relate to procurement, contracting and Public Body governance.

Based upon feedback from one of the Presentations, the Inspectorate Division decided to expand the Presentation to other Ministries and their portfolio Entities.

Phase II Licences and Permits Monitoring

As has been elucidated in the previous OCG Annual Report, this initiative will involve the sustained monitoring of select Prescribed Licences issued by Public Bodies.

HIGHLIGHTS OF SPECIFIC PROCUREMENT OPPORTUNITIES/CONTRACTS/PROJECTS WHICH WERE MONITORED

Ministry of Energy and Mining - Liquefied Natural Gas Project

The OCG's Special Report of Investigation into Allegations Regarding the Proposal for the Financing, Development, Ownership and Operation of a FSRU LNG Re-Gasification Terminal and Natural Gas Transportation System, May 2011, had highlighted the OCG's findings inclusive of instances of irregularity and impropriety which compromised the tender process, and which resulted in the OCG's recommendation that the process be aborted. A report from the LNG Steering Committee in May 2011 had concluded, similarly, that the process was to be aborted.

During June 2011, Media Reports surfaced that that the GOJ had taken the decision to abort the Tender Process. Accordingly, the OCG, by way of a letter which was dated June 23, 2012, wrote to the Cabinet Secretary and the Permanent Secretary (PS) in the Office of the Prime Minister (OPM), to ascertain further details in order to assess the veracity of the Media Reports, and related documents. The response which was received from the PS, OPM, dated July 15, 2011, stated *inter alia* that "*whilst the Chairman of the Steering Committee, Mr. Christopher Zacca, is employed by the Office of the Prime Minister, for the purpose of the LNG Project Mr. Zacca and the Steering Committee report directly to the Cabinet Secretary. In the circumstance, I respectfully advise that requests about the captioned are best directed to the Cabinet Secretary.*

...I also advise that consequent on the new assignment of subjects and departments of government, responsibility for the LNG Project has been transferred to the Ministry of Energy and Mining with effect from July 1, 2011."

The Office of the Cabinet responded by way of a letter which was dated July 15, 2011, providing the information required and submitting copies of the related Cabinet Notes, Submissions and Decision. By way of Cabinet Decision No. 25/11, dated June 13, 2011, the decision was taken to terminate the previous tender process and that a new procurement process was to be undertaken. The response from the Office of the Cabinet also advised that responsibility for the project had been reassigned to the Ministry of Energy and Mining (MEM).

Subsequently, the OCG received information from a credible source, which alleged that the GOJ was undertaking secret negotiations with a Korean Firm, East-West Power Company, the firm which had recently acquired a forty percent (40%) shareholding in the Jamaica Public Service regarding the Liquefied Natural Gas project. Accordingly, and by way of a letter which was dated August 2, 2011, the OCG requisitioned the Honourable Minister, the PS in the MEM, and the Chairman of the LNG Steering Committee, to provide information in order to enable the OCG to make a determination regarding the veracity of the assertions. By way of a letter, dated August 4, 2011, the PS, MEM, indicated that she had no knowledge of any such negotiations. The Minister, by way of a letter, which was dated August 10, 2011, indicated that he was not aware of any negotiations, secret or otherwise. Also, by way of a letter which was dated August 10, 2011, the Chairman, LNG Steering Committee, indicated that he was unaware of any such discussions or negotiations.

By way of a letter which was dated August 10, 2011, the OCG requisitioned the Minister and the PS, in light of their responses that they had no knowledge of negotiations. Specifics regarding their knowledge of any discussions/interactions regarding the matter were requested. The PS responded by way of a letter which was dated August 15, 2011, indicating that she was “...not aware of discussions, interactions or negotiations between representatives of the GOJ and East-West Power Company regarding the GOJ LNG Project.” Additionally, the Minister, by way of letter dated August 15, 2011, indicated that “I am not aware of any discussions or interactions between the Government of Jamaica and East-West Power Company regarding the GOJ Liquefied Natural Gas Project.”

In furtherance of its intention to monitor the referenced project, and in keeping with the information which it had received that responsibility for the project had been transferred to the MEM, the OCG, by way of its letter dated August 10, 2011, requested particulars from the PS, MEM regarding, *inter alia*, the intended structure of the procurement given that a related Cabinet Submission had indicated that there would be a separate tender for the supply of LNG vis-à-vis the LNG Infrastructure.

The OCG's letter, dated August 10, 2011, also requested copies of the requisite supporting documents. The PS responded by way of a letter which was dated August 15, 2011 stating, *inter alia*, that “...any such Cabinet Submission was not prepared or submitted by the Ministry of Energy and Mining, and I have no knowledge of its contents. Please be reminded that it is a matter of public record that the matters in relation to the LNG Project are being undertaken by the LNG Steering Committee... It therefore appears that any such submission would have been prepared...when responsibility for the LNG Project came under the Cabinet Office. In fact, to date, the activities aligned to the project are still being guided and undertaken by the Steering Committee, which does not operate through my office.

In the circumstances of the foregoing, I do not have any personal knowledge of the information being requested. Any response provided by me would, at best, be hearsay. I do not believe I would be required to give evidence of this nature in any legal proceedings or forum.”

Further to same, and by way of a letter which was dated August 31, 2011, to the Minister of Energy and Mining, and copied to, *inter alia*, the Prime Minister, the Permanent Secretary of the Ministry and the Cabinet Secretary, the OCG made reference to the assertions from the PS and the reassignment of project responsibility to the MEM. Reference was also made to Subsection 2.2.7 of the Handbook of Public Sector Procurement Procedures, October 2010, which states, *inter alia*, that “Pursuant to the Financial Administration and Audit Act, Accounting Officers are accountable to the Minister of Finance for the propriety of procurement expenditure made by their portfolio entities.” Subsection 2.2.8 states further that “Any Public Officer, including an Accounting Officer, concerned with or responsible for the collection, receipt, custody, issuing or payment of ‘public moneys’ or other public property, must ensure that appropriate safeguards are in place to guarantee that the requirements set out herein are adhered to at all times.”

The OCG's letter further stated, with reference to the PS' assertions, *inter alia*, that the “...foregoing, at a minimum, raises the following serious questions, which should be answered and acted upon, where necessary, without delay, in an effort to preserve the legitimacy and propriety of the Project:

(2)...why is it that the Permanent Secretary, the Accounting Officer, who has lawful responsibility for ensuring the propriety and regularity of the Project, as at the date of her response to an OCG requisition, on August 15, 2011, stating that she has no knowledge of the Project, for which she will ultimately be held accountable, in the event that the said Project reveals symptoms of irregularity and/or impropriety?

(3) If the Permanent Secretary has no knowledge of the progress of the Project, then which person(s), authority or body, has been discharging the Permanent Secretary's lawful functions?..."

The OCG further required that its letter of requisition which was dated August 10, 2011, be answered in full. Subsequent to requests for extension of time, by way of a letter which was dated October 21, 2011, the PS, MEM, provided responses to the letter of requisition. The PS, in her letter, stated, *inter alia*, that "Nonetheless your juxtaposition of the statement that "...the responsibility for ensuring the propriety and regularity of the Procurement Process, resides only with the Accounting Officer" is cause for comment. It infers, it would seem, an intent on the part of the OCG to hold me responsible if any such shortcoming is, in fact, observed in the Request for Proposal (RFP). This, in spite of the OCG's own admission that "...the OCG is acutely aware that the development of the Tender Document is one of a highly technical nature... It should be noted also that in this specific instance, the RFP (and other documents) were developed and issued when the LNG Project resided with the Office of the Prime Minister (OPM) and was administered by the LNG Steering Committee attached to that office. As Accounting Officer of the MEM, at all material times, the development of the RFP (and the Project) was outside my area of portfolio responsibility. This is well known to the OCG."

By way of a letter which was dated October 28, 2011, the OCG wrote to the PS stating, *inter alia*, that "The OCG has noted your comments in response to the OCG's assertions that the responsibility for ensuring the propriety and regularity of the Procurement Process resides only with the Accounting Officer. The Office remains resolute in its assertion, which was made within the context of prior issues with the execution of the previously aborted FSRU LNG project and the provisions of the Financial Administration and Audit Act, and will not comment further on same."

The NCCLP Division has been monitoring the tender process for the Supply of LNG since August 31, 2011 when the procurement opportunity was advertised. Please see NCCLP Pre and Post Contract Monitoring Reference No.5522 for further details regarding the tender process.

Ministry of Finance and Planning – Government Employees Administrative Services Only (GEASO)

The OCG has, in its previous Annual Report, outlined its concerns regarding the captioned tender, which the MOF, as at December 2005, had not put to tender since 1995. Following strong representations which were made by the OCG, the Ministry embarked upon a tender process during 2006, which was monitored by the OCG. The aforementioned process was cancelled and further attempts at tender processes had also being aborted.

The GEASO Insurance Scheme was initially administered by Blue Cross of Jamaica Ltd. During 2008, however, Blue Cross was acquired by Sagicor, which continued with the Scheme's administration.

The opportunity was again put to tender during May 2011, and was ongoing as at the end of December 2011. Please see NCCLP Pre and Post Contract Monitoring Reference No.5582 for further details regarding the tender process.

Office of the Utilities Regulation – Supply of up to 480MW of Base-Load Generating Capacity on a Build, Own and Operate (BOO) Basis

The Office of the Utilities Regulation (OUR) had initially used the Limited Tender Procurement Methodology to invite selected companies to participate in the procurement opportunity. This Methodology was subsequently amended to the Open Tender Procurement Methodology when the opportunity was advertised on December 13, 2010. The deadline for submission of tenders was March 31, 2011 at 3:00 p.m. The deadline for submissions was subsequently extended to April 29, 2011 at 3:00 p.m., and was followed by a scheduled Tender Opening Ceremony at 3:15 p.m.

One (1) respondent, the Jamaica Public Service Company Limited (JPSCo.), submitted a proposal in response to the Invitation.

By way of an email on May 19, 2011, from a potential Bidder (hereafter referred to as 'the Company'), the OCG was advised, *inter alia*, that the Company was "unable to submit a bid as we needed more time to secure the 1% (US\$7M) Letter of Credit (LC) as required by the OUR.

We requested a 10 day extension from the OUR but they denied our request..."

The OCG was requested to investigate the procurement process. Attached to the email was a copy of a letter which was dated April 26, 2011, from the Company to the OUR, wherein the request was made for an extension. The OCG also noted that the aforementioned email was relayed to the OUR on April 27, 2011. The OCG noted a response from the OUR, by way of an email which was dated April 28, 2011, and which indicated, *inter alia*, that "With the deadline for submission of bids in the 480 MW procurement of April 29, 2011 being so close, and in consideration of other potential bidders who may have already made arrangements for submission of their bids by this date and to be present at the bid opening, the OUR is of the view that the granting of an extension at this late stage would cause significant disruption to the process."

Also, on May 19, 2011, the OCG received a copy of a letter which was dated May 18, 2011, from the Company's Attorney-at-Law to the OUR, which referred to a letter which was dated May 6, 2011, which purportedly, the Company had not received a response to. The letter stated, *inter alia*, that "Our client has therefore instructed that if a satisfactory response is not received from you by Tuesday, May 24, 2011, we are to immediately institute such legal action which we consider necessary to protect and preserve its interests." The Bidder's letter of May 6, 2011, raised eight (8) points of objection regarding the tender process, inclusive of the refusal of the OUR to grant an extension of time, although an extension was granted before, purportedly based on a request from a specific Bidder. The OUR responded by way of a letter which was dated May 19, 2011, restating, *inter alia*, its reason for not granting the request given its proximity to the close of tender date and "that the request for extension from that other bidder was made on March 11, 2011 well in advance of the deadline for return of bids and hence our concern for disrupting the process was not an issue at that time." The letter further indicated that "The OUR having considered your claims, does not agree that the process was flawed and that it should be halted."

Subsequent to same, the OCG, on June 10, 2011, received a copy of a letter which was dated June 10, 2011, from the OUR to the then Prime Minister of Jamaica. The letter outlined the process which was undertaken and sought to address the complaints which were raised by the Company. The OUR's letter stated, *inter alia*, that "We wish to add our concern that [the Company] chose to raise the various additional issues it now seeks to canvass, after the deadline for return of bids and not during the bidding period.

*The RFP provided a clear process by which applicants could raise concerns and seek clarification on any issue in **the RFP up to thirty days before the deadline for return of bids**. [The Company] was one of those companies which submitted concerns and queries which the OUR published along with its responses during the bidding period. None of the issues raised in its May 6, 2011 letter were submitted to the OUR for consideration during the bidding period up to the deadline for submission of requests for clarification, nor were these issues raised as concerns when the company submitted its request for an extension two days before the deadline for return of bids."*

Subsequently, and by way of a letter which was dated October 12, 2011, the Company wrote to the Contractor General, stating, *inter alia*, that "You will recall our email sent to you on May 19, 2011 regarding the captioned project and the unfair advantage the Jamaica Public Service had.

We have been closely following the evaluation process and have learnt that the JPSCo bid was non-compliant with the requirements of the RFP... We now understand that the OUR is attempting to sole source this project to JPSCo and might have sought the blessings of your office to do so."

Further to same, the OCG commenced a review of the complaint based upon the documentation which was in its possession. By way of a letter which was dated October 18, 2011, the OCG wrote to the OUR advising, *inter alia*, that a complaint had been received and that “*the OCG has in its possession a copy of letter dated October 7, 2011 from the OUR to the National Contracts Commission (NCC) regarding “Evaluation of Bids for the 480 MW Generating Capacity”.*”

The OCG has, inter alia, noted the following statements which were attributed to the Evaluation Report, which were stated in the aforementioned letter: “The proposal has been found to deviate in a number of significant ways from the requirements of the RFP...These deviations are in our opinion sufficient grounds for the proposals to be deemed to be non-responsive and subject to rejection.”

The OCG has also noted the “three possible courses of action” which the OUR outlined in its letter to the NCC being: 1) “Reject the bids and invite new proposals”; 2) “Invite JPS to negotiate on the basis of the proposals presented”; and 3) “Initiate new discussions with JPS in accordance with the regulatory powers of the OUR.” The OUR’s letter ended with a request that the NCC urgently consider the matter and provide guidance on the options available. The OCG noted that the evaluation was conducted by an independent consulting firm.

The OCG was of the opinion, and indicated same by way of said letter dated October 18, 2011, that “*In light of the foregoing, and given the deviations which have been noted in the referenced letter, the OCG, prima facie, agrees with the Evaluators that the bids submitted by the JPSCo would be deemed non-responsive to the requirements of the Tender.*”

The OCG has therefore found that there is veracity to the complaint which it has received.

Although the OCG recognizes that there are timing considerations, the Office is of the opinion, given that more than one (1) firm had expressed an interest during the initial tender process, that the procurement opportunity could be re-tendered utilizing the Limited Tender Procurement Methodology. The OCG believes by re-tendering, the OUR may receive bids from more than one (1) potential contractor and would increase the transparency of the process, particularly in light of the complaint which has been lodged.

*In keeping with Subsection 1.1.3 of Volume 2 of the Handbook of Public Sector Procurement Procedures (Revised October 2010), “Procuring Entities may award their contracts by the limited tendering procedure, in the following cases: (a) **when no suitable tenders have been submitted in response to an open or Local Competitive Bidding procedure, on condition that the requirements of the initial tender are not substantially modified**...”* The subsection requires that “*The Head of the Procuring Entity may approve the use of the Limited Tender procurement method for contracts up to a value of J\$10M. Contract values above this threshold will require the pre-approval of the NCC.*” (OCG’s Emphasis)

Please note that the OCG’s opinion is stated without prejudice to any guidance which may be received from the NCC.”

Subsequent to same, the OUR advised by way of a letter which was dated October 21, 2011, inter alia, that “The OUR requested the advice of the National Contracts Commission (NCC) as to what course of action could be followed to possibly preserve both projects. The NCC has recommended that the OUR negotiate with JPS over a 45 day period to attempt to reach an agreement, but simultaneously poll the potential bidders that showed interest to inform a rebid process, should the negotiation with JPS not achieve a satisfactory result.”

The OUR notified JPS that it had received the final report from the evaluators, and that there were significant deviations from the RFP that made the proposals subject to rejection. JPS was also invited in that letter, based on discussions with the NCC, to provide further information on a number of issues, in an attempt to bring about an agreement in 45 days...”

Accordingly, and by way of a letter which was dated November 16, 2011, the OCG acknowledged the course of action which was taken by the OUR, with regard to the advice which it had received, and advised that it would continue to monitor the project.

Subsequently, JPSCo was awarded the right to construct a 360MW Combined plant. The OCG has also noted, based on submissions from the OUR that *"This transaction is a purely private investment project which will be financed and executed by a Independent Power Producer on a Build Own Operate (BOO) basis. The OUR is not responsible for the award of any Government contracts related to this project. The OUR's role pursuant to the Jamaica Public Service Company Limited Amended and Restated All-Island Electric Licence (2011), is to manage and administer the competitive tendering procedure...Further, the Office is not party to any commercial contracts between the private sector entities involved in the project."*

Department of Local Government - Memorandum of Understanding (MOU) with Green RC Management LLC

By way of a letter which was dated April 21, 2011, with supporting enclosures, the Department of Local Government, then a department of the Office of the Prime Minister, advised the OCG, *inter alia*, that *"Green RG had made an unsolicited offer to the Government of Jamaica through the Ministry of Mining and Energy to test new solar technology for streetlights, buildings, water pumps and other infrastructure."* The OCG was advised that *"Green RG Management LLC ("Green RG") is an energy management company from New Jersey in the United States, which creates and owns proprietary and patented technology, including protocols, products and solutions for an energy saving system..."* The OCG was requested to *"review the draft MOU and attachments... and advise whether the proposed MOU is in keeping with the Government Procurement Guidelines."*

Accordingly, and by way of a letter which was dated April 26, 2011, the OCG requested further details regarding, in particular, whether the unsolicited proposal was received prior to January 2, 2011 (*given the revision to the Procurement Guidelines*) and if so, whether said proposal was in keeping and was treated in keeping with the applicable procedures. The Department of Local Government responded by way of a letter which was dated May 3, 2011, advising that *"prior to January 2, 2011, Green RG Management LLC made an unsolicited offer to the Government of Jamaica through the Ministry of Mining and Energy to test new solar technology for streetlights, buildings, water pumps and other infrastructure. That Ministry recommended that Green RG discuss their proposal with the Hon. Prime Minister. As the Department of Local Government has portfolio responsibility for streetlights, it was on this basis, that the Hon. Prime Minister recommended that Green RG meet with representatives of the Department of Local Government."*

The OCG was also advised that members from that Department, on October 28, 2010, met with representatives of the MEM and Green RG, and were informed about the products and services offered and the desire to test the technology through a pilot programme, which cost would be borne by Green RG. The letter further stated *"The Company also enquired as to whether this pilot programme could be facilitated through an MOU between the Company and the Government"* The letter continued, indicating that ***"This draft MOU is not intended to be a contract as it is meant to facilitate the execution of the Pilot Programme."*** Accordingly, it is expressly provided in the document that the MOU does not commit or confer any obligation on the Department of Local Government of Jamaica to enter into any contractual arrangement with Green RG following the completion of the Pilot Programme."

The OCG responded by way of a letter which was dated May 10, 2011, advising as follows:

1. *"The OCG offers it [sic] non-objection to the Department of Local Government entering into a Memorandum of Understanding (MOU) with Green RG Management LLC, for the "...purpose of research, experiment, study or development", for the use of innovative methods, approaches and technologies, to reduce the Government of Jamaica's (GOJ) energy cost. Our non-objection is based upon the clear understanding that there will be no liability on the part of the GOJ.*

2. *Although, based upon your and the Minister's disclosure, that there will be no cost to the GOJ associated with the MOU, it is recommended that you also seek the prior non-objection from the National Contracts Commission.*
3. *Following upon the completion of the proposed research and development, and if the results are positive and presents a viable option for the reduction in energy cost for the GOJ, then the Competitive Bidding process, by means of a price test, should be undertaken, prior to a contract being awarded."*

Further to same, and by way of a letter which was dated May 11, 2011, the Department of Local Government wrote to the Chairman of the National Contracts Commission (NCC) outlining the particulars related to the matter and requested the non-objection of the NCC. The matter was initially discussed in the NCC's meeting of May 18, 2011, wherein it was requested that a representative from the Department of Local Government be invited to attend the next meeting and provide further clarification. A representative from the Department attended the NCC meeting of May 25, 2011. The NCC offered its no objection but expressed concern regarding the method by which the Department of Local Government would use to measure the success of the streetlight portion of the proposal.

The Cabinet subsequently gave approval for the proposed arrangement during July 2011. The MOU dated October 7, 2011, and which was valid for two years, was executed by the relevant parties. The OCG notes that Clause 19 from the MOU states *"This MOU is not legally binding as it (sic) not intended to be a contract. It is meant to facilitate the execution of the Pilot Programme. It therefore does not commit or confer any obligation on the Department or the Government of Jamaica to enter into any contractual arrangement with GREEN RG following the completion of the Pilot Programme."*

The OCG will continue monitor this project and, in particular, any related procurement and contract award activities.

Ministry of Education (MOE) – Blackberry for Teachers Project

On August 5, 2011, the Jamaica Information Service website published an article entitled *"Ministry Partners with RIM to Provide Teachers with Smartphones"*. The article stated, *inter alia*, that *"The Ministry of Education has partnered with Research in Motion (RIM), the technology company behind the Blackberry product line, to provide some 20,000 teachers throughout the island's school system with Blackberry Smartphones."* The article further stated that *"...the Ministry is in the process of reviewing proposals from the three major cell phone carriers in Jamaica to provide the service."*

In addition to the Media Report, it was noted that the Ministry had penned a letter, dated July 18, 2011, to the Director of the Technical Services Department of the OCG, which stated, *inter alia*, that *"We write to advise that the Ministry of Education in association with Research In Motion (RIM), is in the process of developing and implementing a project to provide Blackberry smartphone devices to upwards of twenty thousand teachers at zero cost to the Ministry of Education. In addition to the devices, a number of services will also be provided in support of the project..."*

Notwithstanding the fact that the above will be of no cost to the Ministry, we have requested a list of required technical specifications from RIM which we intend to send to all major carriers that support Blackberry services. The carrier which meets the technical requirements and which provides the most cost effective solution (i.e. monthly cost of between J\$3,000.00 to J\$4,000.00) will be granted the opportunity to host and manage the proposed solution."

Further to same, the OCG by way of a letter which was dated August 10, 2011, requested, among other things, an Executive Summary outlining the genesis of the proposed Agreement, details of the project budget, evidence of the approvals which were received, details regarding the methodology for selection of the Mobile Carrier, and other supporting documents.

By way of a letter, which was dated August 15, 2011, the Ministry responded to the OCG, providing the requisite supporting documents. The OCG noted the following based upon its review:

- *“The Ministry of Education was paid a visit by a Research In Motion (RIM) executive...some time during mid-2010. During a discussion we floated the idea of providing Blackberry smartphones to our teachers.”*
- *“Insofar as contractual agreements are concerned, there is no contractual agreement between Research In Motion and the Ministry of Education”*
- *“...there will be no cost to the Ministry of Education and hence no budget has been done...”*
- *“There were no negotiations with RIM. The Ministry’s overriding concern was that whatever is being provided for the teachers must be at no cost.”*
- Regarding the submissions from cell phone carriers, it was stated, *inter alia*, that *“Technically speaking this was not a procurement as it would result in the Ministry purchasing neither goods nor services etc. The Ministry wrote to each cell phone carrier advising them of the project, stating the high-level business requirements that needed to be met... They were asked to indicate technical compliance as well as their pricing structure. In this instance, pricing represents the monthly costs to the teachers, not the Ministry.”*
- *“The evaluation of the carrier submissions has been completed and the Ministry is at a point where the carriers can be advised as to the outcome of their submissions. It is the Ministry’s desire for the selected carrier to commence delivery of the devices in the upcoming Christmas Term 2011.”*

The OCG’s initial review concluded that *“The provision of Blackberry smartphones to teachers will be at no cost to the Ministry of Education (MOE), and by extension, the Government of Jamaica. It however appears that import duties will be waived under the project”* and *“No procurement was undertaken to select a cellular phone carrier, however, letters of invitation were dispatched to Digicel, Claro and Lime. An evaluation was conducted and a preferred carrier was identified. The OCG has noted that payments will be made by the teachers and not by the Ministry of Education.”*

Further to the foregoing, the OCG requested additional information regarding, *inter alia*, whether related duties were waived, whether the cellular phone carrier would be responsible for distribution of the devices and an updated status on the project.

The Ministry provided a response by way of a letter which was dated September 9, 2011. Subsequently by way of a letter which was dated September 23, 2011, the OCG concluded, based upon the information which was provided to it, that:

1. *“The Blackberry for Teachers Project will be at no cost to the Ministry of Education (MOE), and by extension, the Government of Jamaica”; and*
2. *“The Blackberry for Teachers Project has not, to date, resulted in any procurement activity as defined by the GOJ Handbook of Public Sector Procurement Procedures (October 2010). The Handbook defines Procurement as “For GoJ purposes, Public Sector Procurement is the acquisition of goods, services and works by any method, using public funds, and executed by the Procuring Entity or on its behalf.”*

The OCG further indicated that *“In light of the foregoing, and at this juncture, the OCG offers no objection to the Ministry of Education’s project, the Blackberry for Teachers Project.*

The OCG however, given that the Ministry appears somewhat uncertain in terms of the model which will be used in the distribution of the devices, cautions the Ministry to ensure that if the devices are to be distributed by a party external to the carrier or the Ministry itself, that the requisite procurement process is observed. The OCG also cautions that, while the MOE may not be the Body granting the prescribed licence, that any prescribed licence issued in relation to this project, is done in a regular manner.”

St. Elizabeth Parish Council – Proposed Sale of Lands, Part of Bellevue Called Mannings Home

On July 18, 2011, the OCG received a letter, from the Mayor of Black River entitled “*Proposed Sale of Land Part of Bellevue Called Manning Home by the St. Elizabeth Parish Council*”. The letter stated “*Following on allegations made at St. Elizabeth Council Meeting on Thursday 14th July 2011, with respect to the propriety of the above sale.*

I hereby invite your office to investigate the process as conducted thus far.” Additionally, on July 18, 2011, an article was published in the Jamaica Observer entitled “*OCG invited to probe St Elizabeth land sale*”. The article attributed allegations which were made by a Councilor of the People’s National Party (PNP) that “*40 acres of land slated for housing development was being sold below market value to a well-known Jamaica Labour Party (JLP) ‘supporter and contributor’*” and that the said Councilor appeared to suggest that “*the transaction was meant to serve partisan political ends.*”

The article stated further that “*As explained to journalists, the original plan was to sell 70 acres of land, referred to as Manning’s Field, adjacent to Manning’s Children’s Home at Bellevue, to a single bidder who was the only respondent to advertisements for a housing development. The overall price was reportedly set at just over \$30 million.*

According to Palmer, that plan was reviewed when a “re-survey” showed that only 40 acres was ideal for conventional housing development with the remaining 30 acres being mostly steep limestone hillsides.

On that basis, he said a decision was taken to sell 40 acres to the sole bidder on a prorated basis with the remaining 30 acres to be held by the Council as a forest reserve in the public’s interest...”

Further to same, and by way of a letter which was dated July 20, 2011, the OCG requested particulars regarding the process which was undertaken, as well as the requisite supporting documents. The St. Elizabeth Parish Council responded by way of a letter which was dated August 15, 2011, providing the required information.

The OCG conducted a review of the documents which were submitted and noted, *inter alia*, that:

- The property was advertised during February 2010 with the description “*Lots adjacent to the Bellevue Housing Scheme South St. Elizabeth with an area of approximately 27 hectares for residential purposes*”. Offers were to be submitted by March 5, 2010.
- The following three (3) tenders were received in response to the offer: i) One (1) tender for ¾ acre in the amount of \$1.5M, ii) One (1) tender for 1 acre in the amount of \$2M, and iii) One (1) tender for 27 hectares in the amount of \$25M.
- The Valuation Report which was prepared by the National Land Agency, and which was submitted to the Council under cover of letter dated April 8, 2010, indicated that the area of the land was approximately 30.7 hectares or 75.83 acres. The market value of the property was certified to be Thirty-five Million Dollars (\$35M). The date of the valuation was March 2, 2010, and the report was signed on March 19, 2010.
- Subsequently, documentation indicated that the Company which had submitted the tender for the 27 hectares was on August 4, 2010, written to by the Parish Council. The letter stated, *inter alia*, that “*Please be advised that the subject property has an area of approximately 30.7 hectares, which the Council is offering for sale at a price of Thirty Five Million Dollars (\$35M).*” The Company was requested to confirm its willingness to accept the offer.
- By way of a letter which was dated December 16, 2010, the Company submitted a tender for twenty-eight million dollars (\$28M). Enclosed with the offer letter was a Valuation Report from Property Dynamics Limited, which appraised the property value between twenty-eight and thirty million dollars (\$28 – 30M).

- The OCG also reviewed documentation which indicated that a Resolution was passed on July 14, 2011, to formally Authorize and Facilitate the Council's Development and possible sale of lands for Housing through a Memorandum of Understanding (MOU)/Joint Venture. The resolution stated, *inter alia*, that "*the Council proposes to enter into a Joint Venture agreement/Memorandum of Understanding (MOU) with Ministry of Water and Housing for the sale of and possession of the property, and [the Company], for the construction of Housing solutions, acting as a developer and tripartite member of the Memorandum of Understanding...*"

The Resolution further stated that it was resolved to "a) ... formally handover lands part of Bellevue called Mannings Home, Volume 1229, Folio 124 for an agreed sum... d) Hold and retain any unused portion of lands not used for housing in the Parish Councils name for future use..."

The OCG concluded its review by stating that "*In light of the documentation which was reviewed, the OCG has concluded that the Parish Council did attempt to undertake a transparent process by publicly advertising the property for sale.*"

The OCG however found that a property valuation was not determined prior to the close of tender and that the property which was advertised, with regard to the size and the specific parcel of land, is not that which is being sold.

The referenced conclusion is based upon the phrasing of the Resolution which was passed, which stated that the Parish Council will "Hold and retain any unused portion of lands not used for housing in the Parish Councils name for future use",

In the circumstances, and in the interest of transparency, given the time which has elapsed, the OCG recommends that the Parish Council:

1. *Commissions a new valuation specific to the property/parcel of land which is to be sold; and*
2. *Re-advertise the divestment opportunity being specific to the property/parcel of land which is being sold."*

Montego Freeport Limited – Lot A26, Lands part of Montego Freeport

The OCG received a complaint regarding the captioned transaction. The Complainant stated, *inter alia*, that "*We hereby register our dissatisfaction with tender process managed by Montego Freeport Limited relating to the divestment of the captioned parcel of land.*"

Further to same, the OCG had requested, and subsequently conducted a review of the documents which were submitted to its Office from the Montego Freeport Limited (MFL), with the view of ascertaining, *inter alia*, whether the process which was being used to divest the captioned property is equitable and whether the Complainant had been prejudiced in the transaction.

The OCG, *inter alia*, found that:

- The Invitation for Bids for the referenced property was advertised in the local newspapers during February 2011.
- Two valuations were conducted.
- Three tenders were received. However, no Bidder exceeded the minimum required score. An offer of the Reserve Price was made to the Company which submitted the highest tender, which was the Complainant. The Company did not acknowledge the offer within the required period and, accordingly, the Montego Freeport made a similar offer to the Company which had submitted the next highest offer of the three (3) respondents. That Company acknowledged the offer within the requisite time period and eventually accepted the offer of the Reserve Price.

- MFL provided copies of correspondence between members of the Board of Directors, in response to a request to provide evidence of the approvals received.

The OCG has found that the process which was utilised by the MFL to dispose of the property was fair, transparent and equitable, and that the Complainant was not prejudiced by the process employed.

The OCG found that the process which was utilised was in keeping with Ministry Paper #34 in some respects. Among the principles which are outlined in Ministry Paper # 34, entitled '*Privatization Policy and Procedures*', are that "*the selection of items to be privatized will be announced to the public by way of advertisements*" and "*the concept of market-economic valuation will apply in establishing the disposal price and more than one valuation must be obtained.*"

The OCG has concluded that same had been conducted. The OCG has, however, found that the approval of the Cabinet had not been received.

The Office had observed other instances, during 2011, wherein Cabinet approval had not been requested or received regarding the sale of Assets, including land.

King's House Foundation - The Proposed Divestment of Lands

By way of a letter which was dated September 19, 2011, to the Chairman of the King's House Foundation Board, the OCG advised, *inter alia*, that "*The Contractor General, during a discussion with His Excellency, The Most Honourable Sir Patrick Allen, on Friday, September 16, 2011, was made aware of the King's House Foundation's intent, among other things, to divest certain Lands, surrounding King's House, for the purpose of residential and/or commercial development.*" The letter continued, "*In the circumstances, the Office of the Contractor General (OCG), acting on behalf of the Contractor-General and pursuant to the Contractor General Act, will be monitoring the execution of the proposed Divestment of said Lands, to ensure, inter alia, that the process is fair, transparent, free from impropriety, and in keeping with the Government of Jamaica (GOJ) Privatization Policy and Procedures.*" The OCG's letter continued, highlighting the General Principles which are outlined in Ministry Paper #34, and requested a comprehensive Executive Summary detailing, among other things, the method by which the referenced Lands will be divested.

By way of a letter dated October 4, 2011, the Chairman of the King's House Foundation stated, *inter alia*, that "*...your letter of September 19th was forwarded to the Solicitor General whose advice is awaited...*"

Subsequent to the request from the Foundation for an extension of time, to submit a response, by way of a letter which was dated November 22, 2011, the Chairman responded providing, *inter alia*, copies of the two (2) Opinions, dated October 25, 2011 and November 10, 2011, which were received from the Attorney General's Chambers.

The Opinion from the Attorney General's Chambers, by way of a letter which was dated October 25, 2011, indicated that it sought to address the following issues:

- a. "*Is the King's House Foundation a "public body" within the meaning of section 2 of the Contractor-General Act?*"
- b. "*Does the proposed residential development constitute a "government contract" within the meaning of section 2 of the Contractor-General Act?*"
- c. "*What are the functions of the Office of the Contractor-General in relation to "government contracts" entered into by "public bodies"?*"
- d. "*Is the Contractor-General entitled to the information requested?*"

The Attorney General's Chambers Opinion concluded, stating:

1. *"The proposed transaction as approved by the Cabinet authorizes the transfer of lands the unimproved value of which is \$JM15,000,000.00 from the Commissioner of Lands to the Foundation for the construction of a residential development by a private contractor. The Cabinet Decision also specifies how the proceeds from the residential development are to be used. Clause 10 of the Agreement for Sale of the Lands also states the Commissioner of Land is entitled to lodge a caveat against the lands, in the event that the Foundation fails to commence construction within a specified time. This in our view is a clear indication of the Government's influence over the policy of the Foundation by virtue of its financial input and as such the Foundation is a public body within the meaning of the Contractor-General Act.*
2. *The agreements to be executed for the construction of a residential development by a private developer constitutes a government contract within the meaning of the Contractor-General Act since it is an agreement for the carrying out of building works.*
3. *In furtherance of the Contractor-General's monitoring function in respect of government contracts under section 4 of the Act and his attendant entitlement to require any public body to furnish in such manner and at such times as may be specified by him, information with regard to the award of any contract and such other information in relation thereto, it is our considered opinion that the Foundation is under a statutory duty, as a public body to comply with the request of the Contractor-General."*

Further to same, the Opinion from the Attorney General's dated November 10, 2011 stated *inter alia*, that:

1. *"Further to our opinion dated October 25, 2011 in respect of the captioned matter, we have been asked on whether the proposed sale of land by the King's House Foundation (the "Foundation") is a "government contract" within the meaning of section 2 of the Contractor-General Act (the "Act"), having regard to the fact that the agreement will constitute a sale of land to a Developer who will develop the land for its own account....*
2. *It was held in **Ashton Wright**³ that the words, "for the carrying out of building or other works", as used in section 2 of the Act clearly does not include a contract for the sale of land. If this position is accepted it would mean that the sale of the land by the Foundation, (which we have established is a public body⁴) to a Developer would not constitute a "government contract" and as such would not fall within the ambit of the Act.*
3. *However, it is a condition of the Agreement for Sale⁵ that the Foundation is to ensure that a residential development is erected on the lands. This is indeed the *raison d' être* for the sale of the land. This condition was included to ensure compliance with Cabinet's decision that the land is to be used for the construction of a residential development and the proceeds therefrom be used to assist in defraying the maintenance costs for King's House.*
4. *Therefore, it is our view that the proposed sale of land to a Developer must include a clause which ensures compliance with the Cabinet Decision as well as the Agreement for Sale between the Foundation and the Commissioner of Lands or a separate agreement ensuring compliance may be entered into. In this regard, the proposed transaction by the Foundation is not a bare agreement for sale as contemplated in the case of **Ashton Wright** and as such is a "government contract" since it is a contract for **the carrying out of building or other works** by a public body."*

The Chairman's letter ended, stating "...be assured that the Foundation will not be proceeding with the sale of land without communication with all agencies as required by law and advising the Contractor General what it intends to do."

By way of a letter which was dated November 23, 2011, addressed to the Chairman of the Foundation and copied to, among others, the then Attorney General, the OCG wrote, *inter alia*, "Kindly permit the OCG to direct your attention to the following, having regard to the Attorney General's Opinion, an email gleaned among the referenced enclosures and the OCG's own opinion:

1. *The King's House Foundation is a Public Body, as defined by the Contractor General Act;*
2. *In a letter which was dated February 7, 2008, written by the Contractor General to the Hon. Christopher Tufton, Minister of Agriculture, the Contractor General expressed the following positions:*

"The OCG is fortified in its view that its practiced jurisdiction over government asset divestment transactions is one which is properly and legally founded. The OCG has never retreated from that view.

*I am also obliged to respectfully direct your attention to the expressed provisions of Section 2 of the Contractor General Act. In Section 2, the term "government contract" is not confined to works, goods and services contracts... Section 2 unequivocally states that a "government contract **includes** any... agreement entered into by a public body for the carrying out of building or other works or for the supply of goods and services". (my emphasis).*

There is absolutely nothing in the Contractor General Act which excludes government asset divestment agreements from the ambit of the definition of a "government contract".

Further, the OCG's jurisdiction is "...supported by a formal Independent Legal Opinion which was sought by my immediate predecessor in office, Dr. Derrick McKoy, Attorney-at-Law, on the very question which is now before us.

The Legal Opinion, which was provided by eminent Queen's Counsel, Dr. the Hon. Lloyd Barnett, OJ, QC, is entitled "In The Matter Of The Contractor Act and His Right To Monitor Public Divestment Contracts", and is dated January 25, 2000.

In considering whether a Contractor General has the statutory authority to monitor contracts which involve the "sale of public assets" and, in particular, the divestment of the Donald Sangster International Airport by the National Investment Bank of Jamaica (NIBJ), Dr. Barnett concluded as follows:

"In my view, the general objective of the (Contractor General) Act is to provide a comprehensive monitoring mechanism on behalf of Parliament of the contracts entered into by the Executive to ensure that they are awarded impartially and on merit, (that) there is no irregularity or impropriety in their termination and (that) their implementation conforms with their terms. There is no logical reason why these objectives should be confined to building and service contracts."...

3. *The referenced sale of lands constitutes the divestment of state assets; and*
4. *All public Bodies are required to abide by the GOJ Policy Directives, Guidelines and Procedures, in the divestment of assets, including lands.*

In the circumstances, the OCG has no doubt as to its jurisdiction in the referenced matter, and that said transaction must be subjected to the established GOJ Policies and Procedures, specifically, Ministry Paper #34."

The OCG will continue to monitor the referenced divestment opportunity.

Rural Electrification Programme - Award of Contracts for Pole Line

The OCG, while conducting a review of the Quarterly Contract Awards (QCA) Report submissions which were made by the Rural Electrification Programme (REP), for the 1st and 3rd Quarter of 2011, noted that contracts were awarded to two (2) companies which were not registered with the National Contracts Commission (NCC) at the time of the award of contract. Additionally, NCC Contractor Identification Numbers which were reported on the QCA Reports did not exist.

Consequently, the OCG thought it prudent to undertake further review and scrutiny of particular contracts which were awarded by the REP. In this regard, by way of a letter which was dated November 7, 2011, the REP was requested to provide documentation pertaining to specific contracts which were awarded during the period December 2010 and March 2011, inclusive of those which were awarded to the two (2) Contractors which were unregistered.

The REP provided a response by way of a letter which was dated November 23, 2011.

The OCG will continue its review of this matter.

Bellevue Hospital - Award of Contracts for Security Services to Ultra Protection Ltd.

The OCG, while conducting a review of the Quarterly Contract Awards (QCA) Report submissions which were made by the Bellevue Hospital, noted that during the 1st quarter 2011, the Hospital had reported multiple contract awards via the Direct Contracting Procurement Methodology to an unregistered Contractor.

Accordingly, and by way of a letter which was dated November 23, 2011, to the Bellevue Hospital, the OCG advised that it would be conducting a review of the related tender processes and requested pertinent documentation. By way of a letter which was dated December 8, 2011, a response was received from the Bellevue Hospital, which stated, *inter alia*, that “*I am aware of the services being provided by Ultra Protection Limited and that the South East Regional Health Authority has tendered the services. The Procurement process is at an advance stage based on the advice received.*” The Chief Executive Officer (CEO) also requested an extension to provide the related documentation.

The request for an extension was granted and the CEO was also advised that “*In complying with the OCG's requisition, kindly note that the documentation requested is based upon information presented in the Quarterly Contracts Award Report submitted by the Bellevue Hospital. This submission implies that a contract has been awarded and signed between Ultra Protection Ltd. and the Bellevue Hospital. The OCG is therefore requesting documentation in support of same.*”

Further to same, by way of a letter which was dated December 28, 2011, the Bellevue Hospital responded stating, *inter alia*, that “*I suggest that the information that we have been providing on our quarterly reports may have been somewhat misleading. A review of our records revealed that the arrangement between the Bellevue Hospital and Ultra Protection Limited dates as far back as 1990. We located a contract that was prepared... but noted that it was not signed by both parties. We were also unable to locate the relevant documents regarding the process of selection of that service provider.*”

Since my tenure in December 2010, I recognize that the matter was queried by the Auditor General's Department and efforts were being made by the South East Regional Health authority to tender the service. As can be gleaned from the attached correspondence from the Hospital Administrator, addressed to Ultra Protection Limited and dated 2011 January 21, we made interim arrangements to regularize the service while the tendering process was being done...

We continue this arrangement up to the time of writing this letter and we are trusting that the tendering process being carried out by the South East Regional Health authority will be completed soon. This will ensure that the breach is corrected.”

The OCG will continue its review of this matter.

PRESCRIBED LICENCES

Introduction

The Contractor-General Act defines a Prescribed Licence as; “any licence, certificate, quota, permit or warrant issued or granted pursuant to any enactment by a public body or an officer thereof”. The Office of the Contractor General (OCG) is mandated by Section 4(1)(b) of the Act “to monitor the grant, issue, suspension or revocation do not involve impropriety or irregularity and, where appropriate, to examine whether such licence is used in accordance with the terms and conditions thereof.”

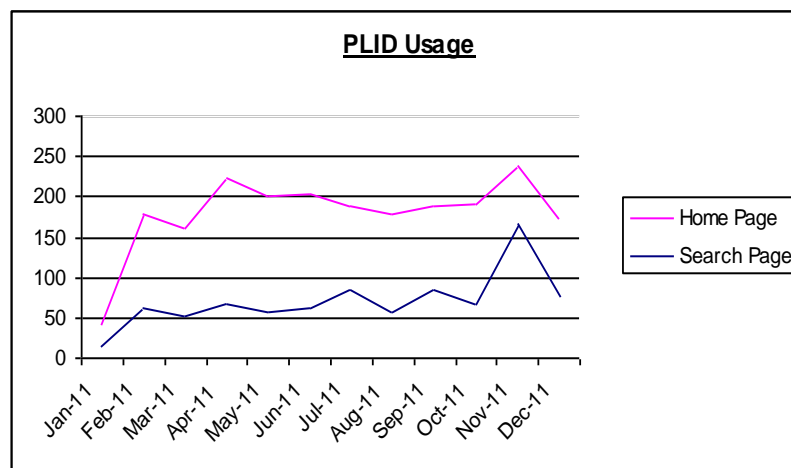
The OCG is currently in the second phase of its Licences and Permits Monitoring Regime which comprises of the analysis of information in order to determine which Prescribed Licences should be monitored. As was reported on page 87 of the OCG’s Annual Report 2010, although some advancement was made in the development of the Regime’s Business Processes and Software Application, the OCG continued to face human resource constraints primarily due to the focus on other strategic priorities in 2011.

Usage of the Prescribed Licences Information Database

The OCG’s Prescribed Licences Information Database (PLID) was launched in November 2009. The PLID currently houses information on more than six hundred (600) prescribed licences which are issued by seventy-four (74) Public Bodies, and is accessible to the public at large.

Figure 1 below illustrates the number of times per month that a person accessed the pages on the OCG’s PLID during 2011.

Figure 1



OCG Monitoring of GOJ Public Body Prescribed Licencing Activities

Although the OCG has not yet launched its formal Licences and Permits Monitoring Regime, the following prescribed licences were monitored during the reporting year:

Petroleum Corporation of Jamaica – Jamaica’s Second Formal Licensing Round for Oil and Gas Exploration

A formal requisition was issued to the Petroleum Corporation of Jamaica (PCJ) on March 3, 2010, requesting a copy of all relevant documentation in regard to Jamaica’s second formal licensing round for oil and gas exploration.

The deadline for submission of tenders was scheduled for March 1, 2011. The PCJ took the decision to extend the submission to September 1, 2011, in an effort to allow new companies that expressed interest sufficient time to absorb the information acquired to submit a tender.

The licensing round consisted of four (4) open onshore blocks and nineteen (19) open offshore blocks. Bidders were restricted to no more than five (5) blocks. One tender was received by the PCJ on or before September 1, 2011, and consisted of three (3) applications for three (3) onshore blocks.

Subsequent to the evaluation of the tender submitted, it was recommended that the Bidder be deemed non-responsive in relation to all three (3) blocks.

As at December 31, 2011, no blocks were awarded.

Betting, Gaming and Lotteries Commission – Sizzling Slots Limited

By way of a Media Release which was dated November 16, 2011, the OCG became aware that the Betting, Gaming and Lotteries Commission (BGLC) had granted a Non-Gaming Lounge Licence to Azan and Epstein, which allowed Sizzling Slots Limited to operate up to nineteen (19) Slot Machines at its Princess Street, Kingston location.

The OCG, by way of a letter which was dated December 2, 2011, requested information from the BGLC specific to the application for a Non-Gaming Lounge Licence by Azan and Epstein, T/A Sizzling Slots Limited, to operate at the Princess Street location. Further, the OCG requested information in regard to applications which have been submitted relating to two (2) other locations.

The documentation which was received on December 15, 2011, included information to support the licences which were granted to Sizzling Slots Limited for the following locations:

- 92 Princess Street, Kingston;
- 7-7 ½ Constant Spring Road, Kinston 10; and
- 16 East Street, Old Harbour, St. Catherine.

The BGLC informed the OCG that the licences which were granted were as follows:

- 92 Princes Street, Kingston – Premises Licence, Gaming Machine Licence and Disc(s), for the period April 1, 2011 to March 31, 2012.
- 7-7 ½ Constant Spring Road, Kingston 10 – Premises Licence, Gaming Machine Licence and Disc(s), for the period August 29, 2011 to March 31, 2012.
- 16 East Street, Old Harbour – Premises Licence, Gaming Machine Licence and Disc(s), for the period July 27, 2011 to March 31, 2012.

Betting Gaming and Lotteries Commission – Goodwill Gaming Enterprises Limited – Lottery Licence

By way of a Media Release which was dated August 31, 2011, the OCG became aware that the Betting Gaming and Lotteries Commission (BGLC) had allegedly approved a new Lottery Licence for another Jamaican lottery company.

By way of a letter which was dated September 1, 2011, the OCG requested information regarding the Lottery Licence applications which were received by the BGLC within the past eleven (11) years. The letter further requested documentation specific to Goodwill Gaming Enterprise Limited's (GGEL) application for the Lottery Licence.

The requested documentation, which was received from the BGLC on September 13, 2011, included information regarding the Lottery Licence applications which were received over the time specified. The BGLC also provided information to support the GGEL's Lottery Licence application and the approval of same.

The BGLC had indicated that the company was required to meet all the Conditions attached to the licences before the lottery could be promoted or the games launched. The BGLC, in a latter correspondence to the OCG, further indicated that the annual licences fees were paid by GGEL.

As at December 31, 2011, all of the Conditions attached to the licences were not yet met. The OCG will continue to monitor the captioned licence process.

Mines and Geology Division – Monitoring of the Issuance of Prescribed Licence under the Quarries Control Act

As at December 31, 2011, the Mines and Geology Division had not taken a decision with respect to the granting of the prescribed Quarry Licence. In effect, there was no change in the Division's position since the previous OCG Annual Report, which ended December 31, 2010.

Spectrum Management Authority – Invitation for Expressions of Interest for Licences in the 1900MHz and 2100 MHz Bands

As was reported on page 88 of the OCG's Annual Report 2010, a recommendation for the licensing process was submitted to the then Minister with portfolio responsibility for Telecommunications, for approval. The approval to proceed with the process was granted to the Spectrum Management Authority (SMA), by the Office of the Prime Minister (OPM), on March 14, 2011.

However, the SMA provided the OCG, with a letter from the OPM, which was dated July 6, 2011, and which advised "*...that a hold should be placed on the auction of the 1900-2100 MHz spectrum in view of recent developments in the industry.*"

As at December 31, 2011, there had been no change to the status of the licences. The OCG will continue to monitor the captioned licences process.

PARLIAMENTARY EXEMPTIONS

Section 41 of the Constitution of Jamaica, provides, *inter alia*, that save for such circumstances in which an exemption is granted by the House of Parliament to a Member of Parliament, the seat of a Member of either House shall become vacant, if (a) the Member becomes a party to any contract with the Government of Jamaica, (b) the Member is a partner in a firm or a director or manager of a company which becomes a party to such a contract, or (c) the member becomes a partner in a firm or director or manager of a company which is itself a party to such a contract.

The OCG, in its continued effort to secure greater transparency and probity in the award and implementation of all Government contracts to Parliamentarians, requested from the Clerk of the Houses of Parliament information on the Exempted Motions which were moved and approved in respect of Parliamentarians and Senators during the calendar year 2011.

The Clerk of the Houses of Parliament provided five (5) Exemption Motions which were granted during the reporting period, and the corresponding extracts from the Minutes of the relevant sitting of the Senate and the House of Representatives.

The following represents the five (5) Exemption Motions which were granted:

1. Mrs. Maxine Henry-Wilson, Member of Parliament, St. Andrew, South Eastern – January 25, 2011

The exemption motion, which was granted in respect of Mrs. Maxine Henry-Wilson, Member of Parliament, South Eastern on January 25, 2011, recognised that the Member "*...has been invited to be a member of the Advisory Committee for a project on "Youth Policy" financed through the Inter-American Development Bank ..."*

2. Senator Ian Murray – February 11, 2011

The exemption motion, which was granted in respect of Senator Ian Murray on February 11, 2011, recognised that the Member *“... is a director and shareholder of Sanitary Removal Limited, which from time to time enters into contracts with the Government of Jamaica and its affiliated agencies, to provide services having to do with Corporate Hygiene and Waste Removal”*

3. Dr. Morais Guy, Member of Parliament, St. Mary Central – March 8, 2011

The exemption motion, which was granted in respect of Dr. Morais Guy, Member of Parliament, St. Mary Central on March 8, 2011, recognised that the Member:

- *“...in his professional capacity as a medical doctor produces medical reports for the workers at the local plant of Nutrition Products Company Limited in Saint Mary”.*
- *“...is a shareholder and Director of Planners Trading Company trading as Pals Pharmacy; this entity enters into pharmacy contracts with the National Health Fund to provide pharmaceuticals to citizens”.*

4. Dr. Donald Rhodd, Member of Parliament, Portland Eastern – March 8, 2011

The exemption motion, which was granted in respect of Dr. Donald Rhodd, Member of Parliament, Portland Eastern on March 8, 2011, recognised that the Member *“...is a Director of CTW Enterprises Limited, which may enter into contracts with the Government of Jamaica”.*

5. Mr. Roger Clarke, Member of Parliament, Westmoreland Central – March 29, 2011

The exemption motion, which was granted in respect of Mr. Roger Clarke, Member of Parliament, Westmoreland Central on March 29, 2011, recognised that the Member *“... has been asked to provide equipment for hireage to Jamaica Sugar Holdings Limited ...”*

EXEMPTED PUBLIC BODIES

Section 1.2.1, Exclusions, of Volume 1 of the Government of Jamaica Handbook of Public Sector Procurement Procedures (October 2010), hereinafter referred to as the 2010 Procurement Handbook, offers exclusions for the procurement of specific Goods and Services which are outside the scope of the procedures contained in the Handbook.

Ministry of Finance Circular No. 34, which was dated December 10, 2010, indicated that the revised 2010 Procurement Handbook replaced the Government of Jamaica Handbook of Public Sector Procurement Procedures (November 2008), hereinafter referred to as the 2008 Procurement Handbook. Accordingly, the aforementioned Section 1.2.1 of the 2010 Procurement Handbook supersedes Section S-1000 (IV) of the 2008 Procurement Handbook and the Ministry of Finance Circular No. 34, dated September 22, 2008, which allowed selected Public Bodies (Petrojam Limited, Port Authority of Jamaica, Jamaica Tourist Board, Jamaica Vacations Limited and Air Jamaica Limited) to employ their own internal procedures to procure certain Goods, Services and Works outside of the parameters of the Government of Jamaica Procurement Procedures.

In a letter to the Office of the Contractor General (OCG), the Ministry of Finance further advised that the *“Handbook of Public Sector Procurement Procedures (October 2010) supersedes all previous circulars issued. The intent was for those exemptions to have been incorporated in the revised Handbook under the ‘business sensitive procurement’ provision which was intended to capture all those nuances and allow the entities to either single course or use an established internal process. We however note that this does not adequately capture all the scenarios presented and some areas were inadvertently omitted. Therefore, to ensure that these exemptions are enforceable since the Handbook supersedes all previously issued circulars, these exemptions would have to be reiterated through the issuing of a revised circular.”*

The OCG, in accordance with the Section 4 and 15 of the Contractor-General Act, wrote to the referenced Public Bodies to ascertain information to determine whether any or all of the previously exempted Public Bodies received any exclusions which were similar to those outlined under Section S-1000 (IV) of the 2008 Procurement Handbook from the Ministry of Finance. The OCG reviewed the information which was provided and the following findings were made:

Jamaica Vacations Limited

The OCG found that Jamaica Vacations Limited is not privy to any special conditions for commercial entities, similar to the exclusions which were stated in Section S-1000 (IV) of the 2008 Procurement Handbook, and is currently guided by and operating under Section 1.2.1 of the 2010 Procurement Handbook, Section (p), which reiterates the exclusions previously granted to Jamaica Vacations Limited under the 2008 Procurement Handbook and Ministry of Finance Circular No. 34, which was dated September 22, 2008.

Representation made by Jamaica Vacations Limited to the OCG indicated that all contracts issued under Section 1.2.1 (p) of the 2010 Procurement Handbook by Jamaica Vacations Limited, must be approved by the Board of Directors. The OCG also noted that contracts valued below Thirty Million Jamaica Dollars (J\$30M), but above Ten Million Jamaican Dollars (J\$10M), are sent to the Cabinet in the form of a Cabinet Notice for its advice. Additionally, contracts valued in excess of Thirty Million Jamaica Dollars (J\$30M) are sent to the Cabinet for approval and are accompanied by comments from the Ministry of Finance and the Attorney General.

The Jamaica Tourist Board (JTB)

The OCG found that the JTB has not received any special conditions for commercial entities similar to the exclusions which were stated in Section S-1000 (IV) of the 2008 Procurement Handbook. The JTB is instead guided by and operating under Section 1.2.1 of the 2010 Procurement Handbook, which recapitulates the exclusions previously granted to the JTB under the 2008 Procurement Handbook and Ministry of Finance Circular No. 34, which was dated September 22, 2008.

The OCG noted that major sponsorship arrangements undertaken by the JTB are first approved by the Events Sub-Committee of the Board before submission to the Procurement Committee. The OCG also noted that all contracts issued by the JTB which are valued over J\$275,000.00, are reported to its Office in the Quarterly Contract Awards Report.

Air Jamaica Limited

The OCG found that Air Jamaica Limited is not privy to any special conditions for commercial entities similar to the exclusions which were stated in Section S-1000 (IV) of the 2008 Procurement Handbook. The OCG noted that Air Jamaica Limited is currently awarding and implementing contracts pursuant to Section 1.2.1 of the 2010 Procurement Handbook with regard to the procurement of the previously exempted Goods, Services or Works.

Representation made to the OCG by Air Jamaica Limited indicated that *“during the year 2011, Air Jamaica has sought the approval from the Board and Ministry of Finance prior to awarding any contracts, pursuant to the exclusions from Section S-1000 (IV) Special Conditions for Commercial Entities.”* The OCG noted that approvals were sought for the execution of two (2) contracts; one (1) with Goodrich Aerostructures Group and another with Shannon Aerospace.

The OCG noted that the Ministry of Finance, by way of a letter which was dated June 17, 2011, endorsed the Lease Agreement between Rohr Aero Services LLC, operating as Goodrich Aerostructures Group and Air Jamaica for lease of Thrust Reverser. The OCG further noted that Cabinet Decision No. 39/11, which was dated October 10, 2011, ratified the decision taken by Air Jamaica (Legacy) to Rohr Aero Services LLC, operating as Goodrich Aerostructures Group to provide lease and repair services.

The OCG did not evidence any approval for the execution of the contract between Air Jamaica Limited and Lufthansa Technik AG (Shannon Aerospace). However, Air Jamaica Limited advised the OCG that *“we are unable to locate a copy of the formal response from the Ministry of Finance in regards to the contract awarded for the air craft check on MSN 1503.”* Table 1 below provides a summary of the two (2) contracts which were awarded by Air Jamaica (Legacy):

Table 1: Contracts Executed by Air Jamaica (Legacy) during the year 2011 Pursuant to Section S-1000 (IV) of the 2008 Procurement Handbook

Name of Contractor	Contract Description	Contract Value	Site of Contract Performance	Procurement Method	Number of Quotes Requested	Number of Quotes received	Procurement Committee Approval
Goodrich Aerostructures Group	Repair of aircraft parts	\$42,908,256.00	Ireland	Direct Contracting	1	1	Yes
Shannon Aerospace	Checks on aircraft MSN 1503 in preparation for return to Lesser, GECAS	\$117,550,794	Ireland	Limited Tender	3	1	Yes

Petrojam Limited

The OCG found that Petrojam Limited has not received any similar exclusion to the 2010 Procurement Handbook. For Goods, Works and Services which were previously exempted under Section S-1000 (IV) of the 2008 Procurement Handbook. The OCG noted that Petrojam awarded these contracts under Section 1.2.1 (j) which refers to procurement of items on the International Commodities Market for example, wheat, corn, and crude oil. Petrojam Limited advised the OCG that *“Petrojam Limited issue contracts to Petrotrin, PDVSA, Carib LPG and PMI Mexico. These contracts are normally renewed every one to two years. It must be noted that Petrojam Limited submits quarterly reports to the National Contracts Commission regarding the Exclusions-Procurement of Items on the International Commodities Market.”*

The OCG noted that Petrojam Limited utilised the following procurement procedures for the procurement of items on the International Commodities market:

1. Crude Oil and Associated products (LPG, Jet fuel, Diesel Oil etc) – Purchased under long term contracts which are facilitated by Government to Government Agreements. At times, these products may be procured on the spot market using the Limited Tender Procurement Methodology.
2. Freight Procurement – the Limited Tender Procurement Methodology is used to employ Spot Freight and Time Charter Freight procurements.

Port Authority of Jamaica (PAJ)

The OCG in its letter to the PAJ asked; *“Are you aware that the new procedures outlined in the Handbook of Public Sector Procurement Procedures (October 2010) supersedes all previous Handbooks and/or circulars issued by the Ministry of Finance?”*

The PAJ responded stating that the *“Port Authority is aware of the new procedures. However, we continue to adhere to the special conditions granted under Circular 34 of 2008 September 22 from the Ministry of Finance and the Public Service and published in the Jamaica Gazette of 2008 October 9. Our position is based on guidance from the Procurement Policy Unit of the Ministry of Finance and Planning (MOFP) which has maintained that these special conditions did not change with the issue of the latest procurement procedures in 2010, rather they remained in effect.”*

The OCG was not provided with any formal documentation to support the PAJ's assertion that the Ministry of Finance granted it approval to continue engaging Contractors pursuant to Section S-1000 (IV) of the 2008 Procurement Handbook and Circular No. 34, which was issued by the Ministry of Finance on September 22, 2008, which stated that "*The Head of Port Authority may approve sole source/direct contracting up to J\$5,000,000.00. Above this value will require the prior approval of the National Contracts Commission. Cabinet's prior approval is required for values above J\$50,000,000.00.*"

Subsequently, the OCG wrote to the Ministry of Finance to ascertain information to verify the PAJ's assertion.

The OCG noted that the PAJ issued eight (8) contracts pursuant to Section S-1000 (IV) of the 2008 Procurement Handbook. Table 2 below provides a summary of the contracts which were issued by the PAJ:

Table 2: Contracts Executed by the Port Authority of Jamaica during the year 2011 Pursuant to Section S-1000 (IV) of the 2008 Procurement Handbook.

Name of Contractor	Contract Description	Contract Value	Site of Contract Performance	Procurement Method	Number of Quotes Requested	Number of Quotes received	Procurement Committee Approval
Share Con Ltd.	MFP – Construction of Asphaltic Concrete Pavement	\$32,834,560.00	Montego Bay Freeport	Limited Tender	4	3	N/A
E. Phil & Sons A.S.	Falmouth Streetscape Beautification	US\$1,133,486.25	Falmouth Town Square	Emergency	1	1	N/A
Amba Dockside Technology Ltd.	Equipment Repair	\$3,598,767.00	Kingston Container Terminal	Direct Contracting	1	1	Y
Petro Canada Lubricants	Lubricants	\$3,141,035.00	Kingston Container Terminal	Direct Contracting	1	1	Y
Amba Dockside Technology Ltd.	Equipment Spares	\$4,220,174.00	Kingston Container Terminal	Direct Contracting	1	1	Y
Michelin	Tyre Sales and Repair	\$4,258,753.00	Kingston Container Terminal	Direct Contracting	1	1	Y
E.Pihl & Son A.S.	Cabling Works	\$4,995,938.00	Falmouth Cruise Ship Pier	Direct Contracting	1	1	Y
SMADA Consultants Ltd.	Consultancy Services Gantry Rail Repairs	\$4,702,919.00	Kingston Container Terminal	Direct Contracting	1	1	Y

It is important that all Public Bodies be reminded that although these previously exempted services are excluded from the parameters of the 2010 Procurement Handbook pursuant to Section 1.2.1, internal established procedures must be adhered to as the award and implementation of all Government contracts must be done in a manner which can be deemed fair, transparent, lends itself to probity, ensures competition and assures value for money.

PROCUREMENT AUDITS

Audit of Parish Councils

As part of its Strategic Operating Objective for the calendar year 2011, the Office of the Contractor General (OCG), embarked upon an initiative to conduct comprehensive Audits into the procurement and contract award practices of all Parish Councils, including the Kingston and St. Andrew Corporation (KSAC) and the Portmore Municipal Council (PMC). The OCG communicated its intention to undertake the Audit exercise, to the then Director of Local Government, in January 2011, and issued a Media Release in relation to same, in March 2011. All Parish Councils were, thereafter, advised by way of letters, of the OCG's planned Audits, which would cover the period between January 2006 and December 2010.

The referenced letters were addressed to Secretary Managers of each Parish Council, who were informed of the scheduled date for the initial meeting with OCG personnel, and who were asked to make themselves and their teams available to the Audit Team for a preliminary interview on the stated date. In the case of the KSAC and the PMC, the letters were addressed to the Town Clerk and the Chief Administrative Officer, respectively. Preliminary interviews were conducted to ascertain the procurement and contract award practices of each Parish Body, prior to commencing the physical Audit of documents.

As at December 31, 2011, preliminary interviews were conducted with all fourteen (14) Parish Councils, Municipality and Corporation, and three (3) Audit exercises initiated. The three (3) Audits which commenced in 2011 were of the PMC, the KSAC and the St. Catherine Parish Council. Review of the information obtained from the respective Parish Bodies is ongoing, and it is anticipated that the Audit Reports will be completed in 2012. It is also anticipated that the information-gathering exercises to inform the remaining Parish Council Audits, will be completed for all other Parish Councils in 2012.

Audit of Other Public Bodies

In addition to the Audit of Parish Councils, the OCG also completed its review into the procurement and contract award practices of one (1) Public Body and into the Licensing practices of another Public Body. The Procurement Audit Report was completed for the Jamaica National Heritage Trust (JNHT), while the Licensing Audit Report was completed for the Firearm Licensing Authority (FLA). In both instances, the Public Bodies were informed of the Findings and were required to respond to same by a specified date.

Common deviations identified by the OCG Audit Teams were:

1. Poor internal filing systems;
2. Failure to provide documents evidencing compliance at different stages of the respective process; and
3. The absence of a documented internal process or outdated internal processes.

The OCG also continued its review of information obtained through Audits conducted into the procurement and contract award practices of five (5) additional Public Bodies. The Public Bodies which were audited and for which Audit Reports are being prepared, are: the Caribbean Maritime Institute, the Edna Manley School of Visual and Performing Arts, the Jamaica Civil Aviation Authority, the Overseas Examinations Commission and the Students' Loan Bureau. It is anticipated that these reports will be completed during the 2012 calendar year.

The OCG would like to use this medium to remind all Public Bodies that every effort should be made to ensure the proper completion of the Quarterly Contract Awards (QCA) Report, as much of the information submitted on said Report informs the Audit exercises undertaken by the OCG, and will influence the Findings arrived at by the Audit Teams.

The information which follows represents the Audit Reports that were completed in respect of the Jamaica National Heritage Trust (JNHT) and the Firearm Licensing Authority (FLA).

Jamaica National Heritage Trust (JNHT)		
<u>1</u>	<u>Reason for Audit Initiation:</u>	<u>Date of Audit Initiation:</u>
	Routine Monitoring	2010-06-15
		<u>Status</u> Report completed
<p>The Jamaica National Heritage Trust (JNHT) is a Public Body which falls under the Ministry of Youth and Culture. The mandate of the JNHT is embodied in its stated Functions, which are:</p> <ul style="list-style-type: none"> • <i>To promote the preservation of national monuments and anything designated as protected national heritage for the benefit of the Island;</i> • <i>To conduct such research as it thinks necessary or desirable for the purposes of the performance of its functions under the Jamaica National Heritage Act;</i> • <i>To carry out such development as it considers necessary for the preservation of any national monuments or anything designated as protected national heritage;</i> • <i>To record any precious objects or works of art to be preserved and to identify and record any species of botanical or animal life to be protected.</i> <p>As part of its routine Monitoring Programme, the OCG commenced an Audit into the procurement and contract award practices of the JNHT for the period May 1, 2006 to March 31, 2010.</p> <p>Upon completion of the Audit, the following were identified:</p> <ol style="list-style-type: none"> 1. The JNHT did not have a formal documented internal procurement process; 2. The Procurement Committee of the JNHT evaluated tenders received and also made recommendation for contract award approvals; 3. The contract values evidenced were consistent with the reported value for one hundred percent (100%) of the contracts selected for review; 4. There was evidence that all Contractors, for which contracts were selected for review, were tax compliant; 5. The JNHT failed to report three (3) contracts on the QCA Report for the respective quarters, totalling J\$10,825,740.48; 6. The Contract Award Dates for four (4) or approximately 19% of the sample reviewed, were inconsistent with those which were reported on the QCA Report; and 7. Seven (7) Contractors reported on the QCA Report were not registered with the National Contracts Commission (NCC) at the time of the contract award. The cumulative value of the contracts identified was \$3,104,544.00. <p>Based on the tests which were conducted and the overall Findings of the Audit for the period under review (May 1, 2006 to March 31, 2010), the Audit Team determined that the JNHT:</p> <ol style="list-style-type: none"> 1. Did not fully comply with the procedures for recording the quarterly award of contracts in accordance with the OCG's instructions; and 2. Contravened the Government of Jamaica (GOJ) Procurement Procedures (May 2001 and the Revised Handbook of November 2008). <p>In light of the Findings, and in an effort to ensure that the JNHT becomes fully compliant with the Government of Jamaica Public Sector Procurement Procedures, the following recommendations were made to the JNHT:</p> <ol style="list-style-type: none"> 1. Implement a formal documented internal procurement process, which conforms to the provisions embodied in the Government of Jamaica (GOJ) Handbook of Public Sector Procurement Procedures (October 2010); 2. Seek to ensure that procurement practitioners within the organisation are trained in procurement procedures; 3. Establish, where applicable, Evaluation Committees for procurement opportunities and upon evaluation of bids received, prepare Evaluation Reports which should be signed and dated; 4. Ensure, where applicable, that all documentary evidence relating to a contract are kept on file for each procurement opportunity; and 5. Ensure that only eligible Contractors, duly registered with the NCC, are awarded contracts. <p>The JNHT subsequently responded to the OCG's Findings, acknowledging the deviations identified and committing to address each in a timely manner.</p>		

Firearm Licensing Authority (FLA)		
2	<u>Reason for Audit Initiation:</u>	<u>Date of Audit Initiation:</u>
	Routine Monitoring	2010-06-28
		<u>Status</u> Report completed
<p>The Firearm Licensing Authority (FLA) was established in 2005 by an Act of Parliament, as a Statutory Organization within the Ministry of National Security. The FLA aims to streamline and standardize the granting, renewal and revocation of Firearm Licences and all attendant processes. The FLA is governed by the Firearms Act, the objective of which is <i>“to control the manufacture, sale, purchase, importation, trans-shipment, disposal, possession and use of firearms and ammunition. The Act prescribes the various regulating authorities, the definition of a firearm, by whom, how and where a firearm may be legally possessed, the various fees applicable, and the various penalties for breaches.”</i></p> <p>The FLA is responsible for the issuance of the following Prescribed Licences:</p> <ol style="list-style-type: none"> 1. Firearm User's Licence; 2. Firearm User's (Employee) Certificate; 3. Firearm User's (Special) Permit; 4. Firearm User's (Restricted) Licence; 5. Firearm Dealer's Licence; 6. Firearm Manufacturer's Licence; and 7. Gunsmith Licence. <p>On June 19, 2010, the Jamaica Gleaner published a news story entitled <i>“FLA exodus – Firearm Licensing Authority board resigns; gun – permit issuance suspended”</i>. The news item stated that the Board of the FLA had resigned with immediate effect, which resulted in a temporary suspension in the issuance of Firearm Permits. According to the article, the entire Board resigned in an effort to <i>“protect their integrity”</i> after the receipt of an <i>“offensive”</i> letter from the then Minister of National Security, Senator Dwight Nelson. Senator Nelson, in addressing the matter, stated that his letter was not <i>“offensive”</i> as he simply sought to document his concern relative to the significant increase in the issuance of Firearm Licences between January and May 2010, when compared to the same period for the previous year. Senator Nelson highlighted, <i>inter alia</i>, that his concern was raised since, as at May 2010, a total of 1,197 new Firearm Permits were issued, when compared to 621 for the corresponding period for 2009.</p> <p>In accordance with its mandate under Section 4(1) (b) of the Contractor-General Act, which is <i>“to monitor the grant, issue, suspension or revocation of any prescribed licence”</i>, the Office of the Contractor General (OCG), by way of a letter which was dated June 28, 2010, informed the Chief Executive Officer (CEO) of the FLA of its intention to commence an Audit into the <i>“grant, issue, revocation and renewal of Firearm Licences”</i> by that Entity.</p> <p>The Audit commenced on July 14, 2010. At the time of the Audit exercise, the Audit Team was informed by the CEO of the FLA, that the FLA was in the process of conducting a re-certification exercise and, as such, all files were being reviewed in 'alphabetical order' to determine whether each Licensee was fully compliant with FLA requirements. At the time of the Audit, the FLA was reviewing files for names beginning with the letter 'C'.</p> <p>The Audit Team examined the records for one hundred and sixty-one (161) Prescribed Licences, comprised of one hundred and twenty-four (124) Firearm User's Licences, thirty-two (32) Firearm User's (Employee) Certificates and five (5) Firearm Dealer's Licence files. It should be noted, however, that of the thirty-two (32) Firearm User's (Employee) Certificate files examined, only twenty-five (25) were checked for 'External Security Clearance' and 'Letter of Authorisation'. Further, of the one hundred and twenty-four (124) Firearm User's Licence files which were examined, only one hundred and two (102) were checked for 'External Security Clearance' and 'Declaration of Secure Location to Store Firearm'.</p> <p>Upon review of the files selected, the Audit Team did not evidence the presence of all the required documentation/information on all files. In relation to the Firearm User's Licences reviewed, the Team found that evidence of Written Assessment/Examination, External Security Clearance, Competence Certification and Declaration of Secure Location to Store Firearm, were present in less than 50% of the files. Further, Board Rulings were evidenced in only 50% of the files reviewed. The files for Firearm User's (Employee) Certificates also saw similar levels of non-compliance, as evidence of External Security Clearance, Written Assessment/Examination, Assessment Report, Board Ruling and Competence Certification, were seen in less than 50% of the files reviewed. It was also noted that the composition of the Firearm Dealer's Licence files reviewed, was inconsistent.</p> <p>In light of the Findings, the Audit Team recommended that in moving forward and in tandem with the re-certification efforts being undertaken by the FLA, no new Prescribed Licences be granted unless the respective applicant satisfied all requirements relative to the submission of documents; and that the file related to each Licence, reflected same. The OCG also made recommendations relative to improving the filing practices of the FLA.</p> <p>The OCG intends to conduct a follow-up Audit of the FLA's Licensing practices at a later date, upon completion of the re-certification exercise being undertaken by the FLA.</p>		

LAND DIVESTMENT

Land is the largest asset owned by the Government of Jamaica (GOJ). In recent years, the GOJ has been in the process of drafting a *Policy Framework and Procedures Manual for the Divestment of Government-Owned Lands*. However, as at December 31, 2011, there was no standard authorized document which governed the GOJ's Land Divestment process. Owing to the absence of an official document governing the divestment of land, Government Entities vested with government-owned lands and authorized to divest said lands, have undertaken unique land divestment processes, resulting in a multiplicity of standards among the respective entities. The completion of the Manual is therefore critical, as it will standardize the land divestment process across Government Entities, thus ridding the system of any perception of non-transparency in the GOJ Land Divestment process.

The year 2011 saw the completion of the *Draft Policy Framework and Procedures Manual for the Divestment of Government-Owned Lands*, which was submitted to the Cabinet for consideration in December 2011.

The Office of the Contractor General (OCG) wrote to the Ministry of Housing, Environment, Water & Local Government (the then parent Ministry for the Land Policy and Administration Division) in November 2011, enquiring into the progress of the subject Manual. Subsequent to same, the OCG was invited to review the latest draft and to submit feedback relative to the information contained therein. The OCG submitted its feedback on December 5, 2011, addressing matters of concern; namely, the sections dealing with (a) *Divestment by way of an Unsolicited Proposal (and Divestment based on request for land by prospective applicant)*, (b) *Advertisements* and (c) *Divestment in Special Cases*.

The Ministry responded to the OCG's concerns, under cover of letter which was dated December 12, 2011, and advised the OCG, *inter alia*, that *"The process for the submission of the draft policy to Cabinet is already advanced, nevertheless at the conclusion of the consultation... the necessary modification will be made to the policy and your office advised."*

It should be noted that the Ministry had previously invited the OCG to review the draft Manual in April 2010, to which the OCG had responded in May 2010 recommending amendments, some of which were considered and incorporated into the document subsequent to said initial review. It is anticipated that the *Policy Framework and Procedures Manual for the Divestment of Government-Owned Lands* will be completed and approved early in 2012.

In spite of the absence of an approved GOJ Land Divestment Process, and in an effort to ensure transparency and fairness in the divestment of government-owned lands, the OCG in 2011, continued to monitor the divestment of lands owned by the GOJ. A total of fifty-eight (58) GOJ land divestment processes were monitored. The reports highlighted herein, represent those divestments that were monitored throughout 2011.

Public Body	Ministry of Water and Housing	Reference No.	LD-271
Property being Divested	Lot 301 Cave Island Pen (Vanzie Lands)	Location	Trelawny
Size of Property	1,275.13 Sq. metres	Date Advertised	2010-02-14
Valuation Sum	J\$0.00	Sale Price	J\$0.00
Date of Executed Agreement of Sale	0000-00-00	Purchaser	N/A
Status	Sale process placed on hold pending re-survey of the property.		
<p>The property was advertised for sale in February 2010 and one (1) offer was received. The sole offer was below the Reserved Price and, as such, the Ministry wrote to the potential Purchaser advising of same and informing them of the minimum price that would be accepted.</p> <p>In response, the applicant advised of their willingness to purchase the property at the minimum price. The Ministry accepted the offer, and a deposit of \$349,000.00 was made by the applicant. Sale of the property was, however, placed on hold pending a re-survey of the area, as it was discovered that the boundaries for some lots could not be located. The Ministry advised that the sale process will re-commence once re-surveying of the area has been completed.</p>			

Public Body	Ministry of Water and Housing	Reference No.	LD-281
Property being Divested	Lot 304 Cave Island Pen (Vanzie Lands)	Location	Trelawny
Size of Property	985.55 Sq. metres	Date Advertised	2010-02-14
Valuation Sum	J\$0.00	Sale Price	J\$0.00
Date of Executed Agreement of Sale	0000-00-00	Purchaser	N/A
Status	Sale of lot placed on hold pending re-survey.		
<p>The property was advertised for sale in February 2010 and one (1) offer was received. The sole offer was below the Reserved Price and, as such, the Ministry wrote to the potential Purchaser advising of same and informing them of the minimum price that would be accepted.</p> <p>In response, the applicant advised of their willingness to purchase the property at the minimum price. The Ministry accepted the offer and a deposit of \$100,000.00 was made by the applicant, which was below the required deposit amount. Sale of the property was, however, placed on hold pending a re-survey of the area, as it was discovered that the boundaries for some lots could not be located. The Ministry advised that the sale process will re-commence once re-surveying of the area has been completed.</p>			

Public Body	Ministry of Water and Housing	Reference No.	LD-291
Property being Divested	Lot 308 Cave Island Pen (Vanzie Lands)	Location	Trelawny
Size of Property	1,062.30 Sq. metres	Date Advertised	2010-02-14
Valuation Sum	J\$0.00	Sale Price	J\$0.00
Date of Executed Agreement of Sale	0000-00-00	Purchaser	N/A
Status	Sale placed on hold pending re-survey of the lot.		
<p>The property was advertised for sale in February 2010 and one (1) offer was received. The sole offer was below the Reserved Price and, as such, the Ministry wrote to the potential Purchaser advising of same and informing them of the minimum price that would be accepted.</p> <p>In response, the applicant advised of their willingness to purchase the property at the minimum price. The Ministry accepted the offer. Sale of the property was, however, placed on hold pending a re-survey of the area, as it was discovered that the boundaries for some lots could not be located. The Ministry advised that the sale process will re-commence once re-surveying of the area has been completed.</p>			

Public Body	Ministry of Water and Housing	Reference No.	LD-301
Property being Divested	Lot 310 Cave Island Pen (Vanzie Lands)	Location	Trelawny
Size of Property	683.75 Sq. metres	Date Advertised	2010-02-14
Valuation Sum	J\$0.00	Sale Price	J\$0.00
Date of Executed Agreement of Sale	0000-00-00	Purchaser	N/A
Status	Sale placed on hold pending re-survey of the lot.		
<p>The property was advertised for sale in February 2010 and two (2) offers were received. Both offers were below the Reserved Price and, as such, the Ministry wrote to the potential Purchasers advising of same and informing them of the minimum price that would be accepted.</p> <p>One (1) applicant advised of their willingness to purchase the property at the minimum price. The Ministry accepted the offer and the applicant made a deposit of \$100,000.00. Sale of the property was, however, placed on hold pending a re-survey of the area, as it was discovered that the rear boundary for the lot could not be located. The Ministry advised that the sale process will re-commence once re-surveying of the area has been completed.</p>			

Public Body	National Land Agency	Reference No.	LD-251
Property being Divested	Lease of Land - Part of Colbeck, St. Catherine	Location	St. Catherine
Size of Property	36.42 hectares (90 acres)	Date Advertised	0000-00-00
Valuation Sum	J\$700,000 per annum	Sale Price	J\$0.00
Date of Executed Agreement of Sale	0000-00-00	Purchaser	n/a
Status	On hold		

The Office of the Contractor General (OCG) received a package of documents from the Office of the Prime Minister (OPM) on December 29, 2010. The contents included a copy of a letter which was dated December 22, 2010 from the then Prime Minister, Bruce Golding, to the Permanent Secretary (PS) OPM. The letter which was entitled "*Lease of Land - Part of Colbeck, St. Catherine*" stated, *inter alia*,

"Please see attached file.

I asked for additional information including copies of all applications submitted because my brother is the applicant recommended by the National Land Agency and the lease is ultimately subject to my approval. I had no prior knowledge of his interest in or application in respect of these lands which were advertised for lease in June and July of this year nor have I had any discussions with him about the matter since I became aware of his interest by way of NLA's letter dated 16th December."

Accompanying the aforementioned letter were documents which included the completed application forms which were received, the evaluation form which was completed for each applicant, and a letter, which was dated December 16, 2010, from the National Land Agency (NLA) to the PS, OPM, outlining a report on the process. (The NLA reported to the OPM during this period.)

The NLA's letter indicated that subsequent to an assessment of the farm plans, the highest scored applicant was recommended for the lease of the property. The letter further outlined that "*...a report is to be submitted to the Land Divestment Advisory Committee at its meeting on February 10, 2011.*"

By way of a letter which was dated February 1, 2011, in response to a requisition from the OCG, the NLA provided a Status Report advising that the "*...applications were assessed and evaluated but have not yet been submitted to the LDAC.*"

Subsequent reports from the NLA have indicated that the status had remained unchanged.

Public Body	Factories Corporation of Jamaica	Reference No.	LD-231
Property being Divested	Lot 1 Corletts Road, Spanish Town	Location	St. Catherine
Size of Property	54.78 Acres	Date Advertised	2011-01-30
Valuation Sum	J\$0.00	Sale Price	J\$0.00
Date of Executed Agreement of Sale	0000-00-00	Purchaser	N/A
Status	Sale of property awaiting Cabinet Approval.		

The property was advertised for sale in January 2011 and one (1) bid was received. Upon evaluation of the sole bid, the offer was accepted and all internal approvals were obtained.

The Estate Manager of the Factories Corporation of Jamaica (FCJ) wrote to the Permanent Secretary within the respective Ministry, requesting that Cabinet approval be sought on their behalf for sale of the subject property to the potential Purchaser.

As at December 31, 2011, Cabinet approval was awaited.

Public Body	Factories Corporation of Jamaica	Reference No.	LD-241
Property being Divested	Lot 11 Hague Industrial Estate	Location	Trelawny
Size of Property	4,023.89 Sq. metres (0.99 Acres)	Date Advertised	2010-05-09
Valuation Sum	J\$0.00	Sale Price	J\$0.00
Date of Executed Agreement of Sale	0000-00-00	Purchaser	N/A
Status	Sale of property awaiting Cabinet Approval.		
<p>The property was advertised in May 2010 and one (1) bid was received. Upon evaluation of the sole bid, the offer was accepted. All requisite internal approvals were obtained.</p> <p>The Estate Manager of the Factories Corporation of Jamaica (FCJ), under cover of letter dated February 10, 2011, wrote to the Permanent Secretary within the respective Ministry requesting that Cabinet approval be sought for sale of the subject property to the sole Bidder.</p> <p>As at December 31, 2011, Cabinet approval was awaited.</p>			

Public Body	Factories Corporation of Jamaica	Reference No.	LD-221
Property being Divested	Lot 138C & E Boundbrook, Port Antonio	Location	Portland
Size of Property	2.85 Acres	Date Advertised	2010-11-07
Valuation Sum	J\$0.00	Sale Price	J\$0.00
Date of Executed Agreement of Sale	0000-00-00	Purchaser	N/A
Status	Sale awaiting Cabinet Approval.		
<p>The property was advertised for sale in November 2010. Two (2) bids were received and upon evaluation, the higher of the two (2) bids was selected. All necessary internal approvals were obtained.</p> <p>The Estate Manager of the Factories Corporation of Jamaica (FCJ), under cover of letter dated August 8, 2011, wrote to the Permanent Secretary in the respective Ministry requesting that the Ministry seeks Cabinet approval for sale of the subject property to the potential Purchaser.</p> <p>As at December 31, 2011, Cabinet approval was awaited.</p>			

Public Body	Factories Corporation of Jamaica	Reference No.	LD-261
Property being Divested	Lot 2 Whitfield Pen, Marcus Garvey Drive	Location	Kingston
Size of Property	5,107.58 Sq. metres	Date Advertised	2009-06-10
Valuation Sum	J\$0.00	Sale Price	J\$0.00
Date of Executed Agreement of Sale	0000-00-00	Purchaser	N/A
Status	Sale awaiting Cabinet approval.		
<p>The property was advertised in June 2009 and one (1) offer was received. Upon review of the sole offer, it was accepted and approved by the Board of Directors. The potential Purchaser, who occupies the neighbouring property, was however hesitant to move forward with the purchase of the property as the approved sale amount, which was based on a valuation conducted by the National Land Agency (NLA), was significantly higher than another valuation which was conducted by a private Valuation Surveyor.</p> <p>Consequently, a third valuation was conducted by another private Valuation Surveyor who determined that the property was valued significantly lower than that indicated by the NLA, and closer to the initial private valuation amount.</p> <p>Based upon the aforementioned situation, the potential Purchaser appealed to the Board of Directors of the Factories Corporation of Jamaica (FCJ) for a reduction in the sale price of the property. The Board of Directors considered the matter at its meeting of April 28, 2011, and approved the sale to the sole Bidder for an amount closer to that stated by the private Valuation Surveyors.</p> <p>The FCJ wrote to the Permanent Secretary within the respective Ministry, under cover of letter dated August 23, 2011, requesting that the Ministry seeks Cabinet approval for the sale of the property.</p> <p>As at December 31, 2011, the subject sale was awaiting Cabinet approval.</p>			

Public Body	Jamaica Railway Corporation	Reference No.	LD-101
Property being Divested	Part of Port Henderson Lands	Location	St. Catherine
Size of Property	113.814 Acres (46.06 Hectares)	Date Advertised	2011-01-09
Valuation Sum	J\$0.00	Sale Price	J\$0.00
Date of Executed Agreement of Sale	0000-00-00	Purchaser	N/A
Status	Divestment process terminated.		
<p>The property was advertised for sale in January 2011. Areas on the designated property have been declared "National Monuments" and are protected under and by the Jamaica National Heritage Trust Act.</p> <p>The Jamaica Railway Corporation (JRC) reported that two (2) proposals were received and the higher of the two proposals was selected. The Bidder was invited to meet with the JRC but failed to respond and was, subsequently, notified of the JRC's withdrawal of the offer.</p> <p>Consequently, the second Bidder was invited to meet with the JRC. The decision was then taken to sell the subject property to the second Bidder. Approval was sought and received from the Portfolio Minister of the respective Ministry. The Agreement for Sale was prepared and presented to the prospective Purchaser who reportedly declined to accept the terms relative to the existing encumbrances on the property. As such, the sale process was terminated.</p> <p>The property was re-advertised in December 2011. No bids were received for the subject property, thus the divestment process was aborted.</p>			

Public Body	Housing Agency of Jamaica Limited	Reference No.	LD-71
Property being Divested	Commercial Lot - Lot 259 Elgin Town	Location	Hanover
Size of Property	78,854 Sq. ft. (7,325.71 Sq. metres)	Date Advertised	2011-03-13
Valuation Sum	J\$2M - J\$2.8M	Sale Price	J\$7,000,000.00
Date of Executed Agreement of Sale	2011-06-15	Purchaser	Egerton Chang
Status	Sale completed.		
<p>The property was advertised for sale in March 2011. The offer which was submitted for the advertised value was, subsequently, accepted by the Housing Agency of Jamaica Limited. Sale of the property was completed and full payment has been received.</p>			

Public Body	Housing Agency of Jamaica Limited	Reference No.	LD-91
Property being Divested	Lands - Part of Curatoe Hill/Mineral Heights, May Pen	Location	Clarendon
Size of Property	21.32 Acres (8.62 Hectares)	Date Advertised	2011-02-06
Valuation Sum	\$120,000,000.00	Sale Price	J\$110,000,000.00
Date of Executed Agreement of Sale	2011-03-30	Purchaser	Sagicor Life Jamaica Limited
Status	Sale completed.		
<p>The property was advertised for sale in February 2011. An offer was received from the named Purchaser and subsequently accepted. Sale of the property was completed and full payment received.</p>			

Public Body	Housing Agency of Jamaica Limited	Reference No.	LD-81
Property being Divested	Lots 1B, 2 and 3 - Part of White River	Location	St. Ann
Size of Property	13,509 Sq. metres	Date Advertised	2008-10-12
Valuation Sum	J\$12,700,000.00	Sale Price	J\$8,500,000.00
Date of Executed Agreement of Sale	2011-12-09	Purchaser	Peter Turner
Status	Sale completed.		
<p>The property was advertised in October 2008, however, no offers were received. The Housing Agency of Jamaica Limited made several attempts to divest the property throughout 2009 and 2010, but the property remained unsold.</p> <p>An offer, which fell just above the Reserved Price of \$8,000,000.00, was received and accepted in 2011. The sale was completed and full payment received.</p>			

Public Body	Housing Agency of Jamaica Limited	Reference No.	LD-61
Property being Divested	Quarry Lands at Greater Retirement	Location	St. James
Size of Property	89.5 Hectares	Date Advertised	2011-02-19
Valuation Sum	J\$0.00	Sale Price	J\$0.00
Date of Executed Agreement of Sale	0000-00-00	Purchaser	N/A
Status	Property not divested.		
<p>The request for Expressions of Interest for the purchase or lease of the subject property was advertised in February 2011. Proposals submitted were expected to "...demonstrate serious investment intent in quarrying and related manufacturing activities that make a positive contribution to the local and national economies." The Housing Agency of Jamaica Limited (HAJL), however, took the decision to discontinue the process and re-assess the parameters of the project.</p> <p>The request for Expressions of Interest was re-advertised in June 2011, and proposals were to be submitted by July 15, 2011. Once again, the HAJL decided not to pursue divestment of the subject property.</p> <p>As at December 31, 2011, the property had not been divested and remained under the control of the HAJL.</p>			

Public Body	Development Bank of Jamaica	Reference No.	LD-171
Property being Divested	Lands located at Montpelier, St. James & Shettlewood, Hanover	Location	All Island
Size of Property	2448 Acres (991 hectares)	Date Advertised	2010-12-12
Valuation Sum	J\$0.00	Sale Price	J\$0.00
Date of Executed Agreement of Sale	0000-00-00	Purchaser	N/A
Status	Property to be re-advertised.		
<p>The property was advertised for lease or sale in December 2010. The deadline for submission of proposals was January 14, 2011. The deadline was, however, extended to February 2011.</p> <p>The property was divided into six (6) sections. Four (4) proposals were submitted, two (2) of which were deemed ineligible as they failed to meet the requirements of the Eligibility Criteria which were outlined in the Information Memorandum. The remaining two (2) proposals were evaluated and a Credit Report commissioned. Based upon the Credit Report on the two (2) Entities, the Entity which had previously received the lower overall score was recommended for the purchase of the residential area (360 acres, part of Block A) of the property.</p> <p>At a Board of Directors meeting of the Montpelier Citrus Company (MCC), which was held in April 2011, the recommendation was made for the agricultural area of the property (2,088 acres) to be sold to Agro-Investment Corporation (AIC). AIC is the Entity charged with divesting Government-owned agricultural lands.</p> <p>Notes to form the basis of a Cabinet Submission, relative to the divestment of the property, were sent to the Office of the Prime Minister (OPM) on May 24, 2011. The Development Bank of Jamaica (DBJ) sought Cabinet approval for a part of Block A (360 Acres) to be sold to the preferred Bidder for residential development, and for the DBJ to enter into negotiations with said company regarding the sale. Approval was also sought for the DBJ to enter into discussions with the then Ministry of Agriculture and Fisheries (MOAF)/AIC for the sale of the remaining 2,088 acres of agricultural lands.</p> <p>The Ministry of Finance and Planning (MOFP) assumed responsibility of the DBJ in July 2011 and, as a result, the OPM wrote to the MOFP outlining the aforementioned recommendations relative to divestment of the property. Upon review of the documentation, the MOFP wrote to the DBJ in September 2011, recommending that the residential lands be re-advertised for sale, and that "...the required approvals be received from the relevant authorities particularly with respect to the re-zoning of the land for housing development purposes."</p> <p>In October 2011, the MCC Board was informed of the recommendation from both the OPM and the MOFP. The DBJ also informed the Board of its recommendation to divest a 28 acre industrial property located at Block F, and that "...a more proactive and targeted approach be utilized to sell the properties." The DBJ's recommendations were approved by the Board at its meeting of October 19, 2011.</p> <p>The DBJ Secretariat, thereafter, sought the non-objection of the MOAF for the sale of 360 acres of Block A for residential development. In November 2011, the MOAF approved the divestment of 375 acres of Block A for residential development. An additional 15 acres were added to compensate for a natural gully course on the property. In light of the foregoing, the DBJ commissioned a valuation of the referenced sections of Blocks A and F.</p> <p>As at December 31, 2011, the DBJ was in the process of commencing a new divestment process for the subject properties.</p>			

Public Body	Montego Freeport Limited	Reference No.	LD-211
Property being Divested	Lot A26 - Part of Montego Freeport	Location	St. James
Size of Property	14,432.27 Sq. metres	Date Advertised	2011-02-13
Valuation Sum	J\$220,000,000.00	Sale Price	US\$2,200,000.00
Date of Executed Agreement of Sale	2011-11-21	Purchaser	Tara Estates Limited
Status	Sale completed		
<p>The subject property was originally advertised for sale in May 2009 and February 2010. In both instances, though successful Bidders were identified, the property remained unsold.</p> <p>The property was re-advertised for sale in February 2011 and three (3) bids were received. Upon evaluation, the highest Bidder, by way of a letter which was dated April 4, 2011, was offered the lot at the Reserved Price, as their offer fell below same. They were expected to respond to the offer by May 7, 2011. The Bidder, however, failed to meet the deadline and only made formal contact with Montego Freeport Limited (MFL), more than a week later, requesting an extension of two (2) weeks in order to respond appropriately. This request was not accepted by the MFL.</p> <p>By way of a letter which was dated May 16, 2011, the MFL informed the second highest Bidder, Tara Estates Limited (TEL), that the property was being offered to them at the Reserved Price. The offer remained open until May 23, 2011.</p> <p>In response, by way of a letter which was dated May 20, 2011, TEL presented a counter offer which was below the Reserved Price. On May 30, 2011, MFL put forward a revised counter offer which TEL accepted by way of a letter which was dated May 31, 2011.</p> <p>All approvals were received and the Sale Agreement was signed on November 21, 2011. The purchase price was US\$2,200,000.00.</p> <p>As at December 31, 2011, the property had not yet been transferred to the Purchaser.</p>			

Public Body	Montego Freeport Limited	Reference No.	LD-201
Property being Divested	Lots M19 and H51 - Part of Montego Freeport	Location	St. James
Size of Property	16012.45 Sq. metres	Date Advertised	2011-02-13
Valuation Sum	J\$0.00	Sale Price	J\$0.00
Date of Executed Agreement of Sale	0000-00-00	Purchaser	N/A
Status	Completion of sale pending.		
<p>The subject properties were advertised for sale in May 2009. Two (2) bids were received for each property, however, all fell below the points needed in order to qualify for the purchase of the land. The properties were re-advertised for sale in August 2009. No bids were received.</p> <p>The properties were again advertised in February 2010 and two (2) bids were received for each property. Upon evaluation, a sole Bidder was identified for both lots combined, however, up to June 24, 2010, the Bidder had not responded to correspondences from Montego Freeport Limited (MFL) advising them that their bid was successful.</p> <p>In a document which was dated December 2, 2010, MFL reported that as a result of the successful Bidder failing to respond to numerous correspondences, the decision was taken to re-advertise the properties for sale.</p> <p>The properties were advertised in February 2011, and one (1) bid was received for both lots combined. Upon evaluation, the sole bid was deemed successful and, as such, the MFL entered into negotiations with Bidder. The Bidder, however, withdrew the offer in August 2011 and the properties were again advertised for sale in September 2011.</p> <p>Three (3) bids were received and, upon evaluation and negotiations, a successful Bidder was identified and sale proceedings commenced. As at December 31, 2011, sale of the subject properties was at an advanced stage.</p>			

Public Body	National Land Agency	Reference No.	LD-41
Property being Divested	11 Jacks Hill Road, Kingston 6	Location	Kingston
Size of Property	2,635.88 Sq. metres	Date Advertised	2010-03-14
Valuation Sum	J\$0.00	Sale Price	J\$0.00
Date of Executed Agreement of Sale	0000-00-00	Purchaser	N/A
Status	The property has not been divested.		
<p>The property was advertised for sale in March 2010. All bids received were below the Reserved Price and, as a result, were not accepted by the Commissioner of Lands.</p> <p>The National Land Agency reported, that as at December 31, 2011, the property had not been divested and the Title remained in the name of the Commissioner of Lands.</p>			

Public Body	National Land Agency	Reference No.	LD-51
Property being Divested	3 Keith Close (Lot 7) Sterling Castle and Forest Hills	Location	Saint Andrew
Size of Property	376.766 Sq. metres	Date Advertised	2011-01-16
Valuation Sum	J\$7,000,000.00	Sale Price	J\$8,010,000.00
Date of Executed Agreement of Sale	2011-07-29	Purchaser	Fabian and La-Toya Webb
Status	Sale completed.		
<p>The subject property includes a semi-detached two-storey residential building which was originally advertised for sale in 2006, 2008 and 2009. No suitable offers were received.</p> <p>The property was re-advertised for sale in January 2011 and fourteen (14) bids were received. Eight (8) of the received bids were disqualified as three (3) did not submit bid amounts, and five (5) fell below the Reserved Price.</p> <p>From the remaining six (6) bids, the property was offered to the highest Bidder. All the requisite approvals were received, and the sale was completed in November 2011.</p>			

Public Body	National Land Agency	Reference No.	LD-1
Property being Divested	Land - Part of Fort George, Annotto Bay (Fort Stewart Farms)	Location	St. Mary
Size of Property	53.769 Hectares (132.866 Acres)	Date Advertised	2010-05-02
Valuation Sum	J\$0.00	Sale Price	J\$0.00
Date of Executed Agreement of Sale	0000-00-00	Purchaser	N/A
Status	The property has not been divested.		
<p>The property was advertised for lease in May 2010. Applications which were received, were assessed and found to be inadequate. The National Land Agency reported, that as at December 31, 2011, the subject property had not been divested. The property is scheduled to be re-advertised for divestment in March 2012.</p>			

Public Body	National Land Agency	Reference No.	LD-31
Property being Divested	Lot MF 7 Bernard Lodge (Lands - Part of Cow Park Pen and Farm Pen)	Location	St. Catherine
Size of Property	6.2 Acres (2.5 Hectares)	Date Advertised	2010-01-10
Valuation Sum	J\$12,000,000.00	Sale Price	J\$13,000,000.00
Date of Executed Agreement of Sale	2010-10-28	Purchaser	Lama Service Company Limited
Status	Property sold. Purchaser continues to make monthly instalment payments as per Sale Agreement.		
<p>The subject property was advertised in January 2010. The named Purchaser was the sole Bidder. The Terms of Payment, as indicated in the Agreement for Sale, stipulates that upon payment of the initial deposit, the Purchaser is to pay the balance in twenty-four (24) equal monthly instalments.</p> <p>As at December 31, 2011, the National Land Agency (NLA) reported, <i>inter alia</i>, that "The Purchaser has continued to make monthly instalment payments and the account is up to date." The NLA also reported that Sub-division approval had been obtained from the St. Catherine Parish Council and that the relevant certifications, from the Superintendent of Roads and Works, were awaited before proceeding further.</p>			

Public Body	St. Elizabeth Parish Council	Reference No.	LD-191
Property being Divested	Land - Part of Junction (Opposite the B.B. Coke High School)	Location	St. Elizabeth
Size of Property	4,986.4 Sq. metres	Date Advertised	2010-02-07
Valuation Sum	J\$0.00	Sale Price	J\$0.00
Date of Executed Agreement of Sale	0000-00-00	Purchaser	N/A
Status	Sale of the property was aborted.		
<p>The property was advertised for sale in February 2010 and two (2) proposals were received. Both proposals received fell significantly below the appraised value and were rejected. Consequently, the sale process was terminated.</p> <p>As at December 31, 2011, the property had not been re-advertised for sale.</p>			

Public Body	St. Elizabeth Parish Council	Reference No.	LD-181
Property being Divested	Lot 3 Institution Drive, Santa Cruz	Location	St. Elizabeth
Size of Property	856 Sq. metres (0.211 Acres)	Date Advertised	2010-02-07
Valuation Sum	J\$4,500,000.00	Sale Price	J\$7,000,000.00
Date of Executed Agreement of Sale	0000-00-00	Purchaser	Leebert and Evon Redman
Status	Sale completed.		
<p>The property was advertised for sale in February 2010 and three (3) proposals were received. Upon evaluation of the proposals, it was determined that the named Purchasers should be offered the property, as Mr. Leebert Redman held a twenty (20) year lease on the property, which came into effect in August 2006.</p> <p>Mr. Redman is also the owner of the property adjacent to the subject land, and is in the process of constructing a shopping plaza on the lot. As such, he proposes to use the subject land as a Parking Lot for the plaza.</p> <p>All necessary approvals were obtained and the property was sold to the Redmans. Full payment has been made by the Purchasers.</p> <p>It was noted that the signed Agreement for Sale was not dated.</p>			

Public Body	St. James Parish Council	Reference No.	LD-311
Property being Divested	Lots 28-30 Bogue Industrial Estate, Montego Bay	Location	St. James
Size of Property	5,574.18 Sq. metres	Date Advertised	2011-03-20
Valuation Sum	J\$0.00	Sale Price	J\$0.00
Date of Executed Agreement of Sale	0000-00-00	Purchaser	N/A
Status	Divestment process ongoing.		
<p>Under cover of letter dated February 24, 2011, the St. James Parish Council wrote to the Office of the Contractor General (OCG) seeking guidance in relation to the divestment of the subject property. In the referenced letter, the Council informed the OCG that they had advertised the property twice and no offers were received.</p> <p>Subsequently, several parties had called the Council expressing interest in purchasing the property. Based upon the circumstances, the Council requested advice from the OCG relative to the way forward.</p> <p>The OCG advised the Council, under cover of letter dated March 1, 2011, to re-advertise the property for sale in an effort to ensure that all parties have an equal chance of acquiring the property.</p> <p>The property was, subsequently, advertised for sale in March 2011 and two (2) offers were received, one (1) of which was accepted.</p> <p>As at December 31, 2011, the process was at the approval stage.</p>			

Public Body	Urban Development Corporation	Reference No.	LD-111
Property being Divested	Cardiff Hall Beachfront Property, Runaway Bay	Location	St. Ann
Size of Property	11.28 Acres	Date Advertised	2011-04-17
Valuation Sum	J\$0.00	Sale Price	J\$0.00
Date of Executed Agreement of Sale	0000-00-00	Purchaser	N/A
Status	Property still available for sale.		
<p>The property was advertised for sale in April 2011. One (1) offer was received which was below the Reserved Price and, as such, was not accepted. The property is still available for sale.</p>			

Public Body	Urban Development Corporation	Reference No.	LD-141
Property being Divested	Lot 133 Cardiff Hall, Runaway Bay	Location	St. Ann
Size of Property	11,614.18 Sq. ft. (1,078.98 Sq. metres)	Date Advertised	2010-08-18
Valuation Sum	J\$7.5M - J\$8M	Sale Price	J\$7,500,000.00
Date of Executed Agreement of Sale	2011-05-02	Purchaser	Michael Parodie
Status	Sale completed.		
<p>The property was advertised in August 2010, and the sole offer which was received was accepted. All relevant approvals were received and the sale completed within an acceptable time frame.</p> <p>A restaurant is to be erected and operated on the subject property, under the Kentucky Fried Chicken franchise.</p>			

Public Body	Urban Development Corporation	Reference No.	LD-131
Property being Divested	Lot 2 Shaw Park/Lot 44 Brook Green, Ocho Rios	Location	St. Ann
Size of Property	7,943.69 Sq. metres (1.96 Acres)	Date Advertised	2008-10-26
Valuation Sum	J\$0.00	Sale Price	J\$0.00
Date of Executed Agreement of Sale	0000-00-00	Purchaser	N/A
Status	Property not yet divested.		
<p>The property was advertised for sale in October 2008. One (1) offer was received which was significantly below the Reserved Price and, as such, was not accepted. The property was again advertised in the print media in March 2009, but no offers were received.</p> <p>The Urban Development Corporation (UDC) procured the services of four (4) Realtors to list the property, and also featured said property on its information programme "Urbanscope" in September 2009. One (1) offer was made in May 2009, through one of the contracted Realtors, but it was significantly below the Reserved Price and was, therefore, rejected.</p> <p>Upon airing the property on "Urbanscope", four (4) offers were received. All four (4) offers were subsequently rejected as they fell significantly below the Reserved Price. One (1) additional offer was received, through one of the contracted Realtors, and accepted as it was only 2% below the Reserved Price.</p> <p>All relevant approvals were received, including the Prime Minister's 'no objection' which was received on December 13, 2010. All documents relative to the sale were prepared and forwarded to the prospective Purchaser. The UDC, however, reported that the prospective Purchaser "...failed to return the executed Sale Agreement or pay the required deposit. Consequently, the offer to sell was withdrawn."</p> <p>As at December 31, 2011, the property had not been divested.</p>			

Public Body	Urban Development Corporation	Reference No.	LD-151
Property being Divested	Lot 720 Cardiff Hall, Runaway Bay	Location	St. Ann
Size of Property	30,035.71 Sq. ft. (2,790.38 Sq. metres)	Date Advertised	2010-08-18
Valuation Sum	J\$7.5M - J\$7.7M	Sale Price	J\$7,850,000.00
Date of Executed Agreement of Sale	2011-03-24	Purchaser	Dorothy and Clovis Burris
Status	Sale completed.		
<p>The property was advertised in August 2010, and the sole offer which was received was accepted. All relevant approvals were received and the sale completed within an acceptable time frame.</p>			

Public Body	Urban Development Corporation	Reference No.	LD-161
Property being Divested	Lot 737 Cardiff Hall, Runaway Bay	Location	St. Ann
Size of Property	22,945.21 Sq. ft. (2,131.66 Sq. metres)	Date Advertised	2010-08-18
Valuation Sum	J\$6.0M - J\$6.5M	Sale Price	J\$6,750,000.00
Date of Executed Agreement of Sale	2011-07-07	Purchaser	Nerie Campbell and Ashleigh Gail Tyme
Status	Sale completed.		
The property was advertised in August 2010, and the sole offer which was received was accepted. All relevant approvals were received and the sale completed within an acceptable time frame.			

Public Body	Urban Development Corporation	Reference No.	LD-121
Property being Divested	Parts of Lots 3 and 4, Waterfront Property (Fisheries Complex), Down Town	Location	Kingston
Size of Property	A: Part of Lot 3 - 4.92 Acres; B: Sections 1-3 - 0.16 Acres	Date Advertised	2011-02-13
Valuation Sum	J\$0.00	Sale Price	J\$0.00
Date of Executed Agreement of Sale	0000-00-00	Purchaser	N/A
Status	Injunction in effect. UDC barred from selling the property.		
<p>The property was advertised for sale in February 2011 and one (1) offer was received. The Urban Development Corporation (UDC) reported that the advertisement misstated the actual area for sale. As such, the UDC wrote to the sole Bidder advising them of same and that, as a result, the process had been aborted and the property would be re-advertised.</p> <p>In a letter which was dated April 7, 2011, the UDC informed the Office of the Contractor General that the tenant at the subject premises commenced legal action relative to the sale of the property. Consequently, an Injunction was ordered by the Court preventing the UDC from continuing with the sale process.</p> <p>As at December 31, 2011, the Injunction was still in place.</p>			

The Land Divestment Advisory Committee (LDAC)

The Land Divestment Advisory Committee (LDAC) plays an advisory role to the Minister of Water, Land, Environment and Climate Change, relative to the divestment of government-owned lands. The LDAC is ably supported by the Land Administration and Management Division within the Ministry of Water, Land, Environment and Climate Change. The Committee members are appointed by the Minister for a period not exceeding three (3) years.

The following outlines the role of the Committee:

1. Examining, evaluating and making recommendations on applications forwarded by the Commissioner of Lands to the Minister, for divestment.
2. Reviewing recommendations for applicants to receive subsidies, discounts and/or incentives for the lease/sale of lands under exceptional and special circumstances and finalizing recommendations for the Minister's approval.
3. Convening regular monthly meetings in order to ensure timely divestments (special meetings may be convened depending on the volume or urgency of particular matters).

The LDAC is guided by policy directives issued by the Minister; and as such, may consult the Minister on fundamental matters of policy only.

Legislation

The issuing of Drafting Instructions for proposed amendments to the Crown Property (Vesting) Act was approved by the Cabinet in May 2009. The related Bill was submitted to the Legislation Committee of the Cabinet for consideration at the end of 2011. The amendments, which include the Committee's composition, appointment, tenure, and other related matters, if approved, will enshrine the LDAC in the Statute.

LDAC Activity for 2011

Only five (5) meetings were convened by the LDAC in 2011. This was primarily due to delays in the appointment of new members to the Committee and the subsequent resumption of meetings in September 2011. The tenure of the previous LDAC members ended in March 2011. Nine (9) individuals who served on the previous Committee were re-appointed, including the Chairman, Mr. Wentworth Charles, while six (6) new persons were appointed to the Committee, including the Permanent Secretary in the portfolio Ministry and a representative from the Office of the Prime Minister. Four (4) individuals from the previous Committee were not re-appointed.

The members of the Committee are drawn from the National Land Agency (NLA), the National Environment and Planning Agency, Jamaica Developers Association, Agro-Investment Corporation, the Association of Land Economy and Valuation Surveyors, and the relevant Ministries and professions. A representative from the OCG attends the meetings of the LDAC as an observer.

A total of fifty-eight (58) applications were submitted to the Committee for consideration in 2011. Of this amount, fourteen (14) were re-submissions, forty-two (42) were recommended for divestment, and the remaining two (2) were deferred, as additional information was requested by the Committee.

Of the forty-two (42) applications recommended for divestment, forty (40) were submitted to the portfolio Minister for consideration; thirty-nine (39) of which were approved, at a total value of \$158,566,000.00. Of the remaining three (3) applications, two (2) were held by the Secretariat to be prepared for Cabinet submission, and one (1) held by the Ministry for further verification. Of the thirty-nine (39) applications which were approved, twenty (20) were for lease and nineteen (19) were for sale.

The Table below summarizes the deliberations of the Committee during 2011:

Deliberations by the Land Divestment Advisory Committee (LDAC) - 2011

Date of Meeting	No. of Submissions reviewed by LDAC	No. of New Applications	No. of Re-submissions	Submissions for Regularization of Illegal Occupants in Land Settlement Schemes	Submissions Recommended for Approval by the LDAC	Submissions Approved by the Minister
February 10	13	12	1	-	5	5
March 10	14	10	4	2	12	12
September 8	13	10	3	-	10	10
November 10	10	7	3	2	9	7
December 8	8	5	3	-	6	5
Total	58	44	14	4	42	39

The Tables below illustrate the approvals by land use and value:

Lands Approved for Sale

Land Use	No. of Applications	Value (J\$)
Commercial	1	21,000,000.00
Agricultural	4	93,690,000.00
Residential	14	38,760,000.00
Other	0	0
-	19	153,450,000.00

(Other: Educational, Recreational, Religious and Community Development)

Lands Approved for Lease

Land Use	No. of Applications	Value (J\$)
Commercial	8	4,220,000.00
Agricultural	7	620,000.00
Residential	2	180,000.00
Other	3	96,000.00
-	20	5,116,000.00

(Other: Educational, Recreational, Religious, Community Development and Easements)

The OCG is of the view that the LDAC diligently carried out their mandate during 2011. The NLA is charged with performing the necessary due diligence prior to presenting cases to the Committee for deliberation, and should be commended for their efforts, as should the Secretariat of the LDAC for the duties performed and the support extended to the Committee.

ASSET DIVESTMENT

The Office of the Contractor General's (OCG's) monitoring of the divestment of state assets is guided by the provisions of Ministry Paper #34, which was promulgated in 1991.

The OCG monitors the divestment of State Owned Assets with a view of ensuring, *inter alia*, that the process is fair, transparent, and free from impropriety, and is in keeping with the Government of Jamaica's (GOJ's) Privatization Policy and Procedures.

During the calendar year 2011, the OCG became concerned as it was made aware that Public Bodies were utilising varying methods of divesting State Owned Assets. Consequently, the OCG, by way of letter which was dated November 30, 2011, entitled "Formal Requisition for the Provision of Information Regarding the Privatization of Government of Jamaica Owned Assets, inclusive of Land", requisitioned all Public Bodies to provide information regarding assets which has been privatised since 2008, as well, assets which were slated for privatisation during the calendar year 2012. The Urban Development Corporation (UDC) had been previously requisitioned to provide similar information.

In the interest of public transparency, information which has been represented by Public Bodies is presented herein as an Appendix XII. Please note the following when reviewing the referenced Appendix:

1. In some cases, and where such information had been presented to the OCG, out of an abundance of caution, the OCG has taken the decision not to disclose information regarding the valuation of assets which have been slated for divestment.
2. Information related to the disposal of obsolete furniture, office equipment, motor vehicles and other like items, which were represented to the OCG, have not been presented herein.
3. In some cases, and where it was explicitly stated, properties which have been leased on a short-term basis, have not been reported herein.
4. Information that is related to crown lands which has been, or is to be placed before the Land Divestment Advisory Committee has not been requisitioned from the National Land Agency and, as such, has not been reported herein.
5. Due to the magnitude of the information which was received from the Ministry of Water, Land, Environment and Climate Change, same has not been represented herein.

Monitoring of the Divestment of GOJ Assets

The OCG, in the conduct of its monitoring activities, became concerned with certain occurrences and, as such, voiced its position on the matter. Two (2) such concerns included: (1) receipt and acceptance of Unsolicited Proposals by Public Bodies; and (2) amendments to the Government of Jamaica Privatization Policy and Procedures.

Unsolicited Proposal

The OCG, by way of a letter which was dated October 14, 2011, wrote to the then Prime Minister of Jamaica, the Honourable Orrette Bruce Golding, outlining its concerns and position as it pertained to the acceptance of Unsolicited Proposals for the divestment of State Owned Assets. The referenced letter was precipitated by the contents of a written correspondence, received from the Port Authority of Jamaica (PAJ), with regard to the divestment of the Montego Free Zone, wherein it was stated, *inter alia*, that *"In light of the Government's recently approved policy on privatization of Government assets, to include unsolicited proposals such as this one from Caribbean Telecoms, we think it prudent to await the release of this new Policy before advancing this transaction any further."*

The OCG, in its letter of October 14, 2011 to the Honourable Orrette Bruce Golding, stated that it has on previous occasions *"...stridently and unequivocally ventilated its concerns regarding Unsolicited Proposals, as it fervently believes that the acceptance of such proposals are contrary to the principles of competition and transparency, and is a corruption enabling tool."*

The aforementioned letter further referred to a discussion between the OCG's Senior Director of Monitoring Operations, Corporate Communications and Special Projects and the Permanent Secretary in the Office of the Prime Minister, Ms. Onika Miller, on October 6, 2011, wherein *"...the Permanent Secretary confirmed that the revision of the Privatization Policy and Procedures is well advanced, and that the move to include, therein, the acceptance of the concept of the Unsolicited Proposal was formed by, inter alia, research and trends that were observed in other jurisdictions."*

Accordingly, the OCG posited the following in the referenced letter:

1. *"Firstly, the OCG is disheartened that as the Regulatory Body, which is mandated by law to monitor and to investigate the award of Government Contracts, it was not consulted and/or involved in the revision of the subject Privatization Policy and Procedures. Further, the OCG is of the belief that its involvement in the process could have provided invaluable insight and, as such it would have been an important partner in said revision."*

2. Secondly, it is unclear which country (ies) was/were used as the model to inform the inclusion of the concept of the Unsolicited Proposal in the referenced Privatization Policy and Procedures. The OCG wishes to make reference to Jamaica's historical ranking on Transparency International's Corruption Perception Index (CPI) as one of the most corrupt countries in the Americas and the 2nd most corrupt country in the English Speaking Caribbean, and posits that countries at the higher end of the spectrum, if any, which were used as a Case study, may have introduced a similar provision, due to their maturity, political will, and good governance practices, and consequently their high rating on the CPI.

The OCG, from its strategic vantage point and given its institutional knowledge, is of the considered and informed opinion that Jamaica's governance structures and institutional checks and balances are not yet sufficiently robust and mature to withstand the possible negative and adverse implications of the introduction of such a provision in the revised version of the divestment procedures.

Suffice it to say, however, should the concept of Unsolicited Proposal be endorsed, legitimized and authorized, as is now being contemplated by your Administration, the same, single-handedly, poses a significant threat to the strides and gains in securing probity, transparency and competition, which have been made over the years, in the divestment and sale of State-owned assets."

The OCG continued by stating its considered position accordingly:

"The OCG fully recognizes and respects the authority of the government of Jamaica, and specifically the Cabinet, in the exercise of its functions, which includes the promulgation of Public Policy.

*However, the OCG, as the Regulatory Body with oversight responsibility for the award of GOJ contracts, and which was created as an independent Anti-Corruption Commission of the Parliament of Jamaica, must raise its **strong opposition**, based upon the information that is within its possession, to any allowance for the inclusion and/or acceptance of the concept of the Unsolicited Proposal in the subject revised Privatization Policy and Procedures.*

*While the OCG can appreciate the **perceived** need for expedience in certain transactions, it does not believe that this should come at the cost of equity, fairness, transparency, competition and probity in the expenditure of the taxpayers money. The acceptance of Unsolicited Proposal is counter to the principles of transparency, competition and fairness, and may not result in the best value for the country."*

Government of Jamaica Privatization Policy and Procedures

The OCG, during the exercise of its monitoring operations of the divestment of the Montego Free Zone (MFZ), sought to ascertain a Status Update on the progress of the instant divestment from the PAJ. By way of a letter which was dated October 5, 2011, the PAJ advised, *inter alia*, that *"In light of the Government's recently approved policy on privatization of Government assets, to include unsolicited proposals such as this one from Caribbean Telecoms, we think it prudent to await the release of this new Policy before advancing this transaction further."*

Further to discussions with the Permanent Secretary in the Office of the Prime Minister, and upon clearance given by the Cabinet, the OCG was able to obtain a copy of the confidential draft documents entitled *"Government of Jamaica-Policy Framework and Procedures Manual for the Privatization of Government Assets-July 2011"*.

Upon review of the draft documents, the OCG noted, in particular, Page 12, Section F, *"The Office of the Contractor-General"*, which states *"The Contractor General is an independent Commission which reports to Parliament. Section 4 of the Contractor General Act (the "Act") provides that the function of the Contractor-General is to monitor the award and implementation of government and to monitor the grant, issue, suspension and revocation of any prescribed licenses on behalf of the Government.*

It is only in the instance where the Privatization Secretariat or the Enterprise Team intends to procure services in connection with the divestment process, that the provisions of the Act, the Public Sector Procurement regulations and the Government Procedures Handbook must guide the process. This would apply in the instances where it is intended to engage a consultant or procure other services in connection with the privatization...

By way of a letter which was dated December 8, 2011, the OCG made known its position that "...the foregoing provision is of serious and grave concern to the OCG, and one of significant national import, as it is pellucid that the GOJ was in effect, by way of a GOJ Policy, attempting and/or signaling its intent to remove the OCG's current independent oversight responsibility of monitoring the Privatization of Government Assets." The letter further states that "...The GOJ also failed to disclose to the Parliament and the People of Jamaica its intention to remove the oversight responsibility from an Independent Commission of Parliament to place same at the Executive Level of Government, with the Prime Minister as the Chairman."

The OCG further argued that "Effectively, Cabinet had approved the decision to empower the Executive with the oversight responsibility for Government of Jamaica Privatization matters. The foregoing constitutes (a) an untidy state of affairs and (b) a fundamentally flawed provision within the Policy, and one which does not promote good governance, transparency or accountability."

The OCG will continue to monitor and voice its position on this development.

In 2011, the OCG undertook monitoring of various State Owned Assets, nineteen (19) of which are highlighted and detailed below:

Reference No.	AD-15431		
Ministry	Ministry of Agriculture and Fisheries	Divesting Entity	Development Bank of Jamaica
Secretariat	Development Bank of Jamaica	Consultant	
Date of Executed Agreement of Sale	0000-00-00	Asset Description	Assets owned by the Montpelier Citrus Company Limited in Saint James.
Status	Pre-divestment activities underway.		
<p>The Development Bank of Jamaica (DBJ) made known its intention to dispose of 375 acres of residential land and commercial property controlled by the holding company, Montpelier Citrus Company Limited (MCCL), in Saint James. This was done by way of a Media Article entitled "DBJ splits Montpelier - Selling 375 acres for housing", which was posted December 14, 2011, on the Jamaica Gleaner website.</p> <p>By way of an email correspondence which was dated December 23, 2011, the DBJ submitted a copy of the draft Evaluation Criteria to the Office of the Contractor General (OCG) for review. The OCG reviewed the Criteria and communicated its comments to the DBJ by way of a letter which was dated December 30, 2011.</p> <p>As at December 31, 2011, the divestment opportunity was not yet advertised.</p> <p>The OCG will continue to monitor the divestment opportunity.</p>			

Reference No.	AD-15611		
Ministry	Ministry of Agriculture and Fisheries	Divesting Entity	Development Bank of Jamaica
Secretariat	Development Bank of Jamaica	Consultant	PricewaterhouseCoopers
Date of Executed Agreement of Sale	0000-00-00	Asset Description	Privatization of Wallendorf Coffee Company Limited.
Status	Evaluation not yet completed.		
<p>The divestment opportunity was advertised in the local press in June 2011. The deadline for the submission of proposals was September 2, 2011 at 12:00 noon EST. The deadline for submission was, however, extended to November 11, 2011, at which point two (2) proposals were received.</p> <p>As at December 31, 2011, the evaluation process was in progress.</p>			

Reference No.	AD-15721		
Ministry	Ministry of Agriculture and Fisheries	Divesting Entity	Sugar Company of Jamaica Holdings Limited
Secretariat	Development Bank of Jamaica	Consultant	N/A
Date of Executed Agreement of Sale	2010-07-30	Asset Description	Privatization of the Government - Owned Assets of the Jamaican Sugar Cane Company.
Status	Divestment Completed.		
<p>In 2010, three (3) Sugar Estates were approved for divestment to Complant International Sugar Industry Company Limited (Complant). As at December 31, 2011, Complant has paid over all sale proceeds to the Development Bank of Jamaica.</p>			

Reference No.	AD-15461		
Ministry	Ministry of Education	Divesting Entity	Development Bank of Jamaica
Secretariat	N/A	Consultant	N/A
Date of Executed Agreement of Sale	0000-00-00	Asset Description	Divestment of Nutrition Products Limited.
Status	Pre-divestment activities underway.		
<p>The Ministry of Education (MOE), by way of a letter which was dated April 26, 2011, wrote to the Office of the Contractor General (OCG) regarding the divestment of Nutrition Products Limited (NPL). The referenced letter stated, <i>inter alia</i>, that "...a private sector entity has approached the MoE and made an unsolicited proposal to take over the entity. We would like to benefit from the guidance and direction of the Office of the Contractor General. To this end, the Honourable Minister and senior members of staff of the Ministry would like to meet with you and your staff to discuss the matter..."</p> <p>Subsequent to a meeting which was convened on May 9, 2011, the OCG, by way of a letter which was dated May 10, 2011, formally advised the MOE as follows:</p> <ol style="list-style-type: none"> "1. The Ministry should only acknowledge receipt of the Unsolicited Proposal, pursuant to page 9, item 7 of Ministry Paper #34. No further communication should be made with the said proposer. 2. The Development Bank of Jamaica (DBJ), formerly the National Investment Bank of Jamaica, pursuant to Ministry Paper # 34, is the "central implementing agency for privatization..." of Government Assets. Accordingly, the OCG is recommending that the DBJ is approached to undertake the process for the divestment of Nutrition Products Limited (NPL). 3. The General Principles, which governs the privatization process, pursuant to pages 4-5 of Ministry Paper # 34, should be fully adhered to. The overarching principle, which was discussed in the Meeting, was that the asset must be advertised and subjected to competition. 4. The MOE, with guidance and/or direction from the DBJ, is required to develop an Information Memorandum, which clearly outlines the evaluation criteria to be utilized in the process, prior to advertising the divestment opportunity. The OCG requested, that the Information Memorandum, and Evaluation Criteria, is submitted to our Office for review, prior to the Ministry advertising the divestment opportunity." <p>In a subsequent status update submitted to the OCG, the DBJ advised, <i>inter alia</i>, that "...the land and buildings would be retained by the GOJ, however the equipment and machinery would be sold. The concessionaire would provide the services that are now being provided by NPL."</p> <p>As at December 31, 2011, the opportunity was not yet advertised.</p> <p>The OCG will continue to monitor the divestment opportunity.</p>			

Reference No.	AD-15481		
Ministry	Ministry of Energy and Mining	Divesting Entity	Development Bank of Jamaica
Secretariat	Development Bank of Jamaica	Consultant	Deloitte Touche Tohmatsu
Date of Executed Agreement of Sale	0000-00-00	Asset Description	7% interest in West Indies Alumina Company (WINDALCO).
Status	Valuation in Progress.		
<p>Further to the Office of the Contractor General's 2010 Annual Report which outlined that the Development Bank of Jamaica (DBJ) received the endorsement of the National Contracts Commission (NCC) for the utilisation of the Limited Tender Procurement Methodology, Deloitte Touche Tohmatsu (DTT) was engaged to undertake the valuation of the 7% Government of Jamaica (GOJ) stake in the West Indies Alumina Company (WINDALCO).</p> <p>As at December 31, 2011, the valuation was in progress and the divestment opportunity had not been advertised.</p> <p>The OCG will continue to monitor the divestment opportunity.</p>			

Reference No.	AD-15711		
Ministry	Ministry of Energy and Mining	Divesting Entity	Ministry of Energy and Mining
Secretariat	N/A	Consultant	N/A
Date of Executed Agreement of Sale	0000-00-00	Asset Description	45% stake in CAP/Jamalco.
Status	Divestment process is ongoing.		
<p>The Office of the Contractor General (OCG) had an interest in the divestment of the Government of Jamaica's (GOJ's) 45% stake in the Jamaica Alumina Company (Jamalco) since 2010, when reports surfaced that the GOJ had intended to divest same to the Chinese Company, Zhuhai Hongfan Non-ferrous Metals and Chemical Engineering Limited (Hongfan). This divestment is currently the subject of an ongoing OCG Investigation.</p> <p>Further to same, and by way of media reports during January 2011, the OCG noted that Glencore International AG intended to close a deal to acquire the GOJ's shareholding in Jamalco. Jamalco is owned by Clarendon Alumina Partners (CAP), which is a Joint Venture Agreement between the GOJ - 45% and Alcoa - 55%.</p> <p>The OCG, by way of a letter which was dated January 11, 2011, requested particulars regarding the proposed divestment to Glencore. By way of a letter which was dated February 8, 2011, the Permanent Secretary (PS) in the Ministry of Energy and Mining (MEM) indicated, <i>inter alia</i>, that "Cabinet, by Decision of December 21, 2010, approved the divestments of the assets owned by CAP in Jamalco to Glencore...subject to Alcoa's right of first and last refusal, per the provisions of the Joint Venture Agreements between CAP and Alcoa."</p> <p>The OCG's letter dated January 11, 2011 had further requested the following information, <i>inter alia</i>, to which the PS responded in the aforementioned letter dated February 8, 2011:</p> <ol style="list-style-type: none"> 1. The OCG questioned "Whether any public tendering was employed by the government" to which the PS responded "I am not aware of a public tender for the divestment of CAP's interest in Jamalco." 2. The OCG questioned "If not, was the offer from Glencore unsolicited?" to which the PS responded "Glencore's letter of October 28, 2010 advised that they were making an unsolicited offer" 3. The OCG questioned "Whether a valuation has been done to attain the market value of the shares" to which the PS responded that same was undertaken by Worley Parsons, March 2009; the General and Financial Manager of CAP, February 2010; and a Formal Opinion into the value of shares by PriceWaterhouseCoopers, March 2010. <p>There were various media reports during the course of 2011, including a report in the Jamaica Gleaner which was published on September 11, 2011, which stated that the GOJ had received multiple offers for the purchase of its shareholding.</p> <p>In light of the foregoing, the OCG requisitioned the PS, MEM, to indicate the number of offers which were received and the names of the persons/companies/entities that submitted same. In response, the PS, by way of a letter which was dated October 31, 2011, indicated that offers were received as follows: i) Hongfan - January 14, 2010; ii) Glencore AG - December 16, 2010, revised September and October 2011; and iii) Alcoa Inc. - August 2011, revised September 2011. The PS also indicated that "...Alcoa, the other Joint Venture Partner in Jamalco, made an offer to purchase the GOJ's interest in Jamalco. The offer was evaluated and found inferior to the Glencore offer. A subsequent revision of the offer by Alcoa did not yield any favourable result in comparison to the offer by Glencore." The PS also indicated that "Hongfan failed to perform a number of its obligations pursuant to the Agreement entered into with the GOJ March 18, 2010. Arising from the failure, the GOJ terminated the Agreement on November 19, 2010..."</p> <p>The PS further indicated, by way of a letter which was dated October 31, 2011, that "Cabinet, by way of Decision Dated October 10, 2011, accepted a revised offer from Glencore for the purchase of the GOJ assets in CAP."</p> <p>As at December 31, 2011, the divestment process was ongoing.</p>			

Reference No.	AD-15651		
Ministry	Ministry of Finance and the Public Service	Divesting Entity	Tax Administration Services Department
Secretariat	N/A	Consultant	N/A
Date of Executed Agreement of Sale	2011-08-19	Asset Description	Disposal of Seized Assets.
Status	Contract Completed.		
<p>The Invitation to Tender was advertised on August 17, 2011. Tenders were to be submitted by August 26, 2011 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony on September 14, 2011.</p> <p>Twenty-three (23) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Standardised Operations Manual of the Tax Administration of Jamaica (TAJ). Based upon the Eligibility Criteria, three (3) Bidders were approved to purchase vehicles. However, the TAJ, by way of a letter which was dated October 26, 2011, advised the Office of the Contractor General (OCG) that two (2) Bidders had "...not made good on their purchase and as such the vehicles will be included with the next group of assets for sale."</p> <p>The third Bidder, Ms. Racquel Francis, negotiated the purchase of the 2004 Silver Mitsubishi Colt for a sum of J\$500,012.00.</p> <p>By way of a letter which was dated November 6, 2011, the TAJ advised the OCG, <i>inter alia</i>, that "Payments of \$136,512.00 [were] made by Ms. Francis...and...charges of \$363,500.00 was made directly to the Bailiff" (Genesis Protective Services Ltd.).</p> <p>Based upon the foregoing, along with a review of the documentation provided by the TAJ, the OCG by way of a letter which was dated December 16, 2011, requested certain information from the TAJ regarding the sale of the Mitsubishi Colt, and the business relationship between the TAJ and Genesis Protective Services Ltd.</p> <p>As at December 31, 2011, the OCG had not received a response from the TAJ.</p>			

Reference No.	AD-15701		
Ministry	Ministry of Health and Environment	Divesting Entity	Ministry of Health and Environment
Secretariat	N/A	Consultant	N/A
Date of Executed Agreement of Sale	0000-00-00	Asset Description	Divestment of Saint Joseph's Hospital.
Status	Preliminary stage of divestment.		
<p>By way of a letter which was dated October 20, 2011, the Ministry of Health (MOH) advised the Office of the Contractor General (OCG) that the "...document regarding the Rationalization of the Public Service...indicates the Government's intention to engage in a Public-Private Partnership for the operations of the St. Joseph's Hospital. To this end, the Ministry has had an indication of interest from a local group. The Ministry will keep you informed of the developments on this issue."</p> <p>The OCG, by way of a letter which was dated October 25, 2011, directed the attention of the MOH to the general principles of Ministry Paper #34 and advised that same be fully adhered to. In the referenced letter, it was explicitly stated that Ministry Paper #34 indicates that "...premature applications can only be acknowledged and the Development Bank of Jamaica (DBJ), formerly National Investment Bank of Jamaica, is the "central implementing agency for privatization..." of Government Owned Assets.</p> <p>The OCG, therefore, recommended that the MOH approach the Development Bank of Jamaica to undertake the divestment procedures for the referenced assets.</p> <p>As at December 31, 2011, the asset was not divested.</p> <p>The OCG will continue to monitor the divestment opportunity.</p>			

Reference No.	AD-15471		
Ministry	Ministry of Transport and Works	Divesting Entity	Development Bank of Jamaica
Secretariat	Development Bank of Jamaica	Consultant	International Finance Corporation (Lead Advisor)
Date of Executed Agreement of Sale	0000-00-00	Asset Description	Privatization of the Norman Manley International Airport and Select Aerodromes.
Status	Pre-divestment activity underway.		
<p>An Enterprise Team was appointed in January 2010 by the Government of Jamaica (GOJ), to manage the implementation of the Privatization of the Norman Manley International Airport.</p> <p>The International Finance Corporation (IFC) was contracted, by way of the Direct Contracting Procurement Methodology, as the Lead Advisor for the Privatization of the Norman Manley International Airport and Select Aerodromes. This arrangement was endorsed by the National Contracts Commission at its meeting of March 23, 2011, in the sum of US\$570,000.00 as a fixed retainer fee. The engagement of IFC was further endorsed by way of Cabinet Decision No. 20/11.</p> <p>As at December 31, 2011, the IFC was engaged in pre-divestment activities, and the divestment opportunity had not been advertised.</p> <p>The OCG will continue to monitor the divestment opportunity.</p>			

Reference No.	AD-15691		
Ministry	Ministry of Transport and Works	Divesting Entity	Port Authority of Jamaica
Secretariat	N/A	Consultant	PricewaterhouseCoopers
Date of Executed Agreement of Sale	0000-00-00	Asset Description	Kingston Container Terminal
Status	Preliminary divestment activities.		
<p>A news article entitled "MOU Between Port Authority and shipping company to create close to 1,000 jobs", which was posted on the RJR News website on August 5, 2011, stated, <i>inter alia</i>, that "Approximately one thousand jobs are expected to be created over the next four years following the signing of a Memorandum of Understanding between the Port Authority of Jamaica and the world's third largest shipping company, CMA CGM. CMA CGM yesterday entered into a public-private partnership for the development of the Kingston Container Terminal. Under the terms of the agreement, the shipping giant will have a 35 year lease of the Gordon Cay Terminal and will invest 100 million US dollars to improve infrastructure and equipment..."</p> <p>In the foregoing regard, by way of a letter which was dated August 10, 2011, the Office of the Contractor General (OCG) sought to ascertain the veracity of the media report and requested preliminary information to substantiate same.</p> <p>In response, the Port Authority of Jamaica (PAJ), by way of a letter which was dated August 18, 2011, provided, <i>inter alia</i>, an Executive Summary outlining the genesis of the referenced Memorandum of Understanding (MOU), the rationale for entering such an MOU, and details of any Cost/Benefit Analysis which was undertaken.</p> <p>In the Summary, it was stated, <i>inter alia</i>, that "The MOU between the Port Authority and the CMA CGM is a non-binding agreement which sets out the basis of future negotiations within a framework. CMA CGM is the third largest shipping line in the world and the second largest shipping line operating in the Port of Kingston. As a result of the expansion of the Panama Canal, CMA CGM wishes to use Kingston as their permanent hub and will be transferring all the business from other hubs in the region to Kingston, upon completion of the agreement of the Lease. CMA CGM submitted an unsolicited offer to the Port Authority to enter into a long term arrangement that will involve CMA CGM committing to invest capital in the Port of Kingston in order to secure and preserve TEU capacity ahead of the completion of the Panama Canal Expansion... The Port Authority considers the proposal to be beneficial, as if it does not engage CMA CGM, they will seek other locations given the various options available to them. Failing this, Kingston stands to lose existing volume along with the volume generated by other line..."</p> <p>In the foregoing regard, the OCG, by way of a letter which was dated August 26, 2011, responded stating, <i>inter alia</i>, that "The Office of the Contractor General (OCG), while noting the circumstances surrounding the consummation of the referenced MOU, is of the opinion that the transaction, which involved the long term lease of a section of the Terminal, "between 25 and 35 years..." and involves "...the transfer of risk associated with the operation of the enterprise/activity/asset from the public to the private sector...", must be subjected to the dictates of Ministry Paper #34."</p> <p>The letter further stated that "Ministry Paper #34 requires that the divestment of government owned assets, by modalities such as : sale, lease, joint venture and sale of minority shareholdings, must be subjected to a competitive process, inclusive of the advertisement of the asset being privatized. Further, the Ministry paper, makes no provision for the consideration of Unsolicited Proposals, save and except to assert explicitly that "Premature application can only be acknowledged and it must be stressed that there should be no exceptions that privatization will be accomplished with undue or reckless speed considering that it is a fiduciary responsibility of government to find the best optimal mix of transferring risk to the private sector and maximizing the proceed whilst conducting the process competently and expeditiously."</p> <p>A further status update submitted to the OCG stated that "In respect of the CMA/CGM unsolicited proposal Cabinet gave approval for the PAJ to proceed with the implementation of a non-binding Memorandum of Understanding to advance formal negotiations for the development of a Container Transshipment hub in the Port of Kingston." The OCG was further advised that a "Preliminary Business Enterprise Value Assessment and Transaction Strategy was undertaken by PricewaterhouseCoopers."</p> <p>The OCG will continue to monitor the divestment opportunity.</p>			

Reference No.	AD-15491		
Ministry	Office of the Prime Minister	Divesting Entity	Development Bank of Jamaica
Secretariat	Development Bank of Jamaica	Consultant	
Date of Executed Agreement of Sale	0000-00-00	Asset Description	21 Acres of Land (and Building) - Former Site of the Cotton Polyester Textile Company (Jamaica) Limited Textile Plant.
Status	Completed		
<p>In February 2010, the Cabinet granted approval for the sale of 21 acres of land (with buildings) to the Urban Development Corporation (UDC), at an agreed price of J\$130,000,000.00.</p> <p>As at December 31, 2011, final payments were remitted.</p>			

Reference No.	AD-15601		
Ministry	Office of the Prime Minister	Divesting Entity	Development Bank of Jamaica
Secretariat	Development Bank of Jamaica	Consultant	Deloitte Touche Tohmatsu
Date of Executed Agreement of Sale	0000-00-00	Asset Description	50% Shareholding in Bloody Bay Hotel Development.
Status	Divestment in progress.		
<p>Pre-divestment activities commenced in December 2010 with the execution of a Consultant Contract with Deloitte Touche Tohmatsu (DTT).</p> <p>A status update which was submitted to the Office of the Contractor General (OCG), under cover of letter dated July 7, 2011, stated the following: <i>"Bloody Bay Hotel Developments Limited (BBHDL) owns a 210-room hotel in Negril, Hanover known as Breezes Grand Resort & Spa Hotel, formerly Grand Lido, Negril. Its main source of income is rental obtained under a lease agreement with Great Resorts Limited, operators of the hotel and subsidiary of Village Resorts Limited (VRL). BBHDL is owned equally by VRL and UDC. VRL is a wholly-owned subsidiary of Super Clubs."</i> The update further stated that <i>"The Articles of Association...of BBHDL allows pre-emptive rights to existing shareholders on transfer of shares. Therefore, sale to a third party may only occur after the shares are first offered to the other existing shareholder, VRL."</i></p> <p>The referenced letter further indicated that a Valuation Report was prepared by DTT. There was no other reference to any other Valuation Report. Also noted in the letter was the following statement: <i>"The UDC Enterprise Team (UDCET) decided and agreed that the reserve price for the GOJ's 50% shareholding in BBHDL should be US\$8.5M. The reserve price was determined as the midpoint between the valuation of US\$9.37 and reserve of US\$7.74M (excluding the minority discount), as outlined in the DTT valuation report. The UDC has indicated that this is an established method of setting a reserve price, which has been used by the UDC."</i></p> <p>In keeping with Ministry Paper #34, the OCG by way of a letter to the DBJ, which was dated August 8, 2011, inquired whether <i>"...another valuation, and/or, an analysis of the valuation which was prepared by Deloitte, so as to have two (2) comparative values, would not have been a better way of arriving at the final value for the property."</i></p> <p>In response, the DBJ, by way of a letter which was dated August 26, 2011, advised that <i>"...incurring an additional cost to procure another valuator would be unnecessary, as the UDC Enterprise Team (UDCET) is satisfied with the valuation report prepared by Deloitte Touche Tohmatsu."</i></p> <p>The OCG, by way of a letter which was dated November 9, 2011, stated that in keeping with the directives of Ministry Paper #34, it <i>"...recommends that more than one (1) Valuation be obtained prior to the privatization of all GOJ owned assets."</i> This position was reiterated in the OCG's letter of December 5, 2011.</p> <p>Further, in a letter which was dated November 9, 2011, the OCG stated, <i>inter alia</i>, that it has <i>"...noted that the right of first refusal was extended to Village Resorts Limited (VRL), and that VRL has indicated its willingness to purchase."</i> Additionally, the OCG expressed its non-objection to the method of divestment which had been embarked upon, given the Right of First Refusal embodied in the Articles of Association and the willingness of VRL to purchase the shares.</p> <p>The OCG will continue to monitor the divestment opportunity.</p>			

Reference No.	AD-15441		
Ministry	Office of the Prime Minister	Divesting Entity	Development Bank of Jamaica
Secretariat	Development Bank of Jamaica	Consultant	Deloitte Touche Tohmatsu
Date of Executed Agreement of Sale	2011-10-14	Asset Description	Mavis Bank Coffee Factory Limited
Status	Divestment pending completion.		

The divestment opportunity was advertised in the print media in November 2010. The deadline for the submission of proposals was scheduled for February 11, 2011, at 12:00 p.m.

By way of an Advertisement Notice in the Sunday Gleaner, which was dated January 30, 2011, the deadline for submission was extended to March 4, 2011. Three (3) proposals were received before the stipulated deadline.

An evaluation of the proposals was conducted in two (2) phases. Deloitte Touche Tohmatsu (DTT) was engaged to undertake the evaluation of the financial proposal. Subsequent to the evaluation, Jamaica Producers Limited/Pan Jamaica Investment Trust received the highest score. The Office of the Contractor General (OCG) noted that the Evaluation Report, which was prepared by DTT, had indicated that one (1) of the proposals failed to specify a "...clear offer price as it was given as a range without any indication of how the specific offer price would be determined."

In light of the aforementioned, the Development Bank of Jamaica (DBJ), by way of a letter which was dated March 23, 2011, sought clarification from the OCG as to the "...validity of the offer received from BM Coffee Processors and advise whether the MBCFEC should evaluate their bid." In this regard, the OCG, by way of a letter which was dated March 25, 2011, outlined its position to the DBJ as follows :

"Based on the information at the Office of the Contractor General's disposal, that being the Information Memorandum dated November 5, 2010, and the Deloitte Touche Tohmatsu (DTT) Bid Evaluation of Financial Offers Report, the following were noted:

Information Memorandum

1. Page 26, Section 3.1.2 – Bid Offer of the IM stated: "The proposal must set out the financial offer in detail. The source, amounts and timing of each part of the offer must be detailed."
2. Page 28, Section 3.2 (5) - Binding Offer of the IM stated, inter alia, that: "**Offers should be unconditional and comply in all respects with the procedures. DBJ may elect to reject any Offer that is non-compliant.**"

DTT Bid Evaluation of Financial Offers Report

3. Page 11 of the DTT Report, regarding comments on the offer made by BM Coffee Processors Limited stated: "**There is no clear offer price as it was given as a range without any indication of how the specific offer price would be determined.** There is also a need to deposit a portion of the price into an escrow account which will have the impact of reducing the present value of the offer and a possible further reduction in the event if a claim. There will also be a valuation adjustment possibly for all Transaction Assets."
4. Page 11 of the DTT Report, regarding comments on the offer made by Jamaica Producers Group stated: "The bid was based on the financial statements as at December 31, 2010 and an adjustment will be required to recognize the difference in current assets between values at Close and values stated at December 31, 2010."
5. Page 11 of the DTT Report, regarding comments on the offer made by Salada stated: "Bidder has assumed that the financial statements gave true and fair view suggesting the possibility of a valuation adjustment at close."

With reference to the aforementioned, the Office of the Contractor General (OCG) concurs with the view of DTT, that no clear offer was presented by BM Coffee Processors Limited, and as such, there is no basis upon which an evaluation of its bid can be undertaken.

The DBJ, as a result of the OCG's advice, proceeded to evaluate the remaining two (2) proposals. Jamaica Producers Limited/Pan Jamaica Investment Trust received the highest cumulative score and was recommended as the Preferred Bidder with whom the Negotiating Team would negotiate the sale of Mavis Bank Coffee Factory Limited (MBCF).

The negotiations between the DBJ and Orchard Plantation Coffee Factory Limited (jointly controlled by Jamaica Producers Group Limited and Pan Jamaican Investment Trust Limited) were completed, and the Asset Purchase Agreement was signed on October 14, 2011.

In a letter which was dated October 21, 2011, the OCG was advised by the DBJ, inter alia, that "The Preferred Bidder's offer price of US\$11.53M will be subject to an adjustment to recognize the difference in current assets between the audited values as at the effective date of the transaction and the unaudited values stated at 31 December 2010 on which the bid was based. The final purchase price also includes an assumption for agreed payables as at effective date and the deduction of additional costs associated with the construction of MBCF's wastewater treatment plant..."

A status update submitted to the OCG stated, inter alia, that "The final recommended adjustments...resulted in a total transaction of approximately US\$3.8M..."

As at December 31, 2011, a US\$1M deposit was received by the DBJ towards the sale of MBCF.

The OCG will continue to monitor the divestment opportunity.

Reference No.	AD-15451		
Ministry	Office of the Prime Minister	Divesting Entity	Development Bank of Jamaica
Secretariat	Development Bank of Jamaica	Consultant	N/A
Date of Executed Agreement of Sale	0000-00-00	Asset Description	Rooms on the Beach and the adjacent Lot #6.
Status	On hold		
<p>By way of a letter which was dated October 6, 2011, the Development Bank of Jamaica (DBJ) advised the Office of the Contractor General (OCG), <i>inter alia</i>, that this "...opportunity has been removed from the current pool of UDC assets for divestment for the purpose of bundling them with a larger investment opportunity which is being developed for the Ocho Rios area to go to the market."</p> <p>As at December 31, 2011, there was no further development on this divestment opportunity.</p>			

Reference No.	AD-15681		
Ministry	Office of the Prime Minister	Divesting Entity	Urban Development Corporation
Secretariat	Development Bank of Jamaica	Consultant	Deloitte Touche Tomatsu
Date of Executed Agreement of Sale	0000-00-00	Asset Description	Beachfront Properties
Status	Pre-Tender		
<p>As at December 31, 2011, the Development Bank of Jamaica (DBJ) had completed the selection of Deloitte Touche Tomatsu as the Consultant for the project, however, the divestment opportunity had not been advertised.</p> <p>The OCG will continue to monitor the divestment opportunity.</p>			

Reference No.	AD-15621		
Ministry	Office of the Prime Minister	Divesting Entity	Urban Development Corporation
Secretariat	Urban Development Corporation	Consultant	N/A
Date of Executed Agreement of Sale	0000-00-00	Asset Description	Forum Hotel, Saint Catherine
Status	No serious offer received.		
<p>The divestment opportunity was originally advertised in 2009 and 2010; however, the process was unsuccessful. The divestment opportunity was re-advertised in 2011.</p> <p>The Office of the Contractor General (OCG) was advised that only preliminary enquiries were received. The OCG was further advised that discussions were held with a person who expressed an interest to build a medical school. An offer of \$100M, to be paid over seven (7) years, was proposed, however, this offer was rejected by the Urban Development Corporation (UDC) as it was below the last valuation asking price of approximately \$420M.</p> <p>The UDC advised the OCG of its intention to return to the market subsequent to the completion of an updated valuation on the property.</p> <p>The OCG will continue to monitor the divestment opportunity.</p>			

Reference No.	AD-15671		
Ministry	Office of the Prime Minister	Divesting Entity	Urban Development Corporation
Secretariat	Development Bank of Jamaica	Consultant	Deloitte Touche Tohmatsu
Date of Executed Agreement of Sale	0000-00-00	Asset Description	Local Attractions
Status	Pre-Tender		
<p>As at December 31, 2011, Deloitte Touche Tohmatsu was selected and approved for the award of the Consultant Contract, however, the divestment opportunity had not yet been advertised.</p> <p>The OCG will continue to monitor the divestment opportunity.</p>			

Reference No.	AD-15641		
Ministry	Office of the Prime Minister	Divesting Entity	Urban Development Corporation
Secretariat	Urban Development Corporation	Consultant	N/A
Date of Executed Agreement of Sale	0000-00-00	Asset Description	Mahogany Inn
Status	Divestment is pending.		
<p>By way of a letter which was dated October 5, 2011, a Status Report was submitted to the Office of the Contractor General (OCG) outlining that the "...property has been advertised on several occasions. It was valued at US\$2.5Million in March 2010. An offer was made for US\$2.0Million in May 2011 and received Board approval and the non-objection of the Portfolio Minister, but the party withdrew their interest in August 2011. It remains on the market."</p> <p>As at December 31, 2011, there has been no further development.</p> <p>The OCG will continue to monitor the divestment opportunity.</p>			

Reference No.	AD-15631		
Ministry	Office of the Prime Minister	Divesting Entity	Urban Development Corporation
Secretariat	Urban Development Corporation	Consultant	N/A
Date of Executed Agreement of Sale	0000-00-00	Asset Description	Sale of Oceana Hotel Complex.
Status	No serious offer was received.		
<p>The divestment opportunity was advertised in 2010. One (1) offer was received which was below the value of the property.</p> <p>As at December 2011, no serious offer was received.</p>			

ENQUIRY MANAGEMENT REPORT

The Office of the Contractor General (OCG) may initiate an enquiry in relation to, and/or precipitated by, Media Releases and/or news items, the receipt of written and/or verbal complaints, or any other intelligence that may be garnered by the OCG in relation to Government contracts, Permits and Licences, and the divestment of State Assets.

Accordingly, the Contractor General, pursuant to Sections 4 and 15 of the Contractor-General Act, is empowered to conduct a formal enquiry into a matter, if it is deemed necessary.

In this regard, the OCG has established an Enquiry Management Portfolio, which ensures the assignment and effective utilisation of resources to review complaints and/or concerns in an expeditious and confidential manner.

During the 2011 calendar year, a total of One Hundred and ten (110) allegations were reviewed and/or enquired into under the Enquiry Management Portfolio. The referenced allegations alluded to, *inter alia*; (a) breaches of the Government of Jamaica Procurement Procedures, (b) improper tender processes, (c) irregularities in the award and execution of contracts, (d) contract payment discrepancies, (e) questionable grants of prescribed licenses, (f) improper divestment of State Assets, and (g) irregular land divestment procedures.

The following is a numeric representation of the status of the allegations, as at December 31, 2011, which were reviewed under the Enquiry Management Portfolio in 2011:

	Allegations which were Received in 2011	Allegations which were Brought Forward from 2010
	42	68
Completed Enquiries for which the allegations were within the OCG's jurisdiction		20
Enquiries which are ongoing		85
Completed Enquiries for which the allegations were outside of the OCG's jurisdiction		2
Enquiries which were reviewed and/or completed and referred to the OCG's Special Investigations Unit for further investigation		3

In an effort to determine the veracity of an allegation/matter, a preliminary examination of internal information relating to same is conducted. Formal Requisitions, *inter alia*, are subsequently submitted to the respective Public Body in order to obtain information in an effort to determine whether there are/were any breaches of the Contractor-General Act, the Government of Jamaica Handbook of Public Sector Procurement Procedures and any other applicable legislation, regulation and/or Circular emanating from the Ministry of Finance and the Public Sector.

The following is a list of ongoing OCG Enquiries:

1. McKenzie Quarry's receipt of Government contracts from the National Works Agency;
2. Accountability of Joy Douglas (General Manager - Urban Development Corporation) for the lack of Project Management oversight at the Transport Centre (Downtown);
3. Cambridge Project Development Incorporated signing of MOU with Petroleum Corporation of Jamaica;
4. Contract awards to Errol Hunter, National Works Agency Parish Manager for Clarendon;
5. Discrepancy regarding drain cleaning in Borobridge, St. Ann by the St. Ann Parish Council;
6. Improper License issued by the Broadcasting Commission to Cornwall Communication;
7. Improper contract award to NWD Construction by Fiscal Services Limited;
8. Irregularity in the granting and execution of the contracts for Ward Theatre and St. Williams Grant Park;
9. Investigation into the granting of Prescribed Licenses by Mines and Geology Division to Paradise Plum Limited;
10. Improper contract award to Western LPG Filling Plant by Petcom;
11. Conflict of Interest regarding Frank Manhertz (employee of National Works Agency in charge of Traffic Lights) and Jim's Electrical Service;
12. Enquiry into the completion of Road Works by the National Works Agency from Anchovy to Lethe Main Road in St. James;
13. Questionable divestment process for Petroleum Corporation of Jamaica's property at Font Hill;

14. Review of Urban Development Corporation's granting of contracts and payments to: Mr. Michael White of Dairy Springs and Hydrology Consultants Limited; Mr. Easton Douglas for Consultancy Services; PricewaterhouseCoopers; and payments in the amount of \$2 million to three (3) different organizations including the Tivoli Gardens Football Club;
15. Enquiry into the award of contracts for the establishment of client support groups at the Mental Health Department of the Ministry of Health;
16. Irregularity in the divestment of lands by the Office of the Prime Minister Distribution post Hurricane Ivan;
17. Lease Agreement between Vincent Edwards and the National Environment and Planning Agency and the National Land Agency;
18. Ministry of Education's Contractual Agreement with DPK Limited;
19. Enquiry into the National Water Commission's procurement of 70,000 Water Meters;
20. Conflict of Interest regarding Stanley Rampair of the National Irrigation Commission;
21. Lack of a formal Contract Document for the execution of the Colbeck Water Supply Scheme Pipeline Project by Rural Water Supply Limited, formally Carib Engineering Corporation Limited (CECL);
22. Double payments issued by National Works Agency to Contractor, (Channus Block & Marl Quarry Limited/Principal Anthony Charles) for Flood Damage Project funded by the Caribbean Development Bank;
23. Enquiry into the award of Concessionaires at the Norman Manley International Airport Limited (NMIAL);
24. Conflict of Interest regarding the Contractor for Crocodile Swamp Safari and the Chairman of the Board of Tourism Product Development Company (TPDCo.);
25. Enquiry into Extension of Janitorial Workers contract with South East Regional Health Authority;
26. Corrupt procurement practices at Petcom Limited for the procurement of Haulage Services;
27. Improper contract award to Beaverdam Construction in 1999, to conduct Infrastructure Works at Belair for the former National Housing Development Corporation (now Housing Agency of Jamaica);
28. Improper contract award by the St. Catherine Parish Council for Works on the Paul Mountain Main Road and Gutters Mountain Road;
29. Enquiry into repair works which were done on the National Stadium Swimming Pool – Independence Park Limited/Ministry of Youth, Sports and Culture;
30. Enquiry regarding the termination of construction contracts at North East Regional Health Authority;
31. Conflict of Interest involving Mr. Michael Prescod (former Chief Technical Director in the Public Sector Reform and Modernization/Cabinet Office) and the procurement of Consultancy Services to clarify the governance framework for Public Bodies which was offered by the Cabinet Office;
32. Poor Road Works on Waugh Hill Road Project - St. Catherine Parish Council;
33. Complaint of contract mismanagement levelled against the University Hospital of the West Indies in the procurement of a Water Tank;
34. Complaint regarding the construction of a Computer Lab at the Bishop Gibson High School;

35. Potential irregularity relating to the selection of the preferred Bidder for Energy Efficiency & Conservation Projects at the Petroleum Corporation of Jamaica (PCJ);
36. Questions about a possible contract awarded to KES Development Company Limited by the Post and Telecommunications Department;
37. Complaint regarding possible irregularity in the award of a contract to administer repairs to the National Stadium Pool;
38. Allegations of corruption in the Mail Transportation Service tender at the Post and Telecommunication Department;
39. Allegations of impropriety at Monymusk Sugar Factory;
40. Enquiry into allegations regarding \$22 Million error - UDC wants millions to correct design mistake at the Downtown Transportation Centre;
41. Enquiry into the award of Consultancy Contract by the Bank of Jamaica (BOJ) for Building Remedial Works;
42. Enquiry into the tender to procure thirty (30) Ambulances with accessories by the Ministry of Health;
43. Enquiry into complaint regarding the Petrojam Dock Building Project;
44. Enquiry into the Jamaica Social Investment Fund (JSIF) VDF Jones Town Summer Camp 2009;
45. Enquiry into the procurement of Insurance Services at the Financial Services Commission (FSC);
46. Complaint regarding irregularity in the issuing of contracts for Road Repairs by Everglades Harvesting Committee;
47. Enquiry into contract procedures at the Bellevue Hospital (Client Support Group) and the Ministry of Health;
48. Enquiry into the Memorandum of Understanding (MOU) between the Bureau of Standards Jamaica and the Scientific Research Council;
49. Enquiry into alleged irregularity and impropriety into the procurement practices of the Sugar Industry Research Institute (SIRI);
50. Enquiry into contracts awarded by Fiscal Services Limited to N.W.D. Construction Company Limited;
51. Allegations of improper awarding of Security Contracts by the Kingston and St. Andrew Corporation (KSAC);
52. Enquiry into the award of contracts to Funeral Homes by the Ministry of National Security/Jamaica Constabulary Force;
53. The award of contracts by the Kingston and St. Andrew Corporation (KSAC) to a fake Contractor;
54. Allegations of overspending at the St. Mary Fire Station on a Fence Contract;
55. Enquiry into the purchase of Spare Parts and other Equipment by the Jamaica Urban Transit Company (JUTC);
56. Allegations regarding the tender process for the procurement of twenty (20) Water Trucks by the National Water Commission (NWC);

57. Issuance of Subscriber Television Licence to Cornwall Communications Limited by the Broadcasting Commission;
58. Complaint regarding Contractual Arrangements at the Edith Dalton James High School;
59. Complaint regarding the divestment of Lot 28, Spring Garden, Portland and Gray's Inn, St. Mary;
60. Probe into NWC/Barbican Accident;
61. Allegations of persons being offered concessions for the purchase of vehicles that should have been used for election proposes;
62. Enquiry into the use of J\$100M of Jamaica Development Infrastructure Programme (JDIP) funds to refurbish the NWA Corporate Office;
63. Irregularities in the procurement of NWA Office furniture worth approximately J\$62M;
64. Allegations of improper procurement practices at the Edna Manley School of the Visual and Performing Arts;
65. Impropriety in the award of contracts by the Petroleum Company of Jamaica Limited (PETCOM) for the delivery of Liquefied Petroleum Gas;
66. Allegations of potential Conflict of Interest in the procurement of Biopsy Needles – UHWI;
67. Unfair award of contracts for the removal of Un-useable Railway Inventories;
68. Award of contract for the procurement of 3-Ton Crane Trucks to Stewarts Industrial;
69. Enquiry into contracts for the provision of Identification Cards and/or Photographic Services awarded by the Ministry of Labour and Social Security;
70. Complaint against the impending sale of Lot 312, Hague, Falmouth;
71. Enquiry into the contract awarded by the National Water Commission (NWC) in relation to the North Gully Sewer Project, St. James.
72. Enquiry allegation of a lack of transparency in the tender process by the National Housing Trust (NHT) for the procurement of Printing and Data Capture Services for the 2011 Housing Demand Surveys;
73. Allegations that the Ministry of Justice (MOJ) awarded a contract for the repairs to the Courthouse in Lucea, Hanover, to a Contractor whose bid was not submitted at the close of tender;
74. Complaint regarding the National Housing Trust's (NHT's) tender for the Longville Water Supply, Drilling of a Replacement Well at New Bowens, Clarendon;
75. Contract irregularities at PETCOM Limited;
76. Enquiry into the procedures adopted in the sale of Little Bloody Bay by the Urban Development Corporation (UDC);
77. Enquiry into the use of Private Ambulance Services by the Annotto Bay Hospital;
78. Enquiries into irregularities in the issuance of Security Contracts by the Transport Authority of Jamaica;
79. Complaint regarding the purchase of equipment by the Accountant General's Department;

80. Enquiry into the award of contract by the National Water Commission (NWC) for a 3-Ton Crane Truck to a company which did not originally submit a tender;
81. Complaint regarding the divestment of the Jamaica Public Service Company Limited (JPSCo.);
82. Complaint regarding the issuing of contracts by the National Solid Waste Management Authority (NSWMA) to All Purpose Distributors (Integrity Line);
83. Lease of Tarentum Factory and Fishing Woks at the Wallenford Coffee Company Limited;
84. Review conducted into commercial activities by Novel Direction Company Limited at the Ocho Rios Cruise Ship Terminal; and
85. Enquiry into the tender of Internal Electronic Bus Advertising, 2011/2016, by the Jamaica Urban Transit Company Limited.

Summaries of 22 Enquiries Completed in 2011 inclusive of 2 in respect of which the OCG determined that it had no jurisdiction

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MINISTRY / AGENCY	Ministry of Finance
COMPLAINT / ENQUIRY SUMMARY	<p>The Office of the Contractor General (OCG) received letters which were dated February 4, 2010 and December 7, 2010, from a local developer regarding the granting of a Casino Gaming Licence.</p> <p>The aforementioned letters respectively stated, inter alia, that "As one of the largest local developers on the north Coast involved in the integrated resort development business, the proposed legislation, we believe, will negatively impact directly on our business. We are also very concerned about the procurement process, and procedures, and if they were adhered to especially since the Bill proposes the creation of an exclusive geographical zone for casinos as well as exclusivity for a period of twelve (12) years for any entity granted a licence... In addition, we are extremely concerned by what appears to be the pledge made to certain entities that licence will be granted to them... It has been confirmed to us by the Government and in particular by the Prime Minister Hon. Bruce Golding in a meeting with us last year that commitment had already been made to grant the exclusive casino licence to an investor to operate casinos in a geographical exclusive zone, (which is where we are located) even before the very legislation was passed."</p>
RELATED PROJECT	N/A

Summary of Findings and Recommendations

Having regard to the foregoing allegations, the OCG commenced an Enquiry into the matter pursuant to Sections 4 and 15 of the Contractor-General Act. While the OCG is pellucidly mindful of the fact that a licence had not yet been issued in accordance with the Casino Gaming Act and Regulations, it nonetheless deems it appropriate to posit an opinion in keeping with its statutory mandate and given the allegations which were made by the *local developer*.

Review of the Casino Gaming Act

The OCG has noted that the referenced Act was passed in the Upper and Lower Houses of Parliament in March 2010. Notwithstanding the foregoing, the OCG is particularly concerned about the method by which prospective investors will be treated, insofar as the designation of an Approved Integrated Resort Development is concerned. Section 9 (1) of the Casino Gaming Act 2010, states that "*Subject to the provisions of this Act, the Minister may, by order, declare an integrated resort development to be an approved integrated resort development.*" Section 9 (2) states that "***The Minister shall ensure that during the specified period the number of orders under subsection (1) in operation at any particular time shall be not more than three, or such other number as the Minister may by order, subject to affirmative resolution, determine.***" (OCG Emphasis)

The OCG has noted that application for said status shall be made on a prescribed form, pursuant to Section 10 of the Act, and must be accompanied by a prescribed fee and other prescribed documents. The OCG has also noted that in accordance with Section 14 (1) of the said Act "*Every approved developer who, or a company nominated by the approved developer that, is desirous of operating a casino in an integrated resort development shall apply in the prescribed form and manner to the Commission for a casino gaming licence or temporary casino gaming licence.*" As such, only an approved developer would be eligible to apply for a Casino Gaming Licence.

Further, Section 12 (1) of the said Act states that "The Minister may, in respect of an approved integrated resort development, determine that for a period specified in an order made under section 9, the approved developer shall be granted exclusivity status, that is to say, the approved developer or his nominee shall be the only person to whom a casino gaming licence or a temporary casino gaming licence shall be granted in the exclusive geographical area specified in section 9." Section 12 (2) indicates that "Exclusivity status subject to such terms and conditions as may be specified by the Minister shall be for a period of not less than twelve years starting with the date of commencement of the order made under section 9."

Allegation regarding pledge to Entities

By way of a letter which was dated December 15, 2010, the OCG requisitioned the Permanent Secretary in the Office of the Prime Minister requesting responses to the following questions:

1. "Has any Government Official, Government Technocrat, or any other person representing the Government of Jamaica, to the best of your knowledge, engaged in discussions with any Investors regarding the issuance of prescribed licences under the Casino Gaming Act, with particular reference to the issuance of:
 - a. Approved Integrated Resort Development;
 - b. Exclusivity zone; or
 - c. Casino Gaming Licence?

If the foregoing response is yes, please provide details of any such discussions which were undertaken, stating clearly; the names of the parties involved, the dates which such discussions were held and the genesis of the discussions.

2. Further to question #1 above, has any Government Official, Government Technocrat, or any other person representing the Government of Jamaica, to the best of your knowledge, whether formally, or informally, granted a commitment to approve of a prescribed licence, under the Casino Gaming Act, to an Investor?

If the foregoing response is yes, please provide details of any such commitment, stating clearly, the names of the parties involved, the dates of such commitment, and the rationale behind such a commitment."

By way of a letter which was dated January 14, 2011, with enclosures, the Permanent Secretary responded stating, inter alia, that "By way of background, I am advised that Tavistock was previously granted a non-table gaming licence with an exclusivity clause. Subsequently a policy decision was taken to allow casino gaming in Jamaica. In seeking to negotiate with Tavistock to get out of the exclusivity clause, Tavistock indicated an interest in obtaining a casino licence. This was as agreeable contingent on successfully meeting the criteria for casino gaming. **Celebration later expressed an interest in obtaining a casino licence and has been in discussion with representatives of the Government.**" (OCG Emphasis)

The OCG also evidenced the following:

- a. A Heads of Agreement, which was consummated between the Government of Jamaica, acting through the Office of the Prime Minister, and Celebration Jamaica Ltd., dated March 26, 2008. Clause 3.2 of the referenced Heads of Agreement stated that "The Government will use best endeavors to seek the approval of Parliament for the necessary legislative framework to permit the grant of licences for gaming encompassing the range of human-dealt and other non-electronic table gaming as being contemplated by the Government in its new casino / Gaming policy." Clause 3.3 further stated that "The Government will, in seeking the necessary legislative framework to permit the grant of licences for casino gaming as outlined in Clause 3.2 of this Heads of Agreement, use best endeavors to obtain approval within this legislative framework for the grant of licences on an exclusive geographic basis in accordance with the provision and requirement to be included therein."
- b. Correspondence between the Chairman of the Casino Gaming Commission, and Phenion Investment and Development Group Limited (Phenion).

Phenion, by way of a letter which was dated September 9, 2010, wrote to the Commission making an application to be awarded a casino licence. Phenion was advised by the Chairman of the Commission that the approval by the Minister of Finance as an "integrated resort development" was a precursor to the application being made to the Commission for a Licence. A subsequent letter which was dated December 30, 2010, in response to the letter from Phenion, indicated that the required regulations were being drafted.

OCG Position Statement

The OCG has found that there is truth to the referenced allegations which were made by the *local developer*.

The OCG has evidenced that previous administration(s) had given conditional approval to private sector developer(s) for the issuance of and/or designation as an Approved Integrated Resort Development, which is a precursor to the application and consequent award of a Casino Gaming Licence.

The OCG is of the considered opinion that given the limited number of Approved Integrated Resort Development designations which are available, that the application for and/or any discussions surrounding same, should be subject to an open, transparent and competitive process. The OCG is of the view that a transparent process may result in the best suited applicant(s) being selected and would recommend that said approach be considered.

In the foregoing regard, the OCG would strongly urge the Government to desist from any discussions with any private sector interest, and to engage in a process which is open and competitive, by publicly inviting Expressions of Interest.

Additionally, please note, that the OCG will be monitoring the issuance of the Casino Gaming Licence and all other Licences/Permits which may be issued under the Casino Gaming Act. The OCG is also of the opinion that the designation of an Approved Integrated Resort Development is a crucial and important aspect of the issuance of a Casino Gaming Licence and, accordingly, expresses its intent to monitor said designations.

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MINISTRY / AGENCY	Jamaica Social Investment Fund (JSIF)
COMPLAINT SUMMARY	By way of an email which was dated November 2, 2010, the Office of the Contractor General (OCG) received a complaint which stated, <i>inter alia</i> , that “I have been at this Infirmary sporadically for several months now. I got a few details to share: Sometime around 2004 or 2006 the JSIF awarded a few million dollars to repair the Clarendon (Denbigh) Infirmary . Today, with the anticipation of Hurricane Tomas, an inspection was done and found that the roof has never been completely renovated in decades. Back in August an official report was done and found the Infirmary in deplorable conditions. What happened to those JSIF millions?” (OCG’s Emphasis)
RELATED PROJECT	N/A
<p>Summary of Findings and Recommendations</p> <p>The OCG has undertaken a review of information which it has in its possession, as well as documents which were submitted by the JSIF, to its Office, regarding the referenced matter. In this regard, the OCG posits the following:</p> <ol style="list-style-type: none"> 1. A Contract Agreement was signed on May 31, 2002 between the JSIF and 21st Century Building Services Limited, for the rehabilitation of some areas of the Clarendon Infirmary. 2. The Scope of Works, as stated in the Invitation to Bid (ITB), was to include “...repairs to roofs, windows, doors, bathrooms and kitchenettes of three (3) of the male wards that are current in use and the two (2) main female wards.” <p>However, under cover of letter dated June 23, 2011, JSIF advised, <i>inter alia</i>, that “during implementation works to the Male Ward was revised to include the following:-</p> <ul style="list-style-type: none"> – Repairs to roof structure and waterproofing of the male wards – Replacing of damaged roofing of the male wards – Installation of additional V-jointed doors in the Male Ward #4 – Upgrading of the existing Electrical Installation Works in both the Female and Male Wards – Painting of the Infirmary” <p>The aforementioned letter also indicated that “The rehabilitative works done to roof, at that time was the best economical alternative available to the JSIF. The extended life of the roof was expected to be for five (5) years.” (OCG’s Emphasis)</p> <ol style="list-style-type: none"> 3. The Final Supervisors Report, which was dated July 14, 2003, indicated that all Works were completed as per contract and was satisfactorily done. Final payments were made accordingly. 4. There was no evidence that the contract was for the total rehabilitation of the roof. <p>In light of the foregoing, the OCG has not found any evidence to indicate that the JSIF awarded a contract for the complete repair of the Clarendon (Denbigh) Infirmary, between the period of 2004 – 2006, as alleged. The OCG, however, found that a contract was awarded in 2002, for the execution of several Works related matters concerning the Clarendon (Denbigh) Infirmary. From all indication, and primarily based upon the Final Supervisors Report, it appears that the contract was executed to the satisfaction of the JSIF. (OCG’s Emphasis)</p>	

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MINISTRY / AGENCY	Caribbean Maritime Institute (CMI) / University of Technology, Jamaica (UTECH)
COMPLAINT SUMMARY	<p>The Office of the Contractor General (OCG) received a complaint from the Integrity Line wherein allegations were made regarding the procurement practices at the Caribbean Maritime Institute which outlined, <i>inter alia</i>, the following concerns:</p> <ol style="list-style-type: none"> 1. "...Fritz PINNOCK is...involved in paying companies and individuals to secure government contract on building and refurbishments. Also involved is Christopher CHINGSEY..." 2. "...A recent example (in 2009) of the corruption is the UTEC [sic] Project, which was valued at over 40 million Jamaican dollars. PINNOCK and CHINGSEY were involved in the purchase via a credit card of a flat screen TV costing 6000US dollars and giving it as a gift to the CEO of UTEC [sic] to secure the UTEC [sic] contract. They later had reimbursement for the full cost through CMI."
RELATED PROJECT	N/A
<p>The OCG conducted a review of information received from the UTECH and posited the following:</p> <ol style="list-style-type: none"> 1. The process was conducted in accordance with the Government of Jamaica Handbook of Public Sector Procurement Procedures (May 2010) and Section 4 (1) of the Contractor-General Act; and 2. There was no evidence of impropriety in the contract awarded between the UTECH and CMI. 	

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MINISTRY / AGENCY	Unknown
COMPLAINT SUMMARY	<p>The Office of the Contractor General (OCG) received a complaint by way of an email which was dated April 8, 2011. The Complainant alleged, <i>inter alia</i>, that "We are involved in a contractual arrangement with a National Public Education institution. We are aware that they use the emergency procurement route to provide selected contractors with work for over J \$100 Million dollars. We were asked to send them a letter for their files that we are threatening to take legal action against them as a means of providing them with cover to use the emergency procurement route to honour their obligations to us. None of the contracts were advertised or tendered. We also know for a fact that the money spent was a total waste as the cost could have been significantly less; therefore there must be others other than the contractors who are benefiting.</p> <p>We are also aware that there are several collusions involved. We would like to provide you with specific details however we need some information with regards to the confidentiality of the information we provide to you as this involves very powerful people..."</p>
RELATED PROJECT	N/A
<p><u>Summary of Findings and Recommendations</u></p> <p>Further to same, and based upon a comprehensive review of the complaint, and a preliminary research which was undertaken, the OCG advised the Complainant that the evidence provided for the referenced matter was insufficient for a further Enquiry to be undertaken.</p> <p>As such, the OCG requested specific information from the Complainant via email correspondences dated April 8, 2011 and August 11, 2011, to which there have been no responses.</p> <p>In this regard the OCG took the decision to close the Enquiry pending the submission of further information on the referenced matter.</p>	

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MINISTRY / AGENCY	Caymanas Track Limited (CTL)
COMPLAINT SUMMARY	The Office of the Contractor General (OCG) received a complaint by way of an anonymous telephone call on May 13, 2010. The caller, who referred to himself as 'Information Minister' stated, <i>inter alia</i> , that "...there is a person by the name of Justin from Tivoli who received a contract to Crush and Supply Stones at Caymanas Track Limited...this was not advertised."
RELATED PROJECT	N/A

Summary of Findings and Recommendations

The OCG has conducted a review of the documents which were submitted to its Office under cover of letters dated October 26, 2010 and June 29, 2011. The OCG has noted the comments from Ms. Camile Buchanan, former Director of Operations, CTL, under cover of letter dated June 29, 2011, which was submitted under the provisions of the Contractor-General Act.

The referenced letter stated, *inter alia*, that "...We have noted Mr. Armond's comments in his letter to you dated October 26, 2010. However, our Property Department advised that Caymanas Track Limited does not purchase or use crushed stones on the property. Information from the Accounts Department is that there is no payment history of purchase of crushed stones..." Mr. Armond had previously responded to an OCG requisition in the capacity of Acting CEO/Director of Marketing, stating, *inter alia*, that "...when we do require crushed stones, which is used generally in the repairs of our internal roadways, the quantity rarely, if ever, exceeds 25 cubic yards, which is basically one truck load."

Based upon the foregoing, along with other checks, the OCG has not seen any documentation to indicate the procurement of any crushed stones by CTL above the J\$275,000 threshold, and by extension any procurement breaches.

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MINISTRY / AGENCY	Fiscal Services Limited (FSL)
COMPLAINT SUMMARY	The Office of the Contractor General (OCG) received a complaint by way of a letter which was dated August 23, 2011. The Complainant alleged, <i>inter alia</i> , that "...I was not informed of the taste off... I...was told that I was not included...the tender documents [sic] however, stipulates that the three (3) highest bidders shall be selected for the taste off...and therefore a two (2) person taste off becomes null and void..."
RELATED PROJECT	Canteen Concessionaire 2011/2013

Summary of Findings and Recommendations

The OCG conducted a fulsome review of the referenced matter, a summary of which is outlined below:

1. Three (3) tenders were received for the procurement of Canteen Concessionaire by the FSL, namely:
 - a. Marcia McFarlane;
 - b. Pasty Lyn Catering; and
 - c. Pimento Inn Catering
2. The Evaluation Criteria and Qualification Criteria of the Request for Proposal - RFP No: HRM2010/Q4-2 stated the following:
 - a. *"The Bidders proposal shall be evaluated in two phases. A preliminary evaluation...to determine adherence to the eligibility requirements... Only the bids, which satisfy the eligibility requirements, will be short listed for the detailed evaluation in the second phase. The bids that do not satisfy the eligibility requirements will be deemed non-responsive and will be disqualified.*
 - b. *All offers that comply with all instructions given in this document will be ranked according to the following weightings... Cost-40% , Technical Competence- 60%*
 - c. *Bidders must attain a minimum of 50 points on the Technical criteria in order to be considered and a minimum overall score of 70 points to be recommended for the taste off exercise.*
 - d. *The Bidders' Proposals shall be evaluated in two phases. The outcome of the 1st phase will be determined based on the requirements as set out in the overall evaluation process. The 2nd phase shall be the selection of the top three (3) bidders from phase 1 that will be short listed and final selection will be by "Taste Off" with the ward given to the bidder with the highest number of staff votes. (Staff votes shall be conducted by secret ballot). This period for "Taste Off" shall be one (1) week for each concessionaire."*
3. An Evaluation was conducted and the technical scores were as follow:
 - a. Marcia McFarlane - **42 points**
 - b. Pasty Lyn - **54 Points**
 - c. Pimento Inn Catering - **50 points**

Based upon the foregoing, the OCG has noted that the one (1) Bidder failed to achieve the minimum technical score of 50 points. Hence, in keeping with the provisions/instructions as stipulated in the RFP, said Bidder would not qualify for further evaluation. The OCG has noted that two (2) Bidders proceeded to further evaluation. Accordingly, the FSL applied the Evaluation Criteria as stipulated in the RFP.

The OCG has noted that formal correspondence had been sent to the unsuccessful Bidder. In the circumstances, and given that a contract was yet to be signed, there was no requirement for FSL to communicate same at that stage of the process.

The OCG is of the opinion that the FSL applied the Evaluation Criteria as stipulated in the Bidding Document. Having regard to the foregoing, the OCG does not find that there is merit to the complaint received, as there is no evidence to suggest that the tender submitted by the Complainant was unfairly excluded from the taste off.

Further, the OCG is currently monitoring this procurement opportunity and will continue to maintain sustained monitoring of same.

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MINISTRY / AGENCY	Ministry of National Security (MNS) / Office of Disaster Preparedness and Emergency Management (ODPEM)
COMPLAINT / ENQUIRY SUMMARY	<p>On January 12, 2010, Haiti was hit by an earthquake measuring a magnitude of 7.3 on the Richter Scale. In response to this catastrophic event, the then Prime Minister of Jamaica, the Honourable Bruce Golding, in a statement on January 12, 2010, stated, <i>inter alia</i>, that “<i>Jamaica has always responded immediately in whatever way we can to natural disasters in Haiti and this time will be no exception...</i>”</p> <p>On March 23, 2010, sixty-two (62) Haitians arrived in Jamaica by boat. Media reports subsequently reported that the then Minister without Portfolio, Daryl Vaz, announced that it would cost Nine Million Dollars (\$9,000,000.00) per week to host the Haitians in Jamaica. Minister Vaz was also reported as noting the financial constraints being experienced by Jamaica and indicated that Jamaica would be unable to host the Haitians for an extended period.</p> <p>The Office of the Contractor General (OCG), in response to this pronouncement in the media, sought to enquire into the administration, operation and management in relation to the accommodation of Haitians in Jamaica, with specific focus on related expenditure/procurement undertaken.</p>
RELATED PROJECT	N/A

Summary of Findings and Recommendations

The OCG conducted a fulsome review of the referenced matter, a summary of which is outlined below:

Ministry of National Security (MNS)

1. The MNS has indicated that the hosting of the Haitians in March and April of 2010 was a multi-agency undertaking. The activities which were administered required the input from agencies such as the ODPEM, the MNS, the Passport Immigration and Citizenship Agency, the Parish Councils, the Ministry of Health, the Ministry of Labour and Social Security, the Jamaica Constabulary Force, the Jamaica Defence Force, the Salvation Army, the Port Antonio Seventh Day Adventist Church and the Adventist Disaster Relief.
2. In response to the OCG's request for a comprehensive listing of all contracts awarded to Suppliers/Contractors to host the Haitians, the MNS, under cover of letter dated August 27, 2010 advised that: “*the Ministry of National Security did not award any contracts for the supply of any goods or services... The resources needed by the JCF and the JDF, and their associated costs were conveyed to ODPEM, and as such, if any contracts were entered into that entity would have been the entity to engage in the award of contracts for the provision of supplies needed by the JCF, the JDF and other entities that provided assistance.*”
3. Documentation submitted by the MNS, indicated that in a meeting of February 5, 2010, to discuss “*Jamaica's Readiness to Handle an Influx of Haitians Refugees*”, at the Ministry of National Security, the former Permanent Secretary in the Ministry, Major (retired) Richard Reese, advised that Digicel had given a contribution of Five Hundred Thousand (\$500,000.00). He also added that a sum of Five Million Dollars (\$5M) has been set aside from the National Disaster Relief Fund for emergency response.
4. Documentation also indicated that at an Emergency Meeting held on March 23, 2010, with the relevant Agencies with regard to Displaced Haitians at the ODPEM, all entities involved in the process of hosting the Haitians were asked to submit budgets for their respective responsibilities.

The following were submitted as indicated below:

 - i. The JCF submitted a budget of \$306,600.00 for its personnel over a period of three (3) weeks; and
 - ii. The JDF submitted a budget showing the cost of fuel for patrolling the coast of Jamaica for in-coming Haitians to be \$3,900,330.00 and for one trip to repatriate Haitians, a cost of \$2,070,000.00.
5. Also evidenced in documentation submitted was a letter, which was dated January 27, 2010, from the Portland Parish Council to the Permanent Secretary, MNS, indicating a budget for the “*Possible Arrival of Haitians to Jamaica*”. The budgeted amount was **\$9,870,945.00**.

Office of Disaster Preparedness & Emergency Management (ODPEM)

1. By way of a letter which was dated July 30, 2010, the ODPEM advised the OCG, *inter alia*, that “*the coordinating responsibility for this matter rests with the Ministry of National Security. Our role was simply to manage Jamaica’s response to the Haiti Earthquake inclusive of donations and pledges.*” The ODPEM submitted Invoices and documentation which evidenced items purchased.
2. Payments totalling **J\$2,392,527.01** were observed from the Invoices submitted. The following information was garnered from the submission made by the ODPEM:
 - a. Kamal's Supermarket - Between March 23, 2010 to March 24, 2010, a total of J\$147,706.45 was spent on groceries purchased from Kamal's Supermarket. Further, groceries were purchase during the period April 10, 2010 - May 3, 2010 from Kamal's Supermarket, which totalled J\$120,040.86. Cumulative purchases valued at J\$267,747.31 were made from Kamal's Supermarket in relation to the hosting of the Haitians. These invoices indicated the Ministry of Labour and Social Security as the purchaser.

It was also noted that no purchase was over J\$100 000.00, at any given time. Further, it was observed that Kamal's Supermarket is located at 12 West Street, Port Antonio, Portland.
 - b. Maxi-Mart – Two (2) purchases were made from Maxi-Mart Limited which totalled J\$24,560.00. Maxi-Mart, like Kamal's Supermarket, is located at West Street, Port Antonio, Portland.
 - c. The Jamaica Defence Force (JDF) was given an amount of J\$2,068,360.00 for Fuel Cost, Ration Cost, Subsistence Allowance and Contingency Fund. This amount was approved for payment by the Director General of the ODPEM.
 - d. Eileen Davis - Items totalling J\$1,860.00 was purchased from Eileen Davis and billed to the Ministry of Labour and Social Security.
 - e. Transportation Cost totalling J\$30,000.00 was paid to Mr. Melvin Gayle for the transportation of thirty-one (31) Haitians. This Invoice was signed “*agreed- Millicent Blake-Disaster Coordinator*”. Same was stamped “*Paid*”.
3. By way of a letter which was dated November 29, 2010, the ODPEM advised that “*Given the prohibitive cost of housing for the undocumented migrants, the Government of Jamaica took the decision to repatriate them in short order. Consequently the budget was contained well below the working budget identified.*”

Accommodation for Haitians

The MNS, under cover of letter dated August 27, 2010, advised the OCG that “*...entities such as the Salvation Army and the Port Antonio seventh Day Adventist Church volunteered to house the Haitians for a maximum of two (2) to three (3) weeks.*”

The ODPEM and/or the MNS did not submit Invoices to evidence that Government of Jamaica (GOJ) Funds were expended with regard to the actual accommodation of the Haitians.

Conclusion

Based on the documentation received and reviewed, it is noted that the hosting of the Haitians was a multi-agency undertaking. In addition, it was also noted that volunteerism also played a vital role in the accommodation and hosting of the Haitians.

The OCG has not received information to suggest that any related procurement process(es) was/were undertaken, or that contracts were awarded by either of the two (2) Public Bodies requisitioned to provide information.

Additionally, and from all indications, it appears that the figure which was reported as being quoted by the then Minister, was related to a budget which had been prepared by the Portland Parish Council in January 2010, amounting to J\$9,870,945.00. Further, the OCG has noted, based upon the documents which were submitted by the relevant agencies, that expenditure was below the allocated amount of J\$5.5Million, which was indicated by the then Permanent Secretary, MNS.

The OCG recommends, however, that if none presently exists, that the ODPEM, the MNS and any other related Agencies, develop a procedural document that would guide the procurement of items which may be required in such situations.

Additionally, and in cases where it is anticipated that similar situations and/or disasters will occur, that consideration be given for the development of Framework Agreements, in accordance with Appendix 4 of Volume 2 of the Handbook of Public Sector Procurement Procedures (October 2010). (OCG's Emphasis)

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MINISTRY / AGENCY	Jamaica Promotions Corporation (JAMPRO)
COMPLAINT SUMMARY	The Office of the Contractor General (OCG) had received a complaint on April 28, 2011, regarding the tender for the provision of Graphical Design for Web Portal. The referenced letter had outlined, <i>inter alia</i> , the following complaint regarding the Tender Opening Ceremony for the captioned procurement opportunity; <i>"It did not seem a fair and transparent process according to the rules and requirement of the TOR and the supporting clarification by Mr. Livingston especially since he specifically stated in his response that [the TRN and TCC are] not to be embedded in the technical proposal but must be in the outer envelope."</i>
RELATED PROJECT	Tender for the Provision of Graphical Design for Web Portal

Summary of Findings and Recommendations

The OCG has conducted a review of documents which were submitted to its Office, by way of a letter which was dated May 27, 2011, from JAMPRO, and posits the following:

1. The *Tender Process* deviated from the requirements of the Government of Jamaica Handbook of Public Sector Procurement Procedures (October 2010), as the OCG has found evidence to suggest that responses to requests for clarifications were not forwarded to all Contractors who collected Bidding Documents.

The foregoing contravenes Section A8.3 of the Handbook which states, *inter alia*, that *"The response must be forwarded to all contractors who collected the Bidding Documents, without identifying the sources."*

Additionally, the OCG found that the Request for Proposal (RFP) document, which was issued to Bidders, did not include all the required sections in accordance with Appendix A7.3 of Volume 2 of the Handbook. Particular reference is made to the absence of a General Conditions and Special Conditions of Contract Form.

The OCG has also found that JAMPRO had designated the Contractor for the referenced project to be a Consultant and, as such, did not require registration with the National Contracts Commission in order to show eligibility. Listed under the Scope of Works section of the RFP were, *inter alia*, the following: *"Design a new landing page for its new Portal that will cater to foreign investors and distributors looking for business opportunities in Jamaica."*

"Employing a storyboard format, The Designer will design four (3 internal pages that reflect the 1, 2, 3 click steps to answer/satisfy the enquiry of a visitor to the site (or set a rebuttal in train), which is either an investor in an opportunity, or a distributor seeking to buy a quality Brand Jamaican export."

2. The *Tender Opening Ceremony* was not conducted in accordance with the requirements of the Government of Jamaica Handbook of Public Sector Procurement Procedures, October 2010.

The OCG has found that JAMPRO contravened the procurement procedures, as Officers voiced opinions in relation to the responsiveness of submissions received, in particular, Engage Media Interactive Limited's submission. Further, the account of what had transpired, during the Tender Opening Ceremony, received from JAMPRO, suggests that a submission was rejected during the Tender Opening.

The GOJ Handbook of Public Sector Procurement Procedures 2010, Section A8.6.1 (e) states that *"No bid shall be rejected or any opinion voiced as to its responsiveness at the Bid Opening, expect for late bids."*

3. The OCG found that the RFP document provided clear instructions on the *determination of responsiveness*, with particular reference to the packaging of the tender. The RFP stated that *"In order to be deemed responsive...Technical and Financial Proposals shall be submitted using the double envelope system i.e. an outer envelope containing two separate sealed envelopes."*

The RFP further instructed that *"The following information must also be provided in the outer envelope:*

- i. *Copy of valid Tax Compliance Certificate (TCC)...*
- ii. *Copy of Tax Registration Number (TRN)..."*

Conclusion

The OCG has concluded that the tender process, which was employed by JAMPRO, contravened the provisions of the GOJ Handbook of Public Sector Procurement Procedures, and the RFP document which was issued to Bidders. As such, the OCG is of the opinion that JAMPRO should abort this current process, and retender same, adhering strictly to the requirements of the Handbook of Public Sector Procurement Procedures.

Additionally, and with reference to the designation of this service provider as a Consultant, the OCG requests that JAMPRO re-visits the Terms of Reference and proposed Scope of Works, in order to ascertain if same is an applicable description.

The OCG also recommended that JAMPRO incorporates the findings which have been indicated above for future procurement opportunities.

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MINISTRY / AGENCY	Jamaica Social Investment Fund (JSIF)
COMPLAINT SUMMARY	The Office of the Contractor General (OCG) had received a complaint dated January 10, 2010, regarding the captioned matter. The referenced complaint had outlined, <i>inter alia</i> , the following: <i>"Please check JSIF contractors – there have been overruns on contracts and contracts given to at least one restaurateur I'm aware of who knew nothing about construction – evidence of a clinic downtown. Contract given to one Ms. Chin.</i>
RELATED PROJECT	N/A
<u>Summary of Findings and Recommendations</u>	
<p>The OCG conducted a fulsome review of documents which were submitted to the Office under cover of letter dated January 25, 2010, a summary of which is outlined below:</p> <ol style="list-style-type: none"> During the period January 1, 2008 to December 31, 2009, the JSIF had awarded four (4) contracts to three (3) Contractors within the Kingston/St. Andrew area, for the construction of Health Centre/Clinic, under the International Bank for Reconstruction and Development (IBRD) and Emergency Recovery Project (ERP). The Health Centres in question are Norman Gardens Health Centre, Parks Road Health Centre, Windward Road Health Centre, and Stony Hill Health Centre. <p>Two (2) of the four (4) contracts were awarded to Lewin's Hardware Limited; whilst Carambi Construction Limited and Howard Construction Company Limited were each awarded one (1) contract. A search of the National Contract Commission (NCC) Registration Database indicates that all four (4) Contractors were registered at the time of award.</p> The OCG subsequently conducted a company search of the three (3) construction companies, which were awarded contracts by JSIF to construct Health Centre/Clinic, to determine whether the Principal(s) of any of these companies bore the name "Chin". The results of the search were negative. <p>Whilst the four (4) contracts in question were located within the Kingston and St. Andrew area, there was no evidence to support the allegation of the construction of a Health Centre/Clinic, in the Downtown area of Kingston. Further, the OCG has found no documentary evidence to suggest that the construction contracts which were awarded, in the Kingston/St. Andrew area, were awarded to any Contractor with the name "Ms. Chin".</p> Additionally, a review of the four (4) construction contracts awarded by JSIF in the Kingston/St. Andrew area to construct Health Clinic/Centre, was undertaken to determine whether there were any cost overruns, as alleged by the complaint. The review revealed that there was a variation to the value of the contract awarded for the construction of the Stony Hill Health Centre. The original contract sum was J\$2,464,400.00, whilst the variation, which was as a result of changes in the Scope of Works, amounted to \$217,120.94. This variation represented a less than 10% increase in the contract value. <p>A Variation Order, dated February 2, 2010, was duly signed by JSIF.</p> <p>The OCG, based upon the documentation submitted by JSIF, has not unearthed evidence to support the aforementioned complaint.</p> 	

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MINISTRY / AGENCY	N/A
COMPLAINT SUMMARY	<p>The Office of the Contractor General (OCG) received an email/letter which was dated September 12, 2011, which stated, <i>inter alia</i>, that “In December 1, 2010, MBJ Airports Limited issued four RFP’s for Retail opportunities at the Sangster’s International Airport, the deadline for submission was January 31, 2011. In April 2011, all interested parties were informed that their tenders were rejected. MBJ did not re-issue the RFP’s...an overseas supplier was subsequently issued a contract to operate at least one of four locations.</p> <p><i>In light of this information, it seems unethical, if not illegal, that MBJ Airports negotiated with a firm that was for a location that was originally offered for public tender from the point of view that the info. They collected during the orig. process could be used to gain bargaining power...”</i></p>
RELATED PROJECT	N/A

The OCG conducted a preliminary review of the complaint and concluded that it had no jurisdiction to conduct an enquiry into the matter.

This position was communicated to the Complainant. The Complainant was advised that the MBJ Airports Limited is a private limited liability company, as evidence by records gleaned from the Companies Office of Jamaica, hence the OCG does not have jurisdiction to monitor the award and implementation of procurement opportunities/contracts undertaken by said Entity.

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MINISTRY / AGENCY	Ministry of Education (MOE)
COMPLAINT / ENQUIRY SUMMARY	<p>The Office of the Contractor General (OCG) has received complaints regarding the procurement opportunity at caption, from two (2) Bidders, in the month of July 2010.</p> <p>In the first instance, the Complainant had alleged that he received late notification that the process was being aborted, whilst in the second instance, the Bidder stated that he was not informed that the process was aborted, although he had submitted a bid. The said Bidder alleged that he only knew of a new tender process when he saw the advertisement in the Sunday Gleaner dated July 11, 2010.</p> <p>In addition, the Complainants further opined that the tender period, as advertised on July 11, 2010, was too short.</p>
RELATED PROJECT	N/A

Summary of Findings and Recommendations

The OCG Inspectorate Division had been monitoring the December 2009 tender process and, as such, undertook a review of internal documentation to determine the veracity of the complaint. The OCG completed its review of the matter and has found the following:

1. The procurement opportunity was first advertised in September 2009. The procurement opportunity was, however, withdrawn by way of an Advertisement Notice which was dated October 25, 2009, as a result of concerns the Ministry had regarding aspects of the procurement procedures.
2. The opportunity was re-tendered on December 23, 2009. Bids were to be submitted by February 4, 2010, followed by a scheduled Tender Opening Ceremony.
3. The tenders were opened on February 4, 2010 at 2:15 p.m. Nine (9) tenders were received from the following entities: Twilight All American Cleaner, Milestone Environmental Limited, Scotts and Sons Construction and Maintenance Services, Floors Unlimited, Minott Janitorial Services, Corporate Maintenance Limited, Manpower and Maintenance Services, Super People Janitorial and Maintenance and Jac-Den Enterprises Limited. The Comparable Estimate was stated on the Tender Opening Checklist as \$8,787,000.00.
4. An evaluation of the tenders was conducted by a Ministry of Education (MOE) constituted Evaluation Committee, and a preferred Bidder was recommended for the award of contract.
5. Documentation in the OCG's possession indicated that the award recommendation of the Evaluation Committee was, subsequently, rejected by the Sector Committee, on the basis that the Tender Evaluation process was not in keeping with the criteria outlined in the Instructions to Bidders.

Further, by way of a letter which was dated April 29, 2010, the National Contracts Commission (NCC) recommended that the MOE re-tender the contract for the Janitorial Services for Heroes Circle and Caenwood Complexes, ensuring that the evaluation process can be objectively sustained.
6. The Ministry re-tendered the procurement opportunity through an Advertisement Notice which was published in the Sunday Gleaner dated July 4, 2010. Tenders were to be submitted by 12:00 noon on July 26, 2010, followed by a Tender Opening Ceremony at 12:15 p.m.
7. Documentation submitted to the OCG included letters which were dated July 2, 2010, which advised eight (8) of the nine (9) Bidders that the procurement opportunity would be re-tendered based upon the advice of the NCC. There was no evidence to indicate that such a letter dated July 2, 2010 was sent to Milestone Environmental Limited.
8. An Inspector of the OCG received a telephone call on July 5, 2010, from a representative of Milestone Environmental Limited. The representative stated that the company had not received any information from the MOE advising of the status of the tender and was surprised to see a Tender Notice for the same service being advertised in the Sunday Gleaner dated July 4, 2010.

The Inspector contacted Ms. Audrey Denton, Acting Director of Facilities Unit at the MOE, on even date. Ms. Denton advised that internal checks revealed that owing to miscommunication among staff members, the advisories, though prepared, were not sent to Bidders. Ms. Denton further advised that she had instructed that they be faxed immediately.
9. A further telephone call was received by the OCG Inspector on July 14, 2010, from a representative of Milestone Environmental Limited. The representative advised that, to date, no communication had been received from the MOE in this regard.
10. Consequently, contact was again made with Ms. Denton, who advised that no letter was generated for Milestone Environmental Limited and explained that this was an oversight on the part of the Ministry. She, however, assured that an apology letter along with the letter advising of the termination of the previous procurement would be forwarded to Milestone Environmental Limited on Thursday, July 15, 2010.
11. The Ministry subsequently submitted to the OCG, a copy of a letter which was dated July 14, 2010, which was addressed to Milestone Environmental Limited advising of the NCC's recommendation to re-tender the procurement opportunity, and apologizing for the delay in communication of same.

Conclusion

Having regard to the foregoing, it has been ascertained that although the Advisory Letters, which were addressed to eight (8) of the nine (9) Bidders, regarding the process being aborted, was prepared and dated July 2, 2010; they were not dispatched until July 5, 2010. Consequently, the Bidders were not informed of that the process was aborted prior to the Advertisement Notice of July 4, 2010. Additionally, one (1) of the Bidders, namely Milestone Environmental Limited, was advised of same under cover of letter dated July 14, 2010.

Notwithstanding the late dispatch of the Advisory, the OCG is satisfied that all concerned were duly advised that the process was aborted.

As it pertains to the adequacy of the tendering period, and based upon the Comparable Estimate, the OCG opines that the time line for the submission of bids, which was stated in the Advertisement Notice, exceeded the minimum time period which was stipulated by Sub-section S-2090 of the GOJ Procurement Procedures (November 2008).

In light of the foregoing, the OCG recommends that for all future procurement opportunity, due care is taken to ensure that relevant correspondences are dispatched in a timely manner to the Bidder(s) concerned.

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MINISTRY / AGENCY	Ministry of Education (MOE)
COMPLAINT / ENQUIRY SUMMARY	This Enquiry was initiated by the Office of the Contractor General (OCG) subsequent to receiving information that Jamaica Microfilm Incorporated Company Limited, the company awarded a contract to supply 200 Handheld Metal Detectors for schools, may not have been appropriately registered to be eligible for the award of the referenced contract.
RELATED PROJECT	Procurement and Delivery of Two Hundred (200) Handheld Metal Detectors for Schools

Summary of Findings and Recommendations

The OCG conducted a review of the documents which were submitted to its Office, with the view of ascertaining, *inter alia*, whether Jamaica Microfilm Incorporated Company Limited (JMI) was appropriately registered to be eligible for the award of the captioned contract.

Further to same, the OCG posits the following based upon the review conducted:

1. Use of Standard Bidding Document

It is evident that Letters of Invitation which were dated June 25, 2010, with an attached specification listing, were sent to Bidders. Sub-section S-2050, Part V of the Handbook of Public Sector Procurement Procedures (November 2008), the applicable procedures at the time of this tendering exercise, stated: "GOJ has prepared a set of Standard Bidding Documents for each type of Procurement Method and expects that all Procuring Entities, without exception, must utilize these Standard Documents according to their applicability to a particular Procurement Method."

[Likewise, Appendix A7.1 of Volume 2 of the Handbook of Public Sector Procurement Procedures (October 2010) states, *inter alia*, that "Based on the nature and value of the procurement, Procuring Entities are required to utilize the Standard Bidding Documents as prescribed, for the established contract thresholds."]

As such, the OCG is of the opinion that Annex 3 – Limited Tendering – Request for Quotations (RFQ) should have been used for this procurement opportunity, and recommended that the relevant Bidding Document be utilized for all future procurement opportunities.

2. Eligibility Criteria

The required category for National Contracts Commission (NCC) registration was not articulated in the Ministry's Letter of Invitation.

The OCG recommended that the required NCC category(ies) be established, and clearly articulated for all procurement opportunities undertaken by the Ministry.

3. Use of the Bid Receipt Record

Seven (7) bids were recorded on the Bid Register as opposed to the eight (8) opened during the Tender Opening Ceremony. While the OCG noted that this discrepancy was highlighted in the Ministry's Memorandum of August 12, 2010, which communicated the evaluation results, it nonetheless reminded the Ministry of Sub-section S-2110 of the Handbook (November 2008), which states "2. Bidders submitting bids prior to the submission deadline must sign the Bid Receipt Record, indicating the date and time the bid was received, the number of packages received and a tender number must be written on the outside of the bid envelope..."

[Likewise, Appendix A8.5(d) of Volume 2 of the Handbook (October 2010) requires Procuring Entities to shall ensure that "Bidders sign the Bid Receipt Record (Form #1), indicating the date and time the bid was submitted and the number of packages received. A tender number shall be written on the outside of the bid envelope.]

The OCG recommends that the Ministry strictly complies with this requirement.

4. Evaluation Criteria

The OCG observed that the full points were awarded to JMI for the criteria "Compliance with the Specifications" although the Handheld Scanners being provided by the Company were 50 KHz as opposed to 95 KHz required as per the Scanner Specifications.

The OCG has noted the Bidder's email of July 20, 2010 which stated, *inter alia*, that: "50 KHz and 95 KHz are considered to be within the same band and there are therefore not substantial differences in the sensitivity", but has not seen where this information was corroborated by any Ministry Official. As such, the OCG is of the opinion that the full point allocation should not have been given in this instance.

Conclusion

The OCG found that the Ministry did not articulate the National Contracts Commission (NCC) category required in its Letter of Invitation to Bidders dated June 25, 2010, and as such Jamaica Microfilm Incorporated Company Limited was compliant with regard to the eligibility requirement for the submission of a copy of valid NCC registration.

The OCG nonetheless recommends that where applicable, the Ministry incorporates its recommendations in the conduct of future procurement activities.

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MINISTRY / AGENCY	Ministry of Education (MOE)
COMPLAINT / ENQUIRY SUMMARY	Further to a News Report aired on CVM Primetime on October 31, 2010, which stated that the Ministry of Education spent \$27 million to renovate and equip its canteen, and a subsequent JIS News Article dated November 1, 2010, entitled <i>"The Education Minister Clarifies Spending for Canteen Refurbishing"</i> , the OCG initiated an Enquiry to determine the veracity of the News Reports.
RELATED PROJECT	Refurbishing of Canteen and Lobby-Building 1, Head Office, National Heroes Circle

Background to Project:

1. An Invitation for Bids - Refurbishing of Canteen and Lobby, Building 1, Head Office, National Heroes Circle, was published in the Gleaner dated January 20, 2008. Contractors, having a minimum of Grade 3 in Building Construction were invited to tender on the canteen component of the tender.

The Scope of Work involved:

"...demolishing reinforced concrete louvers, beams and block walls; pulling down existing suspended acoustic tile ceiling and replacing with new; removing existing floor and wall tiles and replacing with new; taking down door and window units; removing timber partition and the removal of existing electrical fitting and fixtures. New reinforced concrete beams and stiffeners; reinforced concrete block walls and drywall partitions; timber ceiling trellis and timber floor decking were to be constructed. New window and door units inclusive of hardware; joinery fittings such as cupboard units; metal works such as furniture, railings, deck counters and the like were to be installed. The walls were to be rendered. Included as well were plumbing installation; engineering services such as air conditioning installations, electrical installations, kitchen appliances and the like; painting and decorating through out."

Two (2) bids were received and opened. The bids were:
 - a. Bajad Limited - J\$25,080,820.00; and
 - b. Incomparable Enterprises Limited – J\$17,271,845.50.
 The Engineers' Estimate was stated on the Tender Opening Form as J\$20,268,940.00.
2. An evaluation of the bids was undertaken by EQS Jamaica Limited - Construction Cost Consultants. Both tenders were checked for arithmetic errors and it was discovered that the bid submitted by Incomparable Enterprises Limited had an error of \$1,197,820.00. Consequently, the correction of the error increased the Contractor's tender amount from J\$17,271,845.50 to J\$18,469,665.50.
3. By way of a letter which was dated March 7, 2008, Incomparable Enterprises Limited was advised of the arithmetic error that was observed and the consequent increase in their bid sum. The Company was asked to indicate whether it wished to stand by its original tender figure of \$17,271,845.50 or withdraw its tender. In response, Incomparable Enterprises Limited, by way of a letter which was dated March 13, 2008, stated, *inter alia*, that *"We anticipate a difficulty in servicing the contract with negative Deficit. We wish to respectfully withdraw our tender..."*
4. Subsequent to the receipt of the response from Incomparable Enterprises Limited, EQS Jamaica Limited recommended, in its Evaluation Report, that the project be aborted and re-tendered as the tender submitted by Bajad Limited was excessively high.
5. The Ministry of Education, however, by way of a letter which was dated March 28, 2008, wrote to the National Contracts Commission (NCC), seeking permission to negotiate a contract, not exceeding J\$18,469,665.50 with Incomparable Enterprise Limited for the refurbishing of the Canteen. In the letter, MOE, stated, *inter alia*, that *"The Ministry...does not believe that it will receive any better response to another invitation to bid, and is of the opinion that the corrected bid figure from Incomparable Enterprises Limited, being relatively similarly to the pre-tender figure, could form the basis of a contract."*
6. The NCC considered the matter at its meeting of April 9, 2008. By way of a letter which was dated April 18, 2008, the NCC recommended that *"...the Ministry of Education reject all bids and negotiate with Incomparable Enterprise Limited to bring their bid price closer to the Ministry's estimate to refurbish its Canteen."*
7. Consequent upon the NCC's recommendation, EQS Jamaica Limited, by way of a letter which was dated May 14, 2008, wrote to Incomparable Enterprise Limited stating the Ministry's intention to proceed with the corrected tender figure of J\$18,469,665.50. Incomparable Enterprises Limited subsequently responded indicating its intention to proceed.
8. A Transmittal Form dated 9th June 2006, was submitted to the NCC for its approval of the contract award recommendation. The NCC endorsed the award recommendation at its meeting of June 25, 2008. Approval was subsequently received from the Cabinet by way of Decision 30/08-2(2) dated September 8, 2008.

Implementation of Project

9. In a Summary Report submitted to the OCG, the MOE stated, *inter alia*, that "When Minister Andrew Holness assumed Office in 2007 he convened a meeting in October to discuss the refurbishing exercise which was already underway and while there was general agreement and acceptance of the layout, reservation was expressed about the high cost. Request was therefore made for the scope to be reviewed with a view to reducing the cost." The Summary Report further stated that "It was agreed to...review and issue variation at the commencement of the Contract..."
10. The canteen refurbishing contract was signed between the MOE and the Incomparable Enterprises Limited on January 19, 2009 for a sum of \$18,469,665.50 and a contract period of 20 weeks. A Variation Order dated July 31, 2009, was signed by representatives of the Ministry of Education as an agreement with Incomparable Enterprises Limited for the reduction in the Scope of the Work and consequently the value of the Works from J\$18,469,665.50 to J\$11,690,425.10. A further Variation Order dated March 16, 2010 was signed by representatives of the MOE further reducing the sum of J\$11,690,425.10 to J\$4,881,679.06. This amount represents the Final Account for the refurbishing of the canteen and was agreed to by Incomparable Enterprise Limited
11. The Contract was paid in full. Payments were observed as follows:
 - a. Payment in respect of Certificate #1 - J\$2,948,101.29; and
 - b. Payment in respect of Certificate #2 - J\$1,835,944.18.

A 2% Contractor's Levy of J\$97,633.58 was deducted from the total contract cost.
12. In addition to the refurbishing of the canteen, the MOE procured equipment directly from Appliance Traders Limited (ATL) for the outfitting of the canteen. In a Summary Report submitted to the Office under cover of letter dated November 19, 2010, the MOE stated, *inter alia*, that "When it was decided to procure the equipment it was discovered that only Appliance Traders Limited (ATL) could supply commercial kitchen equipment." In this regard, equipment totalling J\$6,360,550.33 were procured from ATL.
13. As at November 19, 2010, documentation submitted to the OCG indicated that a total payment of J\$5,085,825.84 has been expended to ATL, in respect of items delivered. A balance of J\$1,274,724.49 was owed to the Contractor.

Conclusion

A CVM News Report aired at Prime Time on October 31, 2010, had stated that the Ministry of Education spent J\$27M to renovate and equip its canteen.

An Article entitled "Education Minister clarifies spending for canteen refurbishing" dated November 1, 2010, Minister Holness stated, *inter alia*, that "When the contract was issued initially for \$18.4 million we were just about to enter into IMF negotiations and I took the decision that this contract should be revised... The end result of that decision is that only \$4.8 million was spent on refurbishing the canteen, not \$27 million." The article further attributes Minister Holness as noting that "...\$6 million went towards the purchasing of equipment to make the canteen operational to bring the total to \$11 million."

Documentation reviewed indicates that the Cabinet approved the award of contract to Incomparable Enterprise Limited in the amount of \$18,469,665.50. However, based on directives of the then Minister of Education, Andrew Holness, the Scope of Works was reduced, which effectively reduced the cost of the project to J\$4,881,679.06.

Based upon the review of the documentation supplied by MOE, under cover of its letter dated November 19, 2010, it was noted that the cost incurred by the MOE to refurbish and renovate the canteen was as stated in the news article dated November 1, 2010, and published on the JIS website on even date. The OCG has also noted that the contract was tendered in accordance with that of the Government of Jamaica (GOJ) Procurement Guidelines, and the relevant endorsement and approval obtained from the NCC and the Cabinet respectively.

As it pertains to the contract that was awarded to engage Appliance Traders Limited, the OCG has noted the explanation given for the selection. However, given the value of the procurement which was undertaken, the GOJ Handbook of Public Sector Procurement (November 2008) mandated as follows "The Head of the Procuring Entity may approve sole source/direct contracting up to J#3M. Contract values above this threshold will require the pre-approval of the NCC."

Having regard to the foregoing, and given the value involved, the prior approval of the NCC was an applicable requirement. The OCG has noted where it was stated that the Permanent Secretary was aware of and gave directives as it pertains to the procurement of the equipment from ATL. However, no documentary evidence was submitted to indicate that there was prior approval of the Head of Entity (HOE) and/or the NCC for the use of Direct Contracting as stipulated in the GOJ Handbook of Public Sector Procurement (November 2008). The absence of such prior approval for the use of Direct Contracting, given the value of the contract, constitutes a breach of the GOJ Procurement Procedures (November 2008).

Additionally, a search of the OCG Consolidated QCA Reports, did not evidence where the engagement of ATL, in this regard, was reported by the Ministry.

In the circumstances, the OCG strongly recommends that the MOE ensures that the award of all contracts are done in accordance with the stipulated procedures relevant to the applicable contract threshold as stated in the GOJ Procurement Procedures. Further, the OCG wishes to caution and remind the MOE that the non-reporting of all contracts awarded within the range of J\$275,000.00 to J\$10,000,000.00 as required for QCA submission, is a criminal offence under Section 29 of the Contractor General Act (CG Act), which states, *inter alia*, that :

Every person who-

- (a) willfully makes any false statement to mislead or misleads or attempts to mislead a Contractor-General or any person in the execution of his functions under this Act; or

(b)

(c) *without lawful justification or excuse... (ii) fails to comply with any lawful requirement of a Contractor-General or any other person under this Act...shall be liable on summary conviction before a Resident Magistrate to a fine not exceeding five thousand dollars or to imprisonment for a term not exceeding twelve months or to both such fine and imprisonment"*

Consequently for all future QCA submission to the OCG, the MOE is hereby advised to ensure that all contracts, within the applicable threshold, are included on the submission to the OCG

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MINISTRY / AGENCY	National Irrigation Commission Limited (NICL)
COMPLAINT SUMMARY	<p>The Office of the Contractor General (OCG), by way of a copy letter, which was addressed to Mr. Milton Henry, Acting Programme Director, NIDP, National Irrigation Commission Limited (NICL). The letter dated August 20, 2010, under the signature of A.B. Gardener, Director, Trans Carib Enterprises Limited (TCEL), indicated, <i>inter alia</i>, that "...we refute the above quoted statements and confirm that we did submit a priced Bill of Quantities (BQ)...in view of the aforementioned...therefore anticipate the withdrawal of your letter of rejection dated August 12, 2010..."</p> <p>The foregoing statement was made subsequent to the TCEL's receipt of the NICL's letter of October 26, 2010, which outlined the reasons why the NICL considered the bid which was received from the complainant as non-responsive.</p>
RELATED PROJECT	Tender for the Supply of Pipes and Fittings for new Forest/Duff Housing Irrigation System (Manchester)

Summary of Findings and Recommendations

The OCG conducted a fulsome review of the referenced matter, a summary of which is outlined below:

TCEL's bid was considered non-responsive due to the following reasons:

1. Submission of an incomplete Bill of Quantities (BQ);
2. Identified deviations from the terms and conditions, and specifications of the bid; and
3. Non-submission of a National Contracts Commission (NCC) Certificate of Registration.

The OCG concluded that the NICL did not err in its rejection of the bid which was submitted by TCEL, as it was evidenced that the BQ which was submitted by TCEL, did not include the required totals and was deemed inadequately completed. In the foregoing regard, the referenced BQ did not constitute a "priced-Bill of Quantities" which was required by Clause 13.1(c) of the Bidding Document.

Additionally, TCEL inserted an additional form which was entitled, the "Price Scheduled: Goods of Origin Outside the Purchaser's Country, to be imported". The form provided additional material, which directly contravenes ITB Clause 13.1 which states: "Any additional materials required to be completed and submitted by the Bidders are **none**."

However, the OCG concurs with the Bidder that the NICL had failed to include the requirement for the NCC Certificate in the Tender Document. The NICL expresses the requirement in the Invitation to Tender, however failed to list the requirement in the Bidding Document.

Based upon the foregoing, the OCG is recommending that the NICL include the requirement for NCC registration (where applicable), in the required category, for all future Tenders. The referenced would be best inserted in the list of eligibility requirements.

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MINISTRY / AGENCY	Norman Manley International Airport Limited (NMIAL)
COMPLAINT SUMMARY	The Office of the Contractor General (OCG) received a complaint, by way of an email which was dated February 19, 2010, regarding the Concession for News Stand in the Ticketing Concourse at the Norman Manley International Airport Limited (NMIAL). The referenced email had outlined, <i>inter alia</i> , the following complaint: “...I am asking you please to investigate the award of the contract for the News Stand in the ticketing Concourse at the Norman Manley International Airport...I heard through the grapevine...that the other person had a contact who was trying to help him...”
RELATED PROJECT	Concession for News Stand in the Ticketing Concourse at the Norman Manley International Airport

Summary of Findings and Recommendations

The OCG conducted a review of the documents, which were submitted to the Office, by the NMIAL, and posits the following:

1. With regard to the tender process, the response to the clarification sought by Sangsters Bookstores Limited was not communicated to all potential Bidders.

In this regard, the OCG opines that in the interest of transparency, the question and response should have been submitted to all interested Bidders.
2. The OCG has observed that the evaluation was conducted by four (4) members of the NMIAL staff. Each evaluator was required to score the two (2) respondents, which resulted in varying scores being produced. Three (3) of the four (4) evaluators had Fantasy Grab & Go as the higher scored respondent. Fantasy Grab & Go, a subsidiary of Pioneer Manufacturing Distribution Company Limited, was subsequently recommended for the award to operate the concessionaire. This company was subsequently approved for the award by the Board of Directors of NMIAL.

In light of the aforementioned, the OCG was unable to delineate an obvious scoring pattern from which one could deduce any form of bias and/or inclination in favour of any one Bidder by the Evaluators.
3. The OCG, in order to ascertain if there was impropriety in the evaluation process, requested that all the members of the Evaluation Committee, the Procurement Committee and the Marketing Department, complete sworn statements of declaration to indicate explicitly, whether they had offered any assistance and/or information to the successful Bidder, Mr. Thomas, in the preparation and submission of his bids.

In response the OCG was advised that Mr. Allan Bucknol, Revenue Accounting Manager, had “...resigned from the company and has since emigrated.” Signed Sworn Declarations were, however, submitted by the other members of the Evaluation and Procurement Committee and the Marketing Department of NMIAL. The statements indicated that they “...did not offer any assistance and/or information, to the proprietor and/or any other related party of the Pioneer Manufacturing Company Limited, in the preparation and/or submission of their bids.”
4. The successful Bidder owns and operates two (2) additional Concessions at NMIAL..

In light of the sworn declarations, which were completed by the members of the Evaluation Committee and the other parties, the OCG has not unearth evidence of impropriety in the award of the Concession for the News Stand in the Ticketing Concourse at the Norman Manley International Airport Limited. Accordingly, the OCG did not ascertain evidence to support the allegation that the successful Bidder “...had a contact...” that assisted him in securing the News Stand Concession.

Annual Report 2011 Enquiry Management Reports	
MINISTRY / AGENCY	Petrojam Jamaica Limited
COMPLAINT SUMMARY	The Office of the Contractor General (OCG) received a complaint from a concerned citizen on June 7, 2012, alleging, <i>inter alia</i> , that there were discrepancies regarding the tender for the provision of bottled water, and that another company should have been awarded the tender.
RELATED PROJECT	Tender for the provision of Bottled Water
<p><u>Summary of Findings and Recommendations</u></p> <p>In an effort to determine the veracity of the referenced allegation, the OCG undertook a review of internal documents, regarding the referenced procurement opportunity. In the foregoing regard, the OCG arrived at the conclusion that; the contract to Peak Bottling Company Limited was awarded in accordance with the Government of Jamaica Handbook of Public Sector Procurement Procedures, guided by Petrojam Jamaica Limited's Evaluation Criteria, and the terms and conditions embodied in its Tender Document.</p> <p>Based upon the foregoing, the OCG has not found any documentary evidence to substantiate the allegations, which were made by the complainant.</p>	

Annual Report 2011 Enquiry Management Reports	
MINISTRY / AGENCY	National Works Agency (NWA)
COMPLAINT SUMMARY	<p>The Office of the Contractor General (OCG) received a complaint regarding works being undertaken on the Port Henderson Road in Spanish Town, St. Catherine.</p> <p>The Complainant made reference to two (2) Newspaper Articles which were published in the Jamaica Observer on June 6 and 7, 2011, one of which was entitled "Eroded Section of Port Henderson Road finally to get attention" <u>The Complainant alleged that he is unaware of where the reported \$50 million was spent on the roadway</u>, as there was no evidence of this on the ground. He further stated that both himself and other persons cannot understand how the NWA could have asserted that it has already been billed some \$50 million for the project. (OCG's Emphasis)</p>
RELATED PROJECT	JDIP - Rehabilitation of the Port Henderson Road
<p>Summary of Findings and Recommendations</p> <p>The OCG's Inspectorate Division has been monitoring the contracts awarded under the Jamaica Development Infrastructure Project (JDIP) of which the referenced project falls and, as such, undertook a review of internal documentation to determine the veracity of the complaint.</p> <p>The OCG noted the following:</p> <ol style="list-style-type: none"> 1. The article of June 7, 2011 entitled "Eroded section of Port Henderson Road finally to get attention" stated, <i>inter alia</i>, that "...<u>river training works were carried out within the river's channel which is approximately 500 meters from the breakaway last year, for which the NWA was billed approximately \$50 million.</u>" (OCG Emphasis) 2. Documentary evidence submitted by the NWA, under cover of letter dated November 25, 2011, indicated that a contract was awarded to Surrey Paving & Aggregates Company Limited on March 18, 2011. The Bill of Quantities attached to the Contract Document indicated that the cost for the rehabilitation the Port Henderson Road is J\$237,387,696.47. 3. The NWA, under cover of letter dated November 25, 2011, provided a status update which indicated that no rehabilitation work had started on the Port Henderson Road in St. Catherine, as at said date. 4. An Inspector from the OCG's Inspectorate Division has observed river training exercise being undertaken in the river channel, during the first quarter if 2011. <p>Conclusion</p> <p>Documentation submitted to the OCG has evidenced that a contract was awarded for Rehabilitation Works to be undertaken on the Port Henderson Road in St. Catherine under the Jamaica Development Infrastructure Programme (JDIP). The article in question made mention of river training being undertaken.</p> <p>It therefore would appear that the complainant may have misread and/or misunderstood the article, as the article made mention of '<i>river training works</i>' and not '<i>roadway works</i>'. As such, the OCG does not find that there is merit to the complaint regarding the absence of roadway works.</p> <p>The Road Rehabilitation Works on the Port Henderson Road is currently being monitored under the JDIP and, as such, the OCG will maintain sustained monitoring of said project.</p>	

Annual Report 2011 Enquiry Management Reports	
MINISTRY / AGENCY	South East Regional Health Authority (SERHA)
COMPLAINT SUMMARY	The Office of the Contractor General (OCG) received a complaint regarding impropriety in the award of contracts by South East Regional Health Authority (SERHA) to Shirlhome Chemicals Corporation Limited. The complainant alleged that there was impropriety in the award of contracts by the SERHA, after the appointment of Mr. Lyttleton Shirley as the Chairman of SERHA. Mr. Shirley, based on the OCG's understanding, was a Director of Shirlhome Chemicals Corporation Limited.
RELATED PROJECT	N/A
<p><u>Summary of Findings and Recommendations</u></p> <p>Having regard to the foregoing, the OCG conducted a review of the documents which were submitted to its Office, as well as conducted other research, and posits the following:</p> <ol style="list-style-type: none"> 1. During the period January 1, 2008 to October 31, 2010, SERHA procured the supply of chemicals using the Limited Tender Procurement Methodology. In this regard, the OCG reviewed documentation which indicated that quotations were received from more than one (1) supplier when said procurement was being undertaken. 2. Based upon documentation submitted, the procurement of chemicals were under the value of J\$275,000.00 in all instances. 3. In all instances observed, the procurement process was undertaken by the individual Institution. It was further observed that the quotations were evaluated based on the best price per product. This method of evaluation resulted in more than one (1) successful Bidder for all but two (2) of the fourteen (14) procurement opportunities in which Shirlhome Chemicals Corporation Limited was engaged. 4. A Company search has confirmed that Mr. Lyttleton Shirley is an active Director, as well as a shareholder, of Shirlhome Chemical Corporation Limited. Further research of the Jamaica Information Services (JIS) website confirmed that Mr. Lyttleton is the Chairman of the SERHA. 5. The SERHA, under cover of letter dated December 29, 2010, stated, <i>inter alia</i>, that "...No known declaration [was] made by any employee directly or indirectly associated with the Procurement process that they have an interest in Shirlhome Chemicals..." <p><u>Conclusion</u></p> <p>It has been confirmed that Mr. Lyttleton Shirley, the Chairman of the SERHA, is a Director and Shareholder of Shirlhome Chemicals Corporation Limited. It has also been noted that the SERHA engaged the Shirlhome Chemicals Corporation Limited, during the period January 1, 2008 to October 31, 2010, for various purchases under the threshold of J\$275,000.00. The OCG however found that a competitive process was used in each instance, whereby quotations were received and evaluated, in what appears to be a transparent and fair manner, as the awards were based on the best price per product.</p> <p>There was no evidence of declaration of interest made by any employee directly or indirectly associated with the procurement process, with regard to Shirlhome Chemicals Corporation Limited. There is no documentary evidence that Mr. Lyttleton Shirley was involved in procurement procedures related to any of the fourteen (14) procurement opportunities which were reviewed.</p> <p>Accordingly, the OCG has not found any evidence to substantiate the complaint received, and there is no evidence which suggest that Mr. Shirley used his position, as Chairman of SERHA, to include Shirlhome Chemicals Corporation Limited as a supplier of chemicals to the entities within the SERHA.</p>	

Annual Report 2011
Enquiry Management Reports

MINISTRY / AGENCY	Unknown
COMPLAINT SUMMARY	The Office of the Contractor General (OCG) received a complaint on May 3, 2011, stating, <i>inter alia</i> , "For the last months, someone, somebody or a government department has been digging up and replacing existing sidewalks and curbstones on Grants Pen Road, Barbican Road and RivaRidge Road. This is a total waste of money as the sidewalks there were adequate... In addition to this; they have been digging up Oliver Road and patching it when there was nothing wrong with the road. Then they resurface it again. I would like to know which Minister and Ministry is responsible for this and what is their justification."
RELATED PROJECT	Unknown

Summary of Findings and Recommendations

The OCG requested, of the Complainant, the following additional information to assist in undertaking the enquiry:

1. The exact period of time which it was observed that said roads were being excavated;
2. A description of workers on the site (e.g. any item of clothing being worn with an identifiable logo), machinery or any other distinguishing marks which would assist in identifying; and
3. Specify the exact location on said roadways which were being excavated, if the entire corridor was not affected.

A stipulated deadline was communicated in said letter. However, no response was forthcoming from the Complainant. Accordingly, the OCG advised the Complainant that "...based upon a review of your complaint, the Office of the Contractor-General (OCG) wishes to advise that the information which you have provided for the referenced matter is insufficient to facilitate the conduct of further enquiry into same. In the circumstances, the OCG has taken a decision to close its enquiry pending the submission of further and better particulars on the matter."

The enquiry was duly closed.

Annual Report 2011 Enquiry Management Reports	
MINISTRY / AGENCY	Tourism Product Development Company Limited (TPDCo.)
COMPLAINT SUMMARY	<p>The Office of the Contractor General (OCG) received a complaint by way of a letter which was dated October 7, 2011. The Complainant alleged, <i>inter alia</i>, that "Grade 1-3 Contractors were invited to tender on the projects by way of an advertisement place in the daily Gleaner and The Jamaica Observer on the 12th of June 2011... Three companies submitted tenders for both projects. My company bid offer was the lowest for both projects and I met all the preliminary criteria... Neither of the projects exceeds five Million Five Hundred Thousand (\$5,500,000). Yet Grade 3 contractors and above was asked for."</p> <p>The Complainant further stated that he received a "strange letter" dated July 29, 2011, asking him to outline "at least fifteen foreseeable risks that could encounter on the projects." The Complainant also charged; "Given the fact that [his company] has successfully completed numerous jobs over the past three years including grade 3 projects in excess of Twenty Million Dollars (\$20,000,000.00). I find the circumstances surrounding my ineligibility quite questionable..."</p>
RELATED PROJECT	Bath Botanical Gardens Restoration Project, St. Thomas and Castleton Gardens restoration Project, St. Mary

Summary of Findings and Recommendations

The OCG conducted a review of the documents which were submitted to its Office, with the view of ascertaining, *inter alia*, the circumstances surrounding the ineligibility of the Complainant's bid and whether the bids were evaluated in accordance with the Evaluation Criteria outlined in the Tender Document.

Further to same, the OCG posits the following based upon the review conducted:

- Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, minimum Grade 3, were invited to tender. Further to a review of the National Contracts Commission - Register of Public Sector Contractors Grade 1-4 - Application Form, the following was noted: "Monetary Limits: The following restrictions will apply: (a) Contractors will not be awarded contracts that exceed the Monetary Limit of their Grade..." The document further indicates the monetary limit for various categories of Works. As it relates to Building Construction, the following limits are stated: Grade 1 - J\$150M; Grade 2 - J\$75M; Grade 3 - J\$24M; and Grade 4 - J\$12M.

The OCG has noted that the Comparable Estimate for each project was stated on the Bid Opening Records. The Comparable Estimate of J\$5,079,677.38 for Castleton Botanical Gardens and J\$5,306,534.48 for Bath Botanical Gardens were noted respectively.

- Three (3) Bidders namely; Lewin's Hardware Limited, Geecho Consultants & Construction Limited and Artrog Construction Company Limited, submitted tenders for the projects at caption.

The bids were as follows: **(a) Castleton Gardens:** (i) Artrog Construction - J\$4,307,386.50; (ii) Lewin's Hardware Limited - J\$4,150,000.00; (iii) Geecho Consultants & Construction Limited - J\$4,169,172.70; and **(b) Bath Botanical Gardens:** (i) Artrog Construction - J\$6,542,937.27; (ii) Lewin's Hardware Limited - J\$5,100,000.00; (iii) Geecho Consultants Construction Limited - J\$5,464,813.27.

All Bidders submitted a valid Tax Compliance Certificate (TCC), National Contracts Commission (NCC) certificate and Bid Security.

- Included with the documentation received from the TPDCo. was a letter dated July 29, 2011, which stated "The Tourism Product Development Company (TPDCo.) takes this opportunity to thank you for tendering on the captioned projects. We are now in the process of evaluating the technical qualification of each tenderer and has noted the omission of the requested schedule of works.

Kindly provide same by Friday August 5, 2011 to facilitate the completion of the evaluation process. To be included on the schedule is a detailed indication as to how resources will be allocated when both projects are to be carried out concurrently.

Please note that this letter is not an indication that you have been awarded the contracts it is however a correspondence that have also been sent to other tenderers.

*Kindly complete the attached sheet requesting an indication of at least fifteen (15) foreseeable risks that can be encountered on the projects **(This will not form a part of the evaluation process)**..." (OCG's Emphasis)*

The OCG has noted that the letter was sent to all three (3) Contractors that submitted bids for the projects at caption.

- As it pertains to the qualification criteria, the Tender Document stated that "Details must be supplied based on Contractor's Questionnaire and must obtain a minimum score of Eighty percent (80%)".
- Upon review of the three (3) bids that was submitted to the OCG by the TPDCo., it was observed that the Lewin's Hardware Limited and Artrog Construction Company Limited, failed to state, in their bid, information pertaining to Financial Statements and Access to Financial Resources. This was however stated by Geecho Consultants Construction Limited as observed in a copy of the bid submitted to the OCG by the TPDCo.

It was also observed that Bidders were required to provide information pertaining to the Qualifications and experience of key personnel proposed for administration and execution of the contract; namely - Project Manager, Site Supervisor and Procurement Staff.

In reference to this requirement, it was noted that the bid submitted by Lewin Hardware Limited, failed to indicate the qualifications and experience in relation to their Procurement Staff. Similarly, Artrog Construction Company Limited did not indicate, in their bid, details pertaining to the Site Supervisor and Procurement Staff. Conversely, the bid submitted by Geecho Consultants Construction Company Limited, contained information pertaining to all three (3) positions as indicated above.

6. The Evaluation Report stated, *inter alia*, that "The initial technical evaluation process revealed that none of the contractors had obtained the minimum score of 80%. The contractors also had failed to submit a schedule of works hence a letter dated July 29, 2011 was written to ALL the contractors giving them the opportunity to submit the omitted schedule by August 5, 2011. The schedule of works was submitted by the date specified and all the contractors were further evaluated based on these submissions. However, both Lewin's Hardware Ltd. and Artrog Construction Co. Ltd. were disqualified from further consideration because their respective scores of 63.65% and 66.16% did not meet the 80% required to pass the technical evaluation and were deemed non-responsive."

Further and based on documentation submitted, the OCG has noted that an evaluation team comprising of nine (9) evaluators assigned scores to each Bidder, which was subsequently calculated into an average score. In both instances, one Bidder exceeded 80%.

Conclusion

Based upon the foregoing, the OCG has noted that three (3) bids were received from the same Bidders for both locations. All three (3) tenders met the eligibility criteria and, in all instances, the bid of Lewin's Hardware Limited was the lowest. It was further noted from the Evaluation Report that the Complainant's bid was one (1) of the two (2) deemed non-responsive having failed to attain the minimum qualifying score of 80%. The Contract was awarded to the sole responsive Bidder who satisfied the qualification criteria.

Accordingly, and given the omissions from the Complainant's bid as indicated above, the OCG has not found evidence to suggest that the Complainant was treated unfairly during the process.

However, and with regards to the eligibility requirement and the Comparable Estimate as reflected on the Tender Opening Record, the OCG questions why Contractors were required, at a minimum, to be at the Grade 3 level. While the Entity has the prerogative to choose the Grade Contractors they consider important and capable to offer quality services, the OCG has noted that the value was such that would have allowed Grade 4 Contractors to be eligible to tender on this project. Consequently, by setting the minimum at Grade 3, it can be argued that Grade 4 Contractors were marginalized.

Additionally, the OCG would caution the Public Body against requesting additional information, with the exception of areas related to clarification of information and/or documentation submitted with bids, from Bidders subsequent to the close of tender.

Annual Report 2011 Enquiry Management Reports	
MINISTRY / AGENCY	University Hospital of the West Indies (UHWI)
COMPLAINT SUMMARY	<p>A complaint was brought to the attention of the Office of the Contractor General (OCG), by way of a letter which was dated March 8, 2011, from Attorneys-at-Law Samuda & Johnson, who are representing JESSA Tours Limited.</p> <p>The following were brought to our attention and we quote <i>verbatim</i> below:</p> <p><i>"...By way of letter dated February 1, 2011 under the signature of Mr. David Walker, Director Contracts and Services (Acting), the hospital advised that our client's bid was unsuccessful and that it therefore is obliged to put the contract out once more for tender... On the instructions of our client we communicated with Mr. David Walker informing that we are of the considered opinion that the basis on which our client's bid was rejected is misconceived..."</i></p>
RELATED PROJECT	Procurement of Transportation Services

Summary of Findings and Recommendations

The OCG, subsequent to a review of the documents which were submitted to its Office, and following upon a discussion held with the Director of Contract Services (Ag.) of the UHWI, arrived at the following findings:

1. JESSA Tours Limited submitted a bid totalling J\$95,207,530.00, for a three (3) year period.
2. Subsequent to the evaluation of the bid, it was determined, by the UHWI, that JESSA Tours Limited *"...had met most of the criteria..."* However, the Evaluation Report, which was dated January 28, 2011, further stated that JESSA Tours Limited *"...failed to comply with the hospital's requirement in terms of quotation. They were asked to quote on cost per trip based on the number of persons carried, but their quote was based on the number of seats available. That is, based on the size of each bus. This is not what was expected and as such they were deemed non-responsive."*
3. By way of a letter which was dated February 1, 2011, the UHWI informed JESSA Tours Limited, *inter alia*, that *"The Committee concluded that the price quoted appeared to be based on the size of the proposed vehicle rather than on the amount of persons to be transported...as a result the bid was cancelled...the contract will be re-tendered."*
4. On June 8, 2011, the OCG contacted Mr. David Walker, Director Contract and Services (Ag.) at the UHWI, to ascertain whether the Entity had sought clarification from Bidders, in particular, from JESSA Tours Limited, during the evaluation process. In response, Mr. Walker declared that the UHWI had not sought clarification of any of the Bidder's during the evaluation process.

Conclusion

In respect of the foregoing, the OCG posits that there was no consideration of Clause 26 of the Instruction To Bidders (ITB), in the Tender Document, which states that *"To assist in the examination, evaluation, and comparison of bids, the Procuring Entity may, at the Procuring Entity's discretion, ask any Bidder for clarification of the Bidder's Bid, including breakdowns of the prices in the Activity Schedule, and other information that the Procuring Entity may require..."*

Notwithstanding the aforementioned, the OCG also noted Clause 27.3 of the Instruction to Bidders (ITB) of the Tender Document which states that *"If a bid is not substantially responsive, it will be rejected by the Procuring Entity..."*

Further, the UHWI, pursuant to ITB Clause 33.1 of the Tender Document *"...reserves the right to accept or reject any Bid, and to cancel the bidding process and reject all bids, at any time prior to the award of the Contract, without thereby incurring any liability to the affected Bidder or bidders or any obligation to inform the affected Bidder or bidders of the grounds for the Procuring Entity's action."*

The foregoing is further supported by Section A8.15, Volume 2 of the Government of Jamaica Handbook of Public Sector Procurement Procedures (October 2010), which provides that *"The Procuring Entity reserves the right to accept or reject any bid, or to abort the tender process and reject all tenders at any time prior to the award of the contract without incurring any liability."*

Based upon the foregoing, and in light of the wording of the UHWI's letter to JESSA Tours Limited, which stated, *inter alia*, that *"... the price quoted appeared to be based on the size of the proposed vehicle rather than on the amount of persons to be transported..."* (**OCG Emphasis**), it is the OCG's considered opinion that, clarification should have been sought in this regard, by the Procuring Entity, prior to making a final decision on the responsiveness of the bid.

However, ITB Clauses 27.3 and 33.1 of the Tender Document gives the Procuring Entity the right to abort any procurement process and reject all tenders, at any time, prior to the award of the contract without incurring any liability. The foregoing right is reinforced by the provisions stipulated in Section A8.15, Volume 2 of the Government of Jamaica Handbook of Public Sector Procurement Procedures (October 2010), as stated above.

Annual Report 2011 Enquiry Management Reports	
MINISTRY / AGENCY	N/A
COMPLAINT SUMMARY	The Complainant levelled several charges of Professional Misconduct against Mr. Earl Witter, Q.C., J.P., Public Defender.
RELATED PROJECT	N/A
<p><u>Summary of Findings and Recommendations</u></p> <p>The Office of the Contractor General (OCG) conducted a preliminary review of the complaint and concluded that it had no jurisdiction to conduct an Enquiry into the matter.</p> <p>This position was communicated to the Complainant. The Complainant was also advised to refer the issues, specifically those with regard to financial irregularities, to the Auditor General's Department.</p>	

QUARTERLY CONTRACT AWARD (QCA) REPORTS

The Office of the Contractor General (OCG) has requisitioned all Procuring Public Bodies who undertake procurement activities in the value range of J\$275,000.00 to J\$10,000,000.00, to prepare and to submit, Quarterly Contract Award (QCA) Reports indicating the particulars of contracts which have been awarded. As a requirement, QCA Reports are to be submitted on the designated hard and electronic copy forms, in arrears, within one (1) calendar month following the ending of the Quarter to which they relate.

QCA Submission Compliance Rate

Since the early conception of the OCG's QCA Reporting regime in May 2006, the OCG has seen outstanding progress in the compliance levels of Public Bodies. QCA compliance has increased from 13% in its initial year in 2006 to an unprecedented 100% for the three (3) consecutive calendar years from 2009 to 2011, or twelve (12) consecutive running quarters.

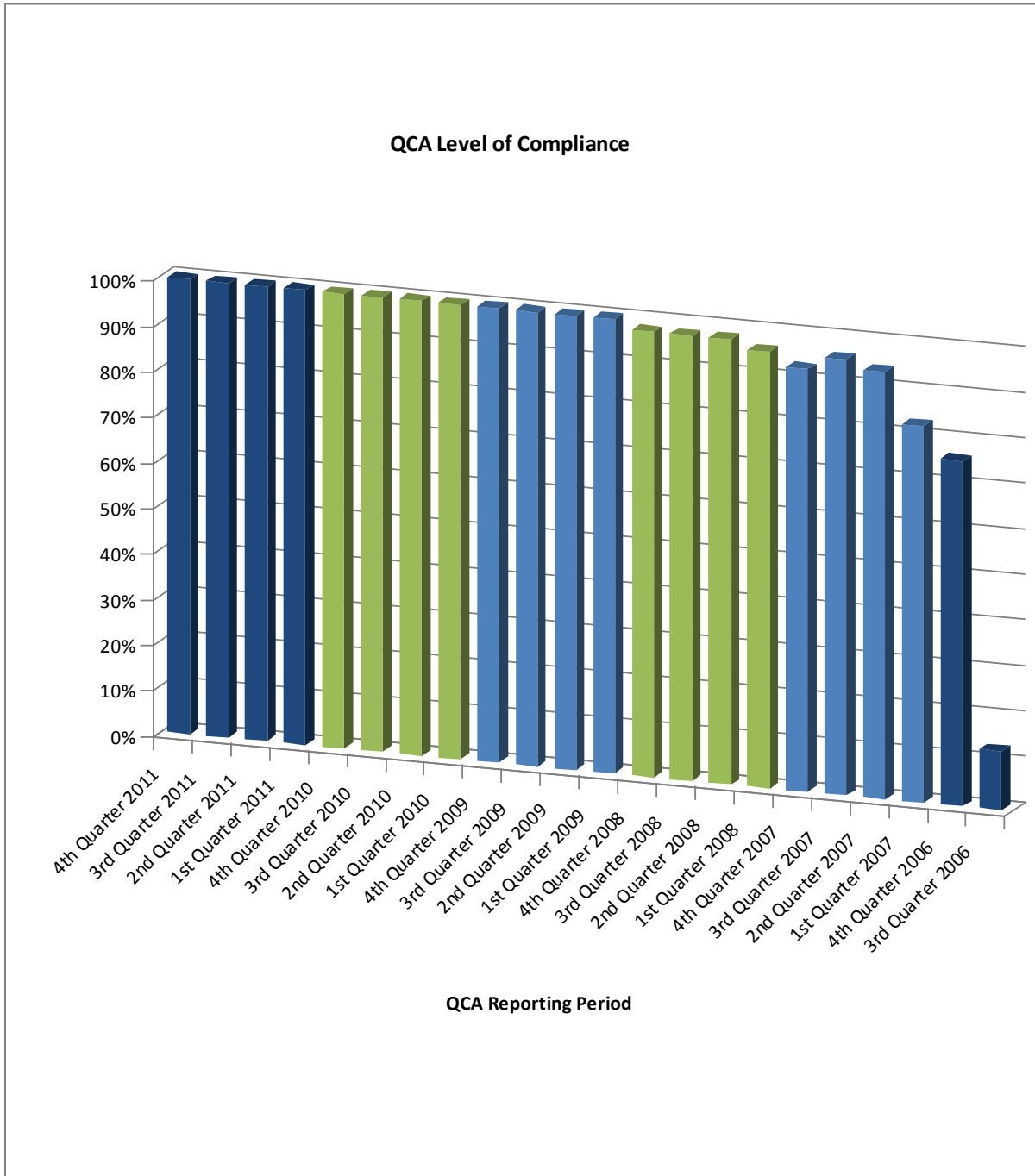
The consistently high compliance rate of Public Bodies, in the submission of QCA Reports can be attributed to the OCG's rigidly enforced Zero Tolerance Policy. The Zero Tolerance Policy, dictates that failure on the part of any Public Body, to comply with the OCG's QCA Requisition, will result in the automatic referral of the Head of the delinquent Public Body to the Director of Public Prosecutions (DPP).

Table 1 below represents the QCA submission compliance levels of Public Bodies from the 2006 to 2011 reporting periods.

Table 1 - QCA Reporting Compliance

Reporting Period	Number of Requisitioned Public Bodies	Number of compliant Public Bodies	Level of Compliance
4 th Quarter 2011	193	193	100%
3 rd Quarter 2011	194	194	100%
2 nd Quarter 2011	194	194	100%
1 st Quarter 2011	198	198	100%
4 th Quarter 2010	198	198	100%
3 rd Quarter 2010	198	198	100%
2 nd Quarter 2010	197	197	100%
1 st Quarter 2010	197	197	100%
4 th Quarter 2009	196	196	100%
3 rd Quarter 2009	193	193	100%
2 nd Quarter 2009	193	193	100%
1 st Quarter 2009	193	193	100%
4 th Quarter 2008	190	186	98%
3 rd Quarter 2008	188	185	98%
2 nd Quarter 2008	188	184	98%
1 st Quarter 2008	188	181	96%
4 th Quarter 2007	188	175	93%
3 rd Quarter 2007	191	184	96%
2 nd Quarter 2007	191	180	94%
1 st Quarter 2007	191	159	83%
4 th Quarter 2006	191	146	76%
3 rd Quarter 2006	191	25	13%

Figure 1 – QCA Compliance Level



The QCA Compliance Bar Chart, shown above, illustrates the increasing levels of compliance since the initial QCA Requisition in 2006. It should be noted that the OCG has realized 100% compliance in the submission of QCA Reports by Public Bodies, since the first quarter of 2009 up to and including the fourth quarter of 2011.

QCA Uploads

The OCG, as a matter of policy, does not upload unsatisfactory and/or incomplete QCA Reports until and unless Public Bodies submit same in the requisite Microsoft Excel electronic and hard copy formats, which are duly completed in accordance with the OCG’s instructions.

Table 2 demonstrates an increase in the rate of Reports which have been successfully verified and added to the QCA Consolidated Database. In 2010, 96% of the QCA Reports which were received from Public Bodies were uploaded whilst 97% of the Reports were uploaded in 2011.

The OCG would like to remind Public Bodies that due care must be taken in the preparation of the QCA Reports which are submitted to the OCG. The accuracy of the information submitted affects not only the delay in the upload of the QCA submissions, but also the grading attained upon the assessment of the Reports.

Table 2 - Summary of QCA uploads to the website

Reporting Period	2011 Reporting Period			2010 Reporting Period		
	Number of Requisitioned Public Bodies	Number of Reports Uploaded	Percentage of Reports Uploaded	Number of Requisitioned Public Bodies	Number of Reports Uploaded	Percentage of Reports Uploaded
1 st Qtr	198	195	98	197	195	99
2 nd Qtr	194	188	97	197	194	98
3 rd Qtr	194	191	98	198	188	95
4 th Qtr	193	184	95	198	180	91
Total	779	758	97%	790	757	96%

Contract Award Data

The OCG received approximately 779 QCA Reports, for the year ending December 31, 2011, of which 758 were uploaded to the OCG's website. Please note that information provided, in this section, is relevant to the particulars of the 758 reports which were checked and verified for upload.

In the reporting year, 11,152 contracts were reported at a total value of \$16,143,777,148.00. The values of contracts for Goods and Services were \$8,863,369,391.00 and \$4,856,634,084.00 respectively, while the value of Works contracts was \$2,359,378,745.00. In addition, the values of those contracts which were not specified by the Public Bodies as being goods, services or works amounted to at \$64,394,995.00.

The summaries in Tables 3 and 4 below illustrate a comparison of the compliance levels for 2010 and 2011:

Table 3 – Summary of Contracts Awarded

2011 Reporting Period	Total # of Contracts Awarded	Total value of Contracts Awarded	Number & Percentage of Contract Awards to Unregistered Contractors	Value of Contract Awards to Unregistered Contractors	Number % Percentage of Contracts not approved by Procurement Committee	Value of Contracts not approved by Procurement Committee	Contracts over \$1 million awarded by Sole Source or Direct Contracting Procurement
1 st Qtr	3,138	\$4,312,870,474	837 (27%)	\$1,214,566,262	404 (13%)	\$325,119,991	361 (12%)
2 nd Qtr	2,770	\$4,107,913,390	703 (25%)	\$1,148,651,096	447 (16%)	\$543,613,229	469 (17%)
3 rd Qtr	2,819	\$4,155,366,988	786 (28%)	\$1,096,345,350	549 (19%)	\$505,776,161	427 (15%)
4 th Qtr	2,425	\$3,567,626,296	780 (32%)	\$1,278,645,575	433 (18%)	\$373,401,096	393 (16%)
Total	11,152	\$16,143,777,148	3,106 (28%)	\$4,738,208,283	1,833 (16%)	\$1,747,910,477	1650 (15%)

Table 4 – Comparative Compliance Levels

Reporting Period	Total # of Contracts Awarded	Total Value of Contracts Awarded	Number & Percentage of Contract Awards to Unregistered Contractors	Value of Contract Awards to Unregistered Contractors	Number & Percentage of Contracts not approved by Procurement Committee	Value of Contracts not approved by Procurement Committee	Contracts over \$1 million Awarded by Sole Source or Direct Contracting Procurement
2010	11,256	\$15,508,086,974	3,025 (27%)	\$4,351,556,617	1,719 (15%)	\$1,619,126,259	1,055 (9%)
2011	11,152	\$16,143,777,148	3,106 (28%)	\$4,738,208,283	1,833 (16%)	\$1,747,910,477	1650 (15%)

QCA 2nd Phase Assessment

The initiative to electronically assess the QCA Reports that were submitted by the 190 plus Public Bodies had commenced subsequent to the Contractor General's letter of May 16, 2008, which was directed to the Cabinet Secretary and all Accounting and/or Principal Officers of Public Bodies.

This was intended to boost the OCG's capacity to identify, assess and monitor certain trends in the procurement practices of Public Bodies, via the assessment of the information submitted, as against the established GOJ Public Sector Procurement Guidelines.

Additionally, the score that is obtained by the Public Bodies, upon assessment, will allow the OCG to strengthen its capacity to conduct computer-aided analyses of the QCA Report data, which would also inform the OCG's Contract Monitoring, Audit and Investigation activities.

However, following the initiation, Public Bodies were formally advised of the decision to make certain adjustments to the assessment process, as a result of receiving numerous letters from Public Bodies outlining varying concerns and enquiries relating to the assessment results. The adjustments to the assessment process included:

1. Revamping the assessment system;
2. Withdrawal of all previously communicated scores for the 2nd and 3rd Quarter 2009 QCA Reports; and
3. Suspension of posting negative assessment scores on the OCG's website.

Once the QCA Reports have been submitted by the Public Body, the OCG conducts a comprehensive review of the information for completeness and accuracy. Where the information submitted is deemed to be satisfactorily completed, a computer-aided assessment that is informed by the GOJ Public Sector Procurement Procedures is conducted and Public Bodies are placed in one of the following four (4) levels:

Level 1 - An assessment result of between 96% and 100% indicates an acceptable level of compliance.

Level 2 - An assessment result of between 70% and 95% indicates an intermediary compliance level with areas identified for improvement.

Level 3 - An assessment result of between 60% and 69% is indicative of an unacceptable level of procedural breaches.

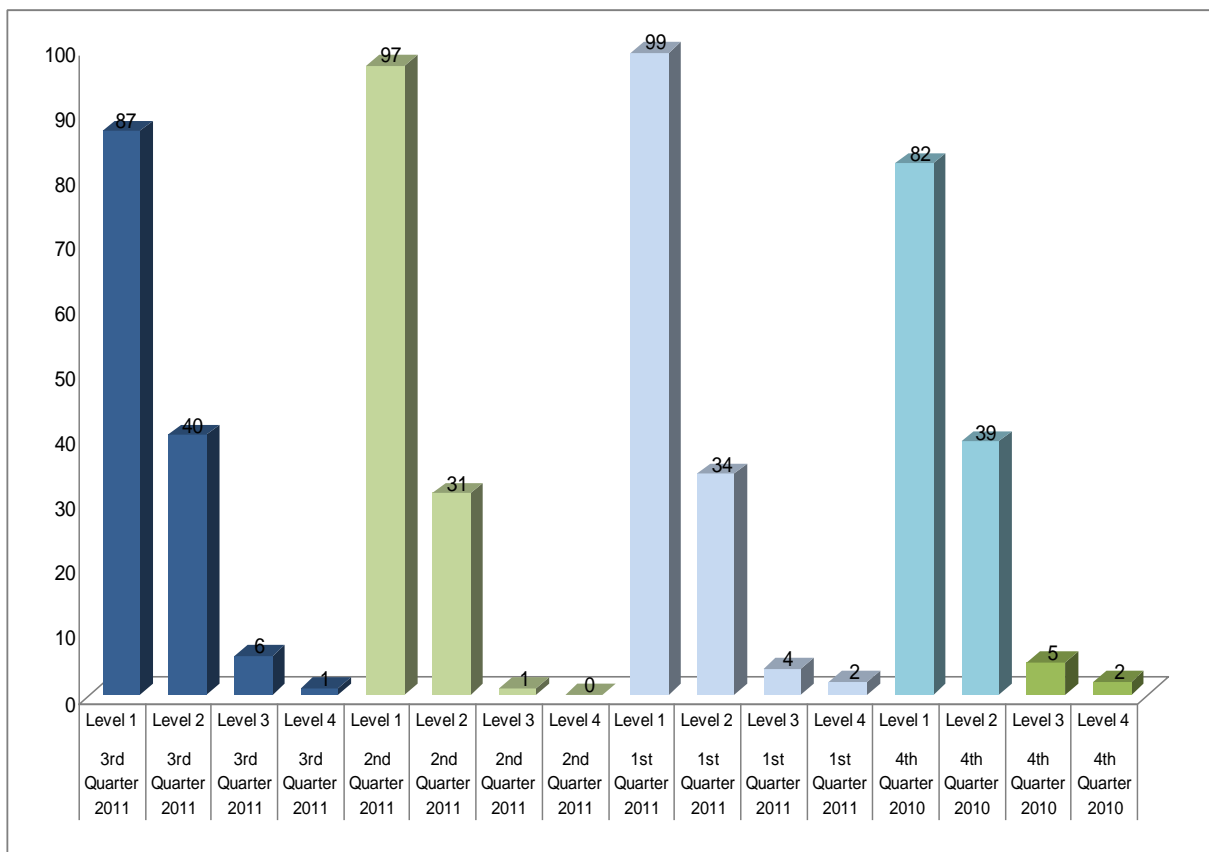
Level 4 - An assessment result of below 60% indicates evidence of a fundamental, critical and /or substantial failure of the affected Public Body to comply with the Government of Jamaica Public Sector Procurement Procedures.

Table 5 below represents the Assessment score of Public Bodies 4th Quarter of 2010 to 3rd Quarter 2011:

Table 5 – Summary 2nd Phase Assessment Results

	Level 1	Level 2	Level 3	Level 4	Submissions with no contracts	Un-Assessed	Total
3rd Quarter 2011	87	40	6	1	52	8	194
2nd Quarter 2011	97	31	1	0	48	17	194
1 st Quarter 2011	99	34	4	2	50	9	198
4 th Quarter 2010	82	39	5	2	60	10	198

Figure 2 – 2nd Phase Assessment Results 2011



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TECHNICAL SERVICES DIVISION

OVERVIEW

During the year 2011, the Technical Services Division (TSD) of the Office of the Contractor-General (OCG) continued to operate in its dual capacity as Secretariat to the National Contracts Commission (NCC) while, simultaneously, executing its monitoring role, among other things, to garner vital information on Contractors, who have applied to be registered with the NCC. The core functions of the TSD are as follows:

- a) The verification and registration of Goods, Services and Works Contractors in the appropriate categories;
- b) The provision of technical and administrative support to the NCC, which includes managing all correspondence between the NCC and public and private sector entities; and
- c) Representing the NCC on its seven (7) Sector Committees and the monitoring of its deliberations to ensure probity and transparency in the recommendation for the award of contracts.

STAFFING

The TSD has a staff complement of eleven (11) members. The Division is headed by the Director of Technical Services, supported by an Administrative Assistant, two (2) Managers, four (4) Technical Officers, a Goods & Services Supervisor and two (2) Records Officers.

During the reporting period, the TSD continued to perform its duties with limited human resources. The need to carry out more detailed assessments of Contractor applications for registration with the NCC resulted in adjustments being made to the work schedule of some TSD staff members. Further, staff members from other Divisions were required to assist the TSD in its efforts to conduct detailed verifications to guard against any attempt to compromise the Contractor Registration Process. This initiative was also necessary to address the incidents of backlog, in the processing of Contractor applications.

NCC COMMISSIONERS

The NCC was established in 1999, by way of an amendment to the Contractor-General Act.

In 2011, the following Commissioners served on the NCC Committee:

1. Mr. Raymond McIntyre, Chairman of the Commission;
2. Mr. Robert Martin, Permanent Secretary in the Ministry of Youth and Culture;
3. Mr. Lascelles Dixon, representing the Professional Societies of Jamaica;
4. Mr. Karl Martin, former Director of Special Projects, Ministry of Transport, Works and Housing;
5. Mr. Donald Moore, Senior General Manager, National Housing Trust;
6. Mrs. Jean Fairclough, Senior Policy Analyst, Cabinet Office;
7. Mr. Milton Hodelin, former CEO of the National Works Agency (NWA); and
8. Mr. Richard Hylton, who was approved by the Construction Industry Council.

The tenure of the present panel of Commissioners will expire on May 16, 2013.

CONTRACTOR REGISTRATION

In accordance with the Government of Jamaica Handbook of Public Sector Procurement Procedures, Contractors are required to be registered with the NCC in order to be eligible to tender on Government Contracts above a specific monetary threshold. The registration of Contractors is, therefore, of significant import, as it informs Public Bodies of the grade level and category(ies) within which a specific Contractor, having been evaluated on its resources and the technical expertise residing in the company, is able to perform.

More specifically, as stipulated by Section 23H of the Contractor General Act, the following factors are taken into consideration when classifying Contractors:

- a) Financial Soundness;
- b) Technical and Managerial Competence and Experience;
- c) General Level of Expertise;
- d) Specialization in the supply of the relevant Goods or Services or in the carrying out of the relevant Works;
and
- e) Equipment and other resources.

For the period under review, the OCG continued its drive to prevent and remove any form of fraudulent activities within the registration process. To this end, it continued in earnest to maintain the 100% compliance process that was initiated in 2010.

REGISTRATION AND RE-REGISTRATION OF CONTRACTORS

Suppliers of Goods and Services

During 2011, the total number of registered Contractors of Goods and Services trended downwards from 1537 in 2010 to 1396 in 2011, which resulted in a 9% reduction. This represents a five percentile point improvement over the 14% overall reduction experienced in 2010.

This overall reduction in the number of registered Contractors of Goods and Services resulted from a combined 26% reduction in the number of new registration from 316 in 2010 to 234 in 2011, and a 5% reduction in the number of re-registration from 1221 in 2010 to 1162 in 2011.

Further analysis indicates that though a downward trend in the number of both new registration and re-registration of Contractors of Goods and Services continued into 2011, the 26% reduction in the number of new registration of Contractors of Goods and Services, in 2011, represented an improvement in the 39% percent decline which was experienced in 2010.

Grades 1- 4 Works Contractors

In 2011, there was a minimal decline of approximately 2% in the total number of Grade 1-4 Works Contractors, moving from 223 in 2010 to 219.

The decline in the registration of Grades 1 - 4 Contractors, over the last two (2) years, is directly linked to the implementation of the OCG's anti-corruption initiative, which is aimed at, *inter alia*, detecting and examining certain NCC Contractor Registration Applications, which may reveal: **(a) inconsistencies with responses on the NCC Application Form, (b) suspected misrepresentations, (c) fraudulent supporting documentations and/or (d) a failure to meet the OCG's internal fraud threshold.**

Since the introduction of the referenced anti-corruption initiative, there has been a reduction in the submission of applications by Contractors, seeking either new registration or re-registration with the NCC. Consequently, there was a reduction in the total number of registered Grades 1 - 4 Contractors.

The number of new Grades 1 - 4 Works Contractors that were registered, declined by 77%, from 35 in 2010 to 8 in 2011, while re-registered Works Contractors had a 12% increase moving from 188 in 2010 to 211 in 2011.

Grade 5 Works Contractors

In relation to the total registration of Grade 5 Works Contractors, the OCG noted that in the case of newly registered Grade 5 Contractors, there was a significant decrease of 83%, moving from 59 in 2010 to 10 in 2011, while re-registered Grade 5 Works Contractors had a minimal decrease of 10%, moving from 10 in 2010 to 9 in 2011.

The significant decrease in the number of newly registered Grade 5 Works Contractors, in 2011, was due mainly to an influx of Applications for the supply of the specific service in the previous year. The referenced influx resulted from an action which was undertaken by a particular Procuring Entity to regularise its procuring activity in respect of the referenced service. As such, a sustained increase in the registration of new Grade 5 Works Contractors was not expected in the current reporting year.

The Table below illustrates the number of registered Contractors for the period 2007 – 2011.

Table 1 - Number of Registered Contractors (2007 – 2011)

Year	Category									Total
	GOODS & SERVICES			WORKS GRADE 1-4			WORKS GRADE 5			
	NEW	R-r	Total	NEW	R-r	Total	NEW	R-r	Total	
2011	234	1162	1396	8	211	219	10	9	19	1634
2010	316	1221	1537	35	188	223	59	10	69	1829
2009	520	1278	1798	142	377	519	3	15	18	2335
2008	697	1176	1873	157	435	592	28	4	32	2497
2007	649	875	1524	175	380	555	35	20	55	2134

New: New Registration

R-r: Re-registration

NATIONAL CONTRACTS COMMISSION ENDORSEMENT OF CONTRACT AWARD RECOMMENDATIONS

During 2011, a total of 555 recommendations for the award of contracts were endorsed by the NCC, with an aggregated value of Thirty billion, eleven million, one hundred and seventy-eight thousand, one hundred and three dollars (J\$30,011,178,103.00).

The OCG noted the change from the consecutive reduction in the total numbers of endorsed contracts over the previous two (2) year period, to an increase of approximately 50%, moving from 348 in 2010 to 555 in 2011.

Tables 2 and 3 below, illustrate the total number of contracts which were endorsed by the NCC between 2006 and 2011:

Table 2 – National Contracts Commission Endorsed Contracts (2006 – 2011)

Year	No. Works	Value of Works \$J	No. Goods	Value of Goods \$J	No. Services	Value of Services \$J	Total No. of Endorsed Contracts	Total Value of Endorsed Contracts \$J
2011	175	14,137,796,921	162	8,052,332,407	218	7,821,048,775	555	30,011,178,103
2010	118	12,493,926,279	97	3,595,757,775	133	3,890,683,889	348	19,980,367,943
2009	197	38,201,687,543	189	26,463,640,655	244	9,018,351,218	630	73,683,679,416
2008	414	19,478,577,806	252	15,304,931,225	262	7,451,236,259	928	42,234,745,290
2007	272	21,602,046,242	174	5,371,852,239	138	4,476,776,727	584	31,450,675,208
2006	287	10,963,998,219	197	11,037,118,412	91	2,775,466,430	575	24,776,583,061

Table 3 - Percentage Change in National Contracts Commission Endorsed Contracts Over Previous Year

Year	Number of Works Contracts %	\$ Value of Works Contracts %	Number of Goods Contracts %	\$ Value of Goods Contracts %	Number of Services Contracts %	\$ Value of Services Contracts %	Overall % Change in No. of Contracts	Overall % Change in \$ Value of Contracts
2011	48	13	67	124	64	101	59	50
2010	-40	-67	-49	-86	-46	-57	-44	-72
2009	-52	96	-25	72	-7	21	-32	75
2008	52	-10	45	185	90	66	59	34
2007	-5	97	-12	-51	52	-6	2	27
2006	53	-35	56	60	5	61	44	-7

NCC Endorsed Contracts by Method of Procurement

Of the 555 contract award recommendations, which were endorsed by the NCC in 2011, the Selective Tender Procurement Methodology was utilised in 263 instances, which represents 47% of the total NCC endorsements. The Direct Contracting Procurement Methodology was utilised in 141 instances, which represents 25% of the total NCC endorsements and was, therefore, the second most frequent procurement methodology undertaken.

Table 4 below illustrates the total endorsed NCC contract recommendations by procurement methodology in the procurement of Works, Goods and Services.

Table 4 – National Contracts Commission Endorsed Contracts by Method of Procurement (2011)

Method of Procurement	Total No. Works	Total No. Goods	Total No. Services	Total No. of Endorsed Contracts	Percentage of Total No. of Endorsed Contracts	Total Value of Endorsed Contracts J\$
Sole Source	10	4	8	22	4	1,319,842,628
Direct Contracting	22	54	65	141	25	4,056,686,580
Limited Tender	21	9	8	38	7	3,541,107,462
Selective Tender	105	46	112	263	47	10,993,029,374
Open Tender	11	46	11	68	12	8,578,579,221
Other	6	4	13	23	4	912,861,453
Total	175	163	217	555	100	30,011,178,103

NCC Endorsed Contracts by Value Range

Table 5 below illustrates the value ranges of the contracts which were endorsed by the NCC, during the year 2011.

Table 5 - National Contracts Commission Endorsed Contracts (2011)

Range	Number of Contracts	Percentage of Total Value of Endorsed Contracts	Total Value of Endorsed Contracts J\$
Under \$3M	12	0.04	11,550,700
\$3M - \$10M	70	1	410,037,406
Over \$10M - \$ 29,999,999.99M	282	17	4,964,798,159
Over \$30M - \$150M	149	35	10,393,189,113
Over \$150M	42	47	14,231,602,425
Total	555	100	30,011,177,803

*Percentages are rounded off to the nearest value.

Table 6 – National Contracts Commission Endorsed Contracts 02/01/2010-31/12/2010

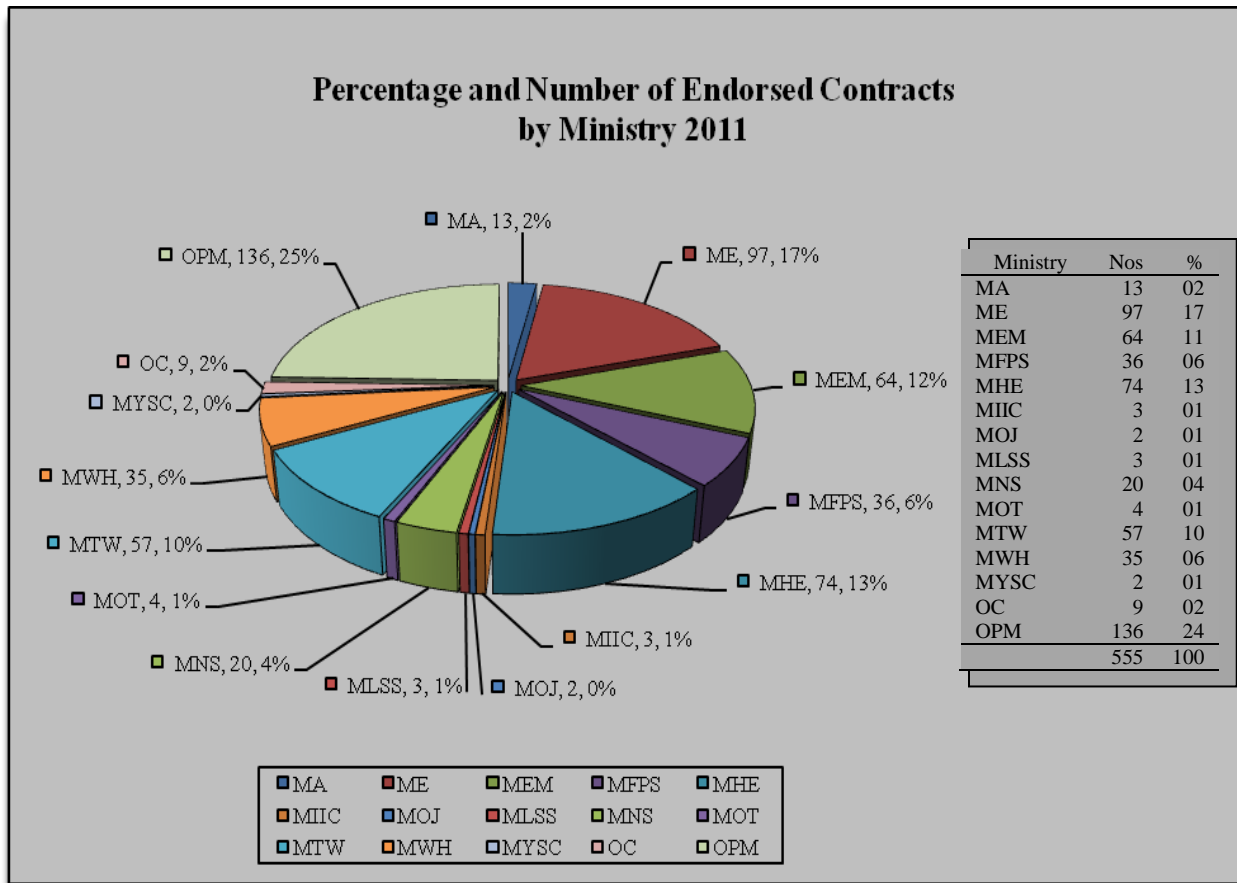
NATIONAL CONTRACTS COMMISSION ENDORSED CONTRACTS 03/01/2011-31/12/2011								
Currency	Exchange Rate	No. of Works Contracts	Value of Works Contract	No. of Goods Contracts	Value of Goods Contract	No. of Service Contracts	Value of Goods Contract	TOTAL (Works, Goods & Services)
JA \$		162	JA 11,049,673,710	104	JA 6,268,260,402	175	JA 6,129,415,324	JA \$23,447,349,436
US \$		12	34,696,428	56	16,649,068	40	18,996,992	US \$70,342,488
JA EQU	86.75		JA 3,009,915,161		JA 1,444,306,632		JA 1,647,989,028	JA \$6,102,210,821
UK £		-	-	2	2,515,290	1	180,000	UK £2,695,290
JA EQU	135.08	-	-		JA \$339,765,373		JA \$24,314,400	JA \$364,079,773
CAD \$		1	923,899	-	-	2	228,352	CAD \$1,152,251
JA EQU	84.65	-	JA 78,208,050		-		JA \$19,330,023	JA \$97,538,073
GROSS TOTAL		175	JA 14,137,796,921	162	JA 8,052,332,407	218	JA 7,821,048,775	JA \$30,011,178,103

The information is to the nearest dollar. The Bank of Jamaica (BOJ) 2011 average rate for US \$1.00 = JA \$86.75. The average rate for the Pound Sterling UK £1= JA \$135.08 and the average rate for the Canadian \$1 = JA \$84.65. The NCC endorsed 555 contracts for 2011. **DATE: March 23, 2012.**

Percentage Distribution of Endorsed Contract Recommendations Submitted by Ministries

Figures 1 and 2 below illustrate the percentage distribution of recommended contract awards, which were submitted to the NCC in 2011, by various Government Ministries and had been subsequently endorsed.

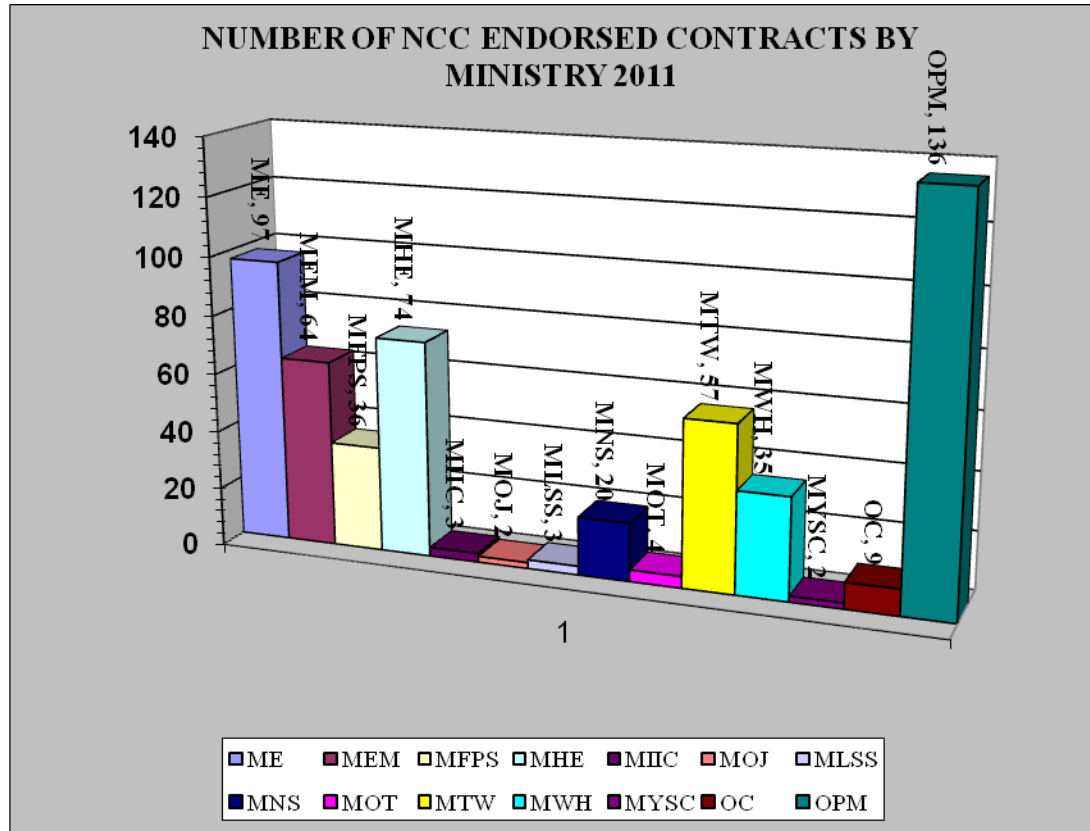
Figure 1



Legend

- | | | | |
|---------|---|----------|--|
| 1. MA | Ministry of Agriculture | 8. MEM | Ministry of Energy & Mining |
| 2. MIIC | Ministry of Industry, Investment and Commerce | 9. OC | Office of the Cabinet |
| 3. MOJ | Ministry of Justice | 10. MLSS | Ministry of Labour & Social Security |
| 4. MTW | Ministry of Transport and Works | 11. OPM | Office of the Prime Minister |
| 5. ME | Ministry of Education | 12. MFPS | Ministry of Finance and Public Service |
| 6. MYCS | Ministry of Youth, Culture and Sports | 13. MNS | Ministry of National Security |
| 7. MWH | Ministry of Water and Housing | 14. MHE | Ministry of Health & Environment |
| | | 15. MOT | Ministry of Tourism |

Figure 2



In 2011, the Office of the Prime Minister, and its related agencies, accounted for the highest number of NCC endorsed contract recommendations with a total of one hundred and thirty-six (136) endorsements.

NCC Endorsed Contracts by Goods, Works and Services

Tables 7 to 9 below illustrate details of the total recommended contract awards by Procurement Type, which were endorsed by the NCC in 2011.

Table 7 - NCC Endorsed Goods Contracts 2011

Categories	No. of Contracts	% No. of Contracts	JA \$	US \$	UK £	EURO €	CND \$	TOTAL JA\$	% \$ Value
Books & Stationery	8	4.9	585,541,919	-	2,515,290	-	-	925,307,292	11.4
Computers & Supplies	22	13.6	240,370,428	4,360,920.93	-	-	-	618,680,318	7.7
Electrical & Communication Supplies	3	1.9	-	703,512.80	-	-	-	61,029,735	0.8
Furniture Supplies	1	0.6	4,000,000	-	-	-	-	4,000,000	0.1
General Supplies	36	22.2	681,667,292	4,770,943.67	-	-	-	1,095,546,654	13.6
Industrial, Construction Equipment & Machinery	16	10.0	245,233,070	4,436,393.75	-	-	-	630,090,227	7.8
Medical, Pharmaceutical Equipment & Supplies	58	35.8	4,023,110,732	1,515,702.58	-	-	-	4,154,597,930	51.6
Motor Vehicle Spares & Accessories	8	4.9	361,843,306	407,140.00	-	-	-	397,162,701	4.9
Musical Instruments	1	0.6	22,819,363	-	-	-	-	22,819,363	0.3
Photographic Equipment & Supplies	1	0.6	-	195,990.00	-	-	-	17,002,132	0.2
Safety Products	8	4.9	103,674,293	258,464.07	-	-	-	126,096,050	1.6
Total	162	100	6,268,260,402	16,649,067.80	2,515,290	-	-	8,052,332,402	100
<i>Bank of Jamaica Annual Average for US \$1 = 86.75JA\$. The Pound Sterling UK £1 =135.08JA\$. The Canadian \$1 =84.65JA\$</i>									

Table 8 - NCC Endorsed Works Contracts 2011

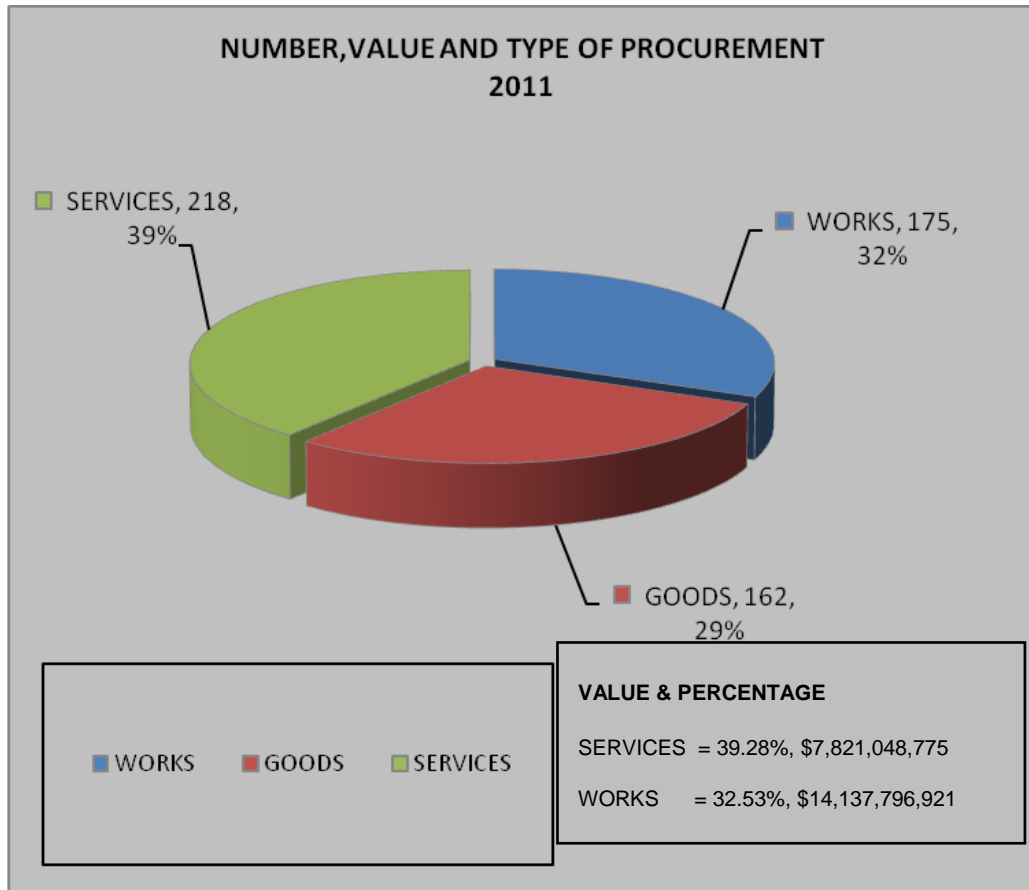
Categories	No. of Contracts	% No. of Contracts	JA \$	US \$	UK £	EURO €	CND \$	TOTAL JA\$	% \$ Value
Asphaltic Concrete Works	3	1.7	524,361,305	-	-	-	-	524,361,305	3.7
Bridge Construction	1	0.6	16,983,500	-	-	-	-	16,983,500	0.1
Building Construction	64	36.6	3,960,302,343	1,299,645.23	-	-	923,899	4,151,254,617	29.4
Building Maintenance	1	0.6	15,544,085	-	-	-	-	15,544,085	0.1
Civil Engineering	38	21.7	3,397,311,692	7,476,867.00	-	-	-	4,045,929,905	28.6
Drilling	1	0.6	29,262,945	-	-	-	-	29,262,945	0.2
Electrical Works	6	3.4	350,913,722	-	-	-	-	350,913,722	2.5
General Road Works	7	4.0	162,439,522	-	-	-	-	162,439,522	1.1
Heating, Ventilation, Air-Conditioning and Refrigeration	4	2.3	61,597,383	-	-	-	-	61,597,383	0.4
Industrial Maintenance	4	2.3	24,968,889	-	-	-	-	24,968,889	0.2
Information Technology Systems	2	1.1	18,497,817	-	-	-	-	18,497,817	0.1
Interior Construction Works	3	1.7	39,940,070	-	-	-	-	39,940,070	0.3
Marine Engineering	1	0.6	-	1,450,000.00	-	-	-	125,787,500	0.9
Mechanical Works	12	6.9	516,719,737	77,280.00	-	-	-	523,423,777	3.7
Medical Equipment	1	0.6	42,713,520	-	-	-	-	42,713,520	0.3
Painting and Decorative Finishes	1	0.6	11,422,000	-	-	-	-	11,422,000	0.1
Pipe Laying	13	7.4	1,737,964,743	17,449,293.38	-	-	-	3,251,690,943	23.0
Roofing	2	1.1	25,210,124	-	-	-	-	25,210,124	0.2
Security Systems	3	1.7	57,276,292	-	-	-	-	57,276,292	0.4
Tank Erection	8	4.5	56,244,021	6,943,342.76	-	-	-	658,579,005	4.7
Total	175	100	11,049,673,709	34,696,428.37	-	-	923,899	14,137,796,921	100
<i>Bank of Jamaica Annual Average for US \$1 = 86.75JA\$. The Pound Sterling UK £1 = 135.08JA\$. The Canadian \$1 = 84.65JA\$</i>									

Table 9 - NCC Endorsed Services Contracts 2011

Categories	No. of Contracts	% No. of Contracts	JA \$	US \$	UK £	EURO €	CAN \$	TOTAL JA\$	% \$ Value
Catering	21	9.6	1,002,575,646	-	-	-	-	1,002,575,646	12.8
Computers & Related Services	3	1.4	10,246,444	200,945.40	-	-	-	27,678,458	0.3
Consultancy Services	35	16	528,749,144	10,785,455.90	-	-	-	1,464,387,444	18.7
Custom Brokerage	1	0.5	24,427,600	-	-	-	-	24,427,600	0.3
General Services	51	23.4	1,017,858,148	4,918,163.72	180,000	-	228,352	1,488,153,274	19
Information Technology Services	17	7.8	135,395,099	2,225,275.00	-	-	-	328,437,705	4.2
Insurance Services	8	3.7	373,798,296	-	-	-	-	373,798,296	4.8
Janitorial, Sanitation Services	10	4.6	585,738,941	-	-	-	-	585,738,941	7.5
Lithographic and Printing Services	1	0.5	139,019,180	-	-	-	-	139,019,180	1.8
Marine Services	5	2.3	109,491,541	867,151.66	-	-	-	184,716,947	2.4
Safety & Security Services	33	15.1	1,740,882,781	-	-	-	-	1,740,882,781	22.3
Transportation & Haulage Services	33	15.1	461,232,499	-	-	-	-	461,232,499	5.9
Total	218	100	6,129,415,323	18,996,991.68	180,000	-	228,352	7,821,048,771	100
<i>Bank of Jamaica Annual Average for US \$1 = 86.75JA\$. The Pound Sterling UK £1 = 135.08JA\$. The Canadian \$1 = 84.65JA\$</i>									

Figure 3 below illustrates (a) the three (3) types of procurement; (b) the total number of contracts which were endorsed for each of the referenced procurement types; (c) the aggregated value of the endorsements for each procurement type; and (d) the referenced aggregated value of each procurement type, expressed as a percentage of the cumulated endorsements in 2011.

Figure 3



Number and Type of NCC Endorsed Contracts

Table 10 - Number and Type of NCC Endorsed Contracts for Period 2007 – 2011

Year	Works Contracts		Goods Contracts		Services Contracts		Total Number of contracts
	Number of contracts	%	Number of contracts	%	Number of contracts	%	
2011	175	32	162	29	218	39	555
2010	118	34	97	28	133	38	348
2009	197	52	189	36	244	12	630
2008	414	46	252	36	262	18	928
2007	272	46	174	30	138	24	584

TOP TEN CATEGORIES

Following an in-depth analysis of the endorsed recommendations for the award of contracts and the number of registered Contractors, a summary of the top ten agencies by volume and value of endorsed recommendations for the award of contracts as well as registered Contractors by grades and categories was undertaken and is detailed below in Tables 11 – 14.

For the period under review, the Works category “Building Construction” was ranked number one having the largest number of endorsed recommendations for the award of contracts with a total of 64 endorsements in 2011, which represented 12% of the total number and accounted for 14% of the total dollar value of endorsed recommendations. Similarly, the top categories in both Goods and Services were “Medical, Pharmaceutical Equipment and Supplies” and “General Services” with a total of 58 and 51 endorsed recommendations, respectively, each accounting for 14% and 5% of the total value of endorsed recommendations in 2011.

Petrojam Limited, with a total of 55, was represented as the Public Body which received the most endorsed recommendations and which accounted for 10% of the total number of endorsed recommendations during 2011. Despite accounting for the largest number of endorsed contracts, Petrojam Limited’s total dollar value of endorsed recommendations for the award of contract of \$2.5B was surpassed by the 26 endorsements for the National Water Commission’s with a total of \$3.8B, which accounted for 13% of the total value endorsed in 2011.

Table 11 - Top Ten Categories in which Contracts were Endorsed 2011

Rank	Categories	Type Of Contract	Number Of Contracts	Total JA\$
1	Building Construction	Works	64	4,151,254,617
2	Medical, Pharmaceutical Equipment & Supplies	Goods	58	4,154,597,930
3	General Services	Service	51	1,488,153,274
4	Civil Engineering	Works	38	4,045,929,905
5	General Supplies	Goods	36	1,095,546,654
6	Consultancy Services	Service	35	1,464,387,444
7	Safety & Security Services	Service	33	1,740,882,781
8	Transportation & Haulage Services	Service	33	461,232,499
9	Computers & Supplies	Goods	22	618,680,318
10	Catering	Service	21	1,002,575,646

Table 12 illustrates the Top Ten (10) registered Works Contractor Categories, which are ranked according to the number of Contractors registered per Category and the respective Grade Levels.

Table 12 - Top Ten Number of Works Contractors Registered by Category and Grade Level 2011

Rank	Categories	Number of Grade 1 Contractors	Number of Grade 2 Contractors	Number of Grade 3 Contractors	Number of Grade 4 Contractors	Total Registered Contractors within Category
1	Building Construction	10	10	30	84	134
2	Building Maintenance	0	0	13	95	108
3	Civil Engineering Works	15	9	20	50	94
4	Road Maintenance Works	4	9	18	62	93
5	General Road Works	9	9	16	57	91
6	Pipe Laying	6	9	13	52	80
7	Electrical Works	3	12	13	35	63
8	Interior Construction Works	1	5	10	44	60
9	Painting and Decorative Finishes	0	5	11	35	51
10	Roofing	1	5	7	38	51
	Total	49	73	151	552	825

An analysis conducted on the number of Works Contractors registered by grade and category indicated that 'Building Construction' continues to hold the number one ranked position with 134 registered Contractors. This represented the largest number of Contractors registered within any one Works category. Similarly, both Building Maintenance (with 108) and Civil Engineering Works (with 94) retained the top second and third ranking, respectively, during 2011.

Within the top ten categories identified in Table 12, the total number of Contractors registered at both the Grade One (1) and Grade Four (4) levels accounted for 6% and 67%, respectively.

Table 13 - Top Ten Agencies/Entities with the Largest Number of Endorsed Recommendations for Award of Contract 2011

Rank	Government Agency	No. of contracts	\$ Value	Procurement Methodology					
				Sole Source	Direct Contracting	Limited Tender	Selective Tender	Open Tender	Other
1	Petrojam Limited	55	2,505,588,595	1	28	3	19	3	1
2	Jamaica Social Investment Fund	45	1,132,835,438	1	1		43	-	-
3	Ministry of Education	42	3,183,613,217	1	4	2	31	3	1
4	Heart Trust/NTA	39	1,545,734,955	-	15	-	24	-	-
5	National Health Fund	37	3,266,479,152	-	-	-	-	37	-
6	Post & Tele-Communications Department	32	409,164,940	-	-	-	32	-	-
7	National Water Commission	26	3,851,219,015	2	2	2	7	4	9
8	National Works Agency (NWA)	26	2,902,461,454	-	2	12	9	2	1
9	Ministry of Health	21	954,202,661	3	10	-	2	6	-
10	National Solid Waste Management Authority (NSWMA)	20	436,360,028	-	8	1	9	-	2
	Total	343	20,187,659,455	8	70	20	176	55	14

Table 14 - Top Ten Agencies/Entities with the Largest value of Endorsed Recommendations for Award of Contract 2011

Rank	Government Agency	No. of Contracts	\$ Value	Procurement Methodology					
				Sole Source	Direct Contracting	Limited Tender	Selective Tender	Open Tender	Other
1	National Water Commission	26	3,851,219,015.41	2	2	2	7	4	9
2	National Health Fund	37	3,266,479,151.74	-	-	-	-	37	-
3	Ministry of Education	42	3,183,613,216.63	1	4	2	31	3	1
4	National Works Agency (NWA)	26	2,902,461,454.18	-	2	12	9	2	1
5	Petrojam Limited	55	2,505,588,595.30	1	28	3	19	3	1
6	Heart Trust/NTA	39	1,545,734,954.57	-	15	-	24	-	-
7	Jamaica Social Investment Fund	45	1,132,835,437.62	1	1	-	43	-	-
8	University of Technology, Jamaica (UTECH)	9	1,118,444,424.87	-	1	1	6	1	-
9	Ministry of Health	21	954,202,661.45	3	10	-	2	6	-
10	National Housing Trust (NHT)	10	884,162,722.25	-	2	1	5	-	2
	Total	310	21,344,741,634.02	8	65	21	146	56	14

CONSULTANCY CONTRACTS

The Ministry of Finance, in Circular No. 6, which was dated February 3, 2009, and Circular No. 1, which was dated on February 18, 2011, has indicated that professionals who are members of Professional Societies approved by the Government of Jamaica are recognized as Consultants. These professional bodies include Accountants, Architects, Engineers, Attorneys, Land Surveyors and Medical Doctors. The term Consultancy Service is generally used to describe services that are intellectual in nature. Currently, the NCC does not maintain a registry of Consultants.

During 2011, the National Contracts Commission endorsed thirty five (35) recommendations for the award of contracts which were by nature Consultancy contracts. These contracts amounted to \$1.4B and accounted for 4.9% of the total endorsed recommendations for the award of contract.

NCC SECTOR COMMITTEES

The NCC, through its seven (7) Sector Committees, reviews the recommendations for the award of contracts that are valued at \$10,000,000.00 and above, which are submitted by the Government Procuring Entities. The Sector Committees consist of members with particular expertise in varying fields within the Public Sector.

The OCG, pursuant to Section 4 of the Contractor General Act, assigns representatives to attend meetings of the respective Sector Committees, to monitor proceedings.

During the year 2011, the NCC Sector Committees convened one hundred and seventeen (117) meetings, at which a total of three hundred and thirty-one (331) recommendations for the award of contracts were reviewed.

In 2011, there was a 9.24% increase in the number of recommendations which were reviewed by the NCC Sector Committees, when compared to the previous year.

Table 15 below illustrates the number of Sector Committee meetings for the years 2010 and 2011 and also shows the number of Public Sector Agencies that are assigned to each Committee.

The National Works Agency Sector Committee, which has the largest number of assigned Agencies (120), convened a total thirty-nine (39) meetings. This represents the highest number of meetings for any one Sector Committee for the period. The Ministry of Education and the Ministry of Water and Housing Sector Committees jointly ranked second, having convened a total of twenty-one (21) meetings, while the Ministry of Health and Environment was ranked third with a total of eighteen (18) meetings.

Table 15 - National Contracts Commission Sector Committee Meetings for 2011 Compared to 2010

NCC Sector Committees	Number of Meetings in 2011	Number of Meetings in 2010	Number of Agencies / Departments Assigned
The Port Authority of Jamaica	8	10	13
Ministry of Health & Environment	18	15	46
Jamaica Social Investment Fund	5	12	6
Urban Development Corporation	5	9	30
Ministry of Education	21	19	74
Ministry of Water & Housing	21	21	39
National Works Agency	39	36	120
Total	117	122	328

Table 16 – Submissions to Sector Committees for 2011

NCC Sector Committees	No. of Works		No. of Goods		No. of Services		Total	
	2011	2010	2011	2010	2011	2010	2011	2010
The Port Authority of Jamaica	3	5	3	3	13	6	19	14
Ministry of Health & Environment	7	12	18	15	14	11	39	38
Jamaica Social Investment Fund	34	31	0	1	3	0	37	32
Urban Development Corporation	1	0	0	2	9	14	10	16
Ministry of Education	32	17	22	7	19	13	73	37
Ministry of Water & Housing	22	38	6	4	5	16	33	58
National Works Agency	44	23	20	9	56	76	120	108
Total	143	126	69	41	119	136	331	303

NEW DEVELOPMENTS

Contractor Registration Process

In our continued effort to strengthen the Contractor Registration Process, the requirement of a Director and/or Owner's Declaration Form was introduced to both the Works 1-4 Contractors and Goods and Services registration processes.

The Director and/or Owner's Declaration Form is aimed at identifying any potential conflict of interest situations which may arise between a member of the Civil Service or person holding any position or office and their personal interest.

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CORPORATE SERVICES DIVISION

The Corporate Services Division (CSD) provided support services to the other Divisions within the Office of the Contractor General (OCG) in 2011. The CSD is the largest division within the OCG and is comprised of the Human Resource Management Department, the Office Management Department, the Registry and the Finance and Accounting Department.

In the calendar year 2011, the Division wrestled with the challenge of managing the Office within tight fiscal constraints. Despite the fiscal challenges, the CSD staff was able to effectively undertake the operational functions of the OCG and, in so doing, the OCG was assessed by the Auditor General and was found to be compliant with the Government of Jamaica Financial Administration and Audit Act.

HUMAN RESOURCE MANAGEMENT

During the calendar year 2011, the OCG had a staff complement of sixty (60) persons. As at December 31, 2011, there were six (6) vacant positions. (Please see Appendices X - Organisational Chart and XI - Staff Situation 2011).

Staff Training

The OCG embraces the culture of continuous learning by providing an environment in which its staff members develop professional best practices, through both external and internal training. In 2011, the Human Resource Management Department identified eleven (11) external training programmes, of which, twenty-one (21) members of staff benefitted.

Two (2) members of staff were nominated to participate in training programmes for Commonwealth countries which were aimed at enhancing skill sets in anti-corruption practices, procurement and governance matters.

In addition to procurement and anti-corruption training programmes, individuals also participated in general management and trade-specific training programmes. (Appendix IX - Schedule of OCG Staff Training for the Year 2011, provides details on the training programmes in which OCG staff members participated in 2011).

The Human Resource Management Department remains committed to identifying quality training programmes aimed at enhancing the human resource assets of the OCG and increasing its capacity to carry out its mandate in a more effective and efficient manner.

Awards and Recognition Programme

The OCG hosted its second Awards and Recognition Ceremony which was held in March 2011.

Persons received awards in the following categories:

- Employee of the year
- Above and Beyond the Call of Duty
- Punctuality
- Highest attendance level
- Most helpful
- Consistently working beyond normal work hours
- Long service(fifteen years and over)

The employees of the OCG continue to perform at a high standard, and it is in this regard that the CSD found it fitting to recognise several members of staff for their contribution to the OCG and their performance in various categories. The CSD looks forward to the continued hosting of this programme on an annual basis.

The Social Activities Committee

The Social Activities Committee (SAC), whose members are nominated by the OCG Staff, has the responsibility of promoting social interaction and creating an environment of comradeship among staff. During the reporting period, the SAC hosted the following events:

- Quarterly Birthday Socials
- Valentine's Day Treat
- Movie Evenings
- Christmas Pixie
- Christmas Tree-Lighting Ceremony
- Christmas Luncheon

Several fund-raising activities were undertaken by the SAC to aid in funding planned activities throughout the year.

The Committee also facilitated the OCG's participation in the Emancipation/Independence Celebrations which were hosted by the Planning Institute of Jamaica (PIOJ) between July and August 2011. Other corporate entities which participated in the celebrations were the Office of Disaster Preparedness and Emergency Management and the Statistical Institute of Jamaica. The OCG copped the prizes for the Quiz, Cheerleading and "Male Singles" Table Tennis Competitions and looks forward to the friendly rivalry among the respective entities come 2012.

Policies and Procedures

The OCG operates in a structured environment. In this regard, policies and procedures are systematically reviewed and updated to enhance operational efficiency and effectiveness. The following policies were either revised or implemented by the CSD, during the calendar year 2011:

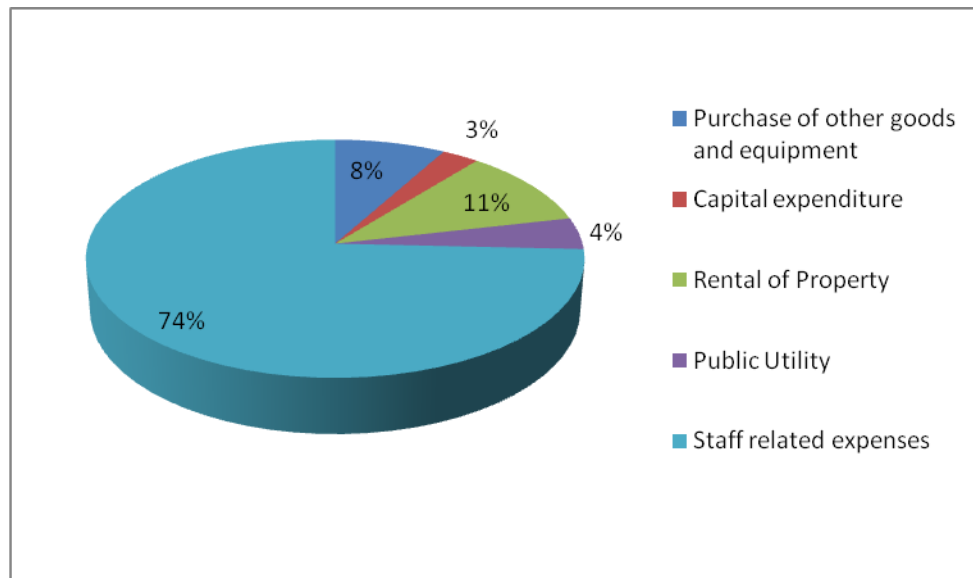
- The Email and Internet Policies which provide directives in the use of the OCG's intranet and internet resources were revised.
- An Increment Policy which complements the Government of Jamaica Policies with regards to the award of increments was established.
- A Contract Term Renewal Policy was established which guided the appropriate contract term which was to be selected for particular Officers. All OCG Officers are contracted and operate under a two (2) or three (3) year contract term.
- A policy was also developed to provide guidance in the management of documents, with specific reference to the personal receipt of Official Documents, by Officers of the OCG.

OFFICE MANAGEMENT DEPARTMENT

The Office Management Department has direct responsibility for procurement and the management of OCG assets. In 2011, the Department procured capital items and other goods and services largely from the OCG's 2011/2012 Recurrent Budget. The OCG's Recurrent Budget of one hundred and ninety-four million, six hundred and sixty-five thousand dollars (\$194,655,000), provided for (a) the purchase of other goods and equipment and (b) the capital expenditure, which were capped at fifteen million, seven hundred and ninety-nine thousand (\$15,799,000) dollars and five million, two hundred and ninety-two thousand (\$5,292,000) dollars, respectively.

In the foregoing regard, 8% of the total budget provided for the purchase of goods and equipment and 3% provided for the purchase of capital items. The remainder of the budget provided for the rental of property, utilities and staff related expenses. Figure 1 below, represents the proportioned OCG budget for the purchase of goods and equipment, capital items and other expenditure:

Figure 1 - The proportioned OCG budget for the fiscal year 2011/2012



Of the allocation which was provided for procurement, the following capital items and equipment were acquired.

Table 1 – Capital Items acquired in 2011

Items Procured	Quantity
Four Drawer Filing Cabinet	Four (4)
Radio	One (1)
Kettle	Two (2)
Tape Recorder	Four (4)
External Tape Drive	Two (2)
Heavy Duty Shredder	One (1)
Folding Table	One (1)
Five Drawer Filing Cabinet	One (1)
2011 Toyota Prado	One (1)

Rental and Maintenance of Property

Rental and Maintenance Expenditure, which consumes approximately 11% of the total budget is determined by the Lease Agreement which was consummated between the PIOJ and the OCG, and which was made effective on January 1, 2008. The Lease Agreement was entered into for a period of ten (10) years and expires on December 31, 2017.

The Rental rate was set at \$550.00 per square foot per annum. The OCG occupies 13,062 sq. ft. The Lease Agreement stipulates that the rental rate should be increased each year by seven percent (7%), compounded for year two (2) through to the sixth year of the Lease and thereafter, annually, by eight point five percent (8.5%) for the remainder of the term.

The Lease Agreement also stipulates that maintenance costs be calculated at a rate of \$550.00 per square foot in the first year and thereafter a fixed estimated monthly maintenance fee is to be charged based upon the cost to efficiently manage the Building. Additionally, the maintenance fee is to be budgeted annually, the actual expense is to be audited at the end of each year, by an Auditor appointed by the PIOJ, and the required adjustments are to be made where necessary.

On July 1, 2010, the PIOJ advised of a new estimated Maintenance Rate of \$886.83 per square foot, to take effect on January 1, 2010. On August 19, 2011, subsequent to the Audit of the Actual Maintenance Expenditure Account for the period January 1, 2010 – December 31, 2010, the PIOJ appointed Auditors apportioned actual maintenance expense for the OCG at \$10,731,764.00 or \$821.60 per square foot. The resulting overpayment of \$852,000.00 was credited to the OCG's maintenance account in 2011. The PIOJ, as at December 1, 2011, calculated the maintenance rates at an estimate of \$886.83 per square foot, which will remain effective until the conclusion of the independent Audit of the Actual Maintenance Expenditure for the period January 1, 2011 – December 31, 2011.

Utilities

Water Consumption

The OCG does not have an individually assigned water meter. Water charges are recovered through the Lease Agreement which was consummated between the PIOJ and the OCG, and which was made effective in 2008.

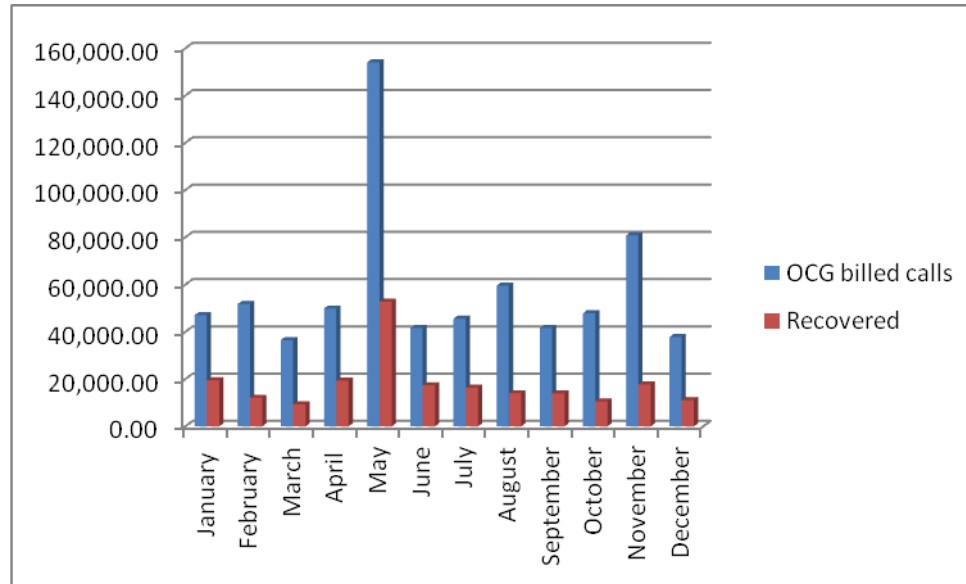
Electricity Consumption

The OCG does not have an individually assigned electricity meter. In this regard, electricity charges are billed by the PIOJ on a monthly basis using a square footage apportionment method. The average amount that was paid by the OCG for electricity was the sum of \$626,483.10 monthly. The aforementioned represents a 35% increase over a similar period in 2010. The increase can be attributed to increased fuel charge, which is levied by the Jamaica Public Service. The OCG identified areas of increased usage during the year 2011 and implemented policy directives which regularized electricity usage and thus aided in minimizing the effect of the rapid increases in electricity charges which were being experienced.

Telephone Usage

The average amount that was paid by the OCG for telephone services was \$312,864.69 monthly. Line rentals and other fixed charges contributed to the larger portion of telephone expenses. The OCG implemented an honour system, where the members of staff are required to identify personal calls which are made, and respect of which the requisite amounts are recovered. The OCG's computer systems has the capacity to verify the accuracy of the representations that are made by staff and routine assessments are executed on a random basis.

Figure 2 below, illustrates the monthly call charges and the amounts which were recovered. Please note that the increased call charges in the months of May, August and November were attributed to increased calls which were placed to OCG Officers who were travelling overseas.

Figure 2- Telephone Call Charges for Year ending December 31, 2011

THE REGISTRY

The OCG's Registry has direct responsibility for document management. In 2011, the Registry implemented a Document Destruction Policy which sought to make the Registry more effective. The Policy was drafted in accordance with the document management requirements of the Government of Jamaica and as a result of the said policy, aged documents were separated to provide for the storage of more current documents.

An electronic document management programme was also initiated by the Registry in 2011. The implementation of the electronic system is being completed on a phased basis. The complete implementation will recognize greater operational efficiencies for the OCG.

FINANCE & ACCOUNTING DEPARTMENT

The Finance and Accounting Department continued to support the OCG in the year 2011, by improving its budgeting and financial accounting processes, thereby ensuring that the functions were executed in an efficient, compliant and effective manner.

Annual Return Declarations

All Annual Return Declarations for the Year 2010 were submitted before March 31, 2011.

- The National Insurance Return Declaration was submitted on January 25, 2011;
- The National Housing Trust Declaration was submitted on January 21, 2011; and
- The Income and Education Taxes Return Declaration was submitted on January 21, 2011.

Internal Audit

In May 2010, the Contractor General ordered an Internal Audit into the procurement and contract award practices of the OCG.

The Audit was ordered by the Contractor General despite the fact that all previous Annual Audits of the OCG's procurement practices, which were conducted by the Auditor General, had never, under the stewardship of the incumbent Contractor General, disclosed a material or adverse Finding as it relates to the accounting, financial and/or procurement practices of the OCG .

Under Section 27 of the Contractor General Act, the Auditor General is the State Institution which is mandated by law to conduct Annual Audits of the accounts, as well as of the procurement and financial transactions and practices of the OCG.

The Internal Audit that was ordered by the Contractor General, was conducted by a team that was assembled from the Inspectorate Division of the OCG, and covered the period between May 1, 2006 and March 31, 2010.

Based upon the results of the Internal Audit, the OCG implemented a number of corrective measures to strengthen the integrity of its Internal Procurement Processes. These included revisions to its Internal Procurement Procedures and its Procurement Filing and Recording Systems.

Auditor General's Comments over the last 12 years

A review of the Auditor General's Reports over the last 12 years has consistently revealed that the OCG's Financial Accounts, during the period April 1999 to March 2011, were a fair representation of the OCG's financial transactions and that proper accounting records were kept by the OCG throughout the period – all resulting in a generally satisfactory state of affairs.

In the year 1999/2000 the Auditor General reported that *"...a number of Contract Officers were paid gratuity totalling \$4.27M which was not subjected to income tax as required by law. The relevant amount should be recovered and remitted to the Inland Revenue Department..."*

The OCG discontinued the practice of not deducting income taxes and the Auditor General's opinion was reported in the Fourteenth Annual Report of the Contractor General, January to December 2000.

On February 13, 2007 the OCG received a copy letter from the TAAD that was addressed to an employee advising that the gratuity which was payable to him at the end of his contract period, or annually, was not subject to tax. The advice was rendered on the understanding that (a) the payment was not associated with his first contract and (b) the payment was made from the Consolidated Fund and was a lump sum payment (that is, a "one off" payment of a fixed sum).

The letter contradicted the earlier mentioned position which was taken by the TAAD in its Audit for the years 1998 to 2000 and confirmed the OCG's point of view that the gratuity was not to be subjected to tax. As a result of the revised position that was adopted by the TAAD, a number of the OCG's employees, who had applied to the Inland Revenue Department, received a refund of the taxes which were irregularly deducted from their gratuities during the period 2000 to 2007.

The matter was re-opened by the Inland Revenue Department in 2009 and, was, again, subsequently settled by the TAAD via a letter to the OCG, which was dated September 21, 2009.

**Table 2 – The Office of the Contractor
General Summary of Appropriation
Accounts (1999-2011)**

Financial Year	Total Approved Estimates	Actual Expenditure	Surplus to be Surrendered to the Consolidated Fund
	\$	\$	\$
April '99' - March '00'	43,653,000.00	43,627,605.20	25,394.80
April '00' - March '01'	49,182,000.00	49,163,829.73	18,170.27
April '01' - March '02'	49,989,000.00	49,972,180.49	16,819.51
April '02' - March '03'	70,638,000.00	68,696,485.99	1,941,514.01
April '03' - March '04'	73,163,000.00	71,490,924.73	1,672,075.27
April '04' - March '05'	68,137,000.00	67,470,092.00	666,908.00
April '05' - March '06'	84,294,000.00	80,307,269.10	3,986,730.90
April '06' - March '07'	92,971,000.00	92,704,231.66	266,768.34
April '07' - March '08'	154,398,000.00	146,663,647.29	7,734,352.71
April '08' - March '09'	189,042,000.00	177,060,955.42	11,981,044.58
April '09' - March '10'	170,727,000.00	168,540,488.73	2,186,511.27
April '10' - March '11'	180,519,000.00	176,106,347.60	4,412,652.40
Total	<u>1,226,713,000.00</u>	<u>1,191,804,057.94</u>	<u>34,908,942.06</u>

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INFORMATION SYSTEMS DIVISION

In the 2011 calendar year, the Office of the Contractor General's (OCG's) Information Systems Division (ISD) continued to provide technological support for the operations of the OCG and the National Contracts Commission (NCC). This was accomplished through the provision of software development, systems administration and support services by the ISD.

PROJECTS

Web Based Project Management Server

To improve the Divisions project management infrastructure, the ISD officially implemented a centralized web based Project Management Server in January 2011. The Project Management Server added value to the ISD by removing some of the communication/reporting overheads associated with projects. The Server also serves a double role as it provides the capability to record and route ad-hoc service requests received by the Division.

For the year 2011, the Server logged a total of 727 service requests, of which 702 were successfully completed; twenty-four (24) were closed; and one (1) is currently on hold. The Division began using the Server's time tracking capability mid 2011, with plans to feed the performance statistics gathered into the Division's performance benchmarks for the upcoming year.

To promote the benefits of the Project Management Server, a wide scale training exercise was undertaken to familiarise key staff members with the Server.

The number of projects managed by the Server, and the number of Departments utilising the Server's Request Tracking capability, continue to grow.

DocuShare Integration

The ISD continues to support the restructuring of the OCG's business processes in order to take advantage of the cost saving and operational efficiency benefits provided by its Document Management System.

In 2011, the following two (2) business processes were restructured:

- Outgoing Mail Process
- Quarterly Contract Awards Monitoring Process

Server Virtualization

The OCG's Server Virtualization Project was initiated in an effort to reduce maintenance costs and increase service stability by achieving the following goals:

1. Retire old hardware without removing the network services that are supported by the retired hardware;
2. Increase the stability of our network services by running major services in a sandbox; and
3. Increasing the fault tolerance of our network by spreading services across existing hardware.

In 2011, an additional Server was converted and introduced to the virtualized solution, as well as major Hypervisor upgrades across the current network.

Searchable NCC Endorsement Database

This down-loadable and searchable Microsoft Excel Spreadsheet Database consists of the basic particulars of all Recommendations for the award of Government of Jamaica contracts which have been reviewed, scrutinized and endorsed for award by the National Contracts Commission (NCC), commencing with endorsements which were issued as at June 2000. The Spreadsheet Database is updated each month and may be downloaded from the OCG's website via the URL http://www.ocg.gov.jm/ocg/ncc_listing.php.

SUPPORT OF STRATEGIC PORTFOLIOS

Contractor General /OCG /NCC Websites

The OCG's websites continue to provide support to the OCG's internal and external stakeholders by providing pertinent information on matters which relate to the work of the OCG and the NCC. The OCG utilises and maintains the following three (3) websites.

- The Contractor General's website;
- The National Contracts Commission's website;
- The Office of the Contractor General's website.

The primary purpose of the websites is to ensure transparency in the Government of Jamaica's (GOJ's) Procurement and Contract Award Processes. The websites also seek to ensure that relevant and timely information, which relates to the monitoring and investigative functions of the OCG, are easily accessible to all stakeholders.

Quarterly Contract Awards (QCA) Management System

The QCA system was developed and implemented internally to manage, *inter alia*, the receipt, consolidation and assessment of the contract awards, made by Public Bodies, that do not require NCC endorsements. Approximately 190 Public Bodies submit contract award data directly to the OCG on a quarterly basis.

A searchable Catalogue of all contracts reported to the OCG via the QCA monitoring regime, may be downloaded from the OCG's website via the URL http://www.ocg.gov.jm/ocg/searchable_qca.php.

Prescribed Licences Information Database (PLID)

The OCG's PLID was an initiative which marked the first phase of the systematic and formal monitoring, by the OCG, of the Licensing activities executed by GOJ Public Bodies.

The PLID system is comprised of a public and private portal, both of which can be accessed from the OCG's and CG's websites. Access to the private portal is restricted to Public Bodies, and facilitates the capture of information related to the Public Bodies' Licensing activities. The public portal allows the general public access to view information captured by the PLID system. The portal may be accessed via the URL http://www.ocg.gov.jm/ocg/qpl_home_page.php.

SPECIAL INVESTIGATIONS DIVISION

During the 2011 calendar year, the Office of the Contractor General (OCG) concluded four (4) Special Investigations into a number of Public Sector procurement and contract award issues. These Investigations were conducted pursuant to the discretionary powers, which are reserved for the Contractor General, under Sections 15 and 16 of the Contractor General Act (1983).

Having regard to the mandatory requirements of Section 20 (1) of the Contractor General Act, the Reports of Investigation for all four (4) matters were promptly submitted to *"the principal officer of the Public Body concerned and the Minister having (portfolio) responsibility therefor."*

Additionally, the Reports of Investigation for the four (4) above-referenced Investigations were submitted to the Houses of Parliament, pursuant to either Section 21 of the Contractor General Act and/or pursuant to the further discretionary powers which are reserved to the Contractor General under Section 28 (2) of the Contractor General Act.

The four (4) Reports of Investigations which were submitted to Parliament were as follows:

- Special Report of Investigation Conducted into the Allegations of Improper Procurement Practices at the Sugar Company of Jamaica (SCJ).
- Special Report of Investigation Conducted into the Circumstances Surrounding the Alleged Contractual Agreements between the Petroleum Corporation of Jamaica (PCJ) and Caribbean Protective Security Management and Services Company Limited.
- Special Report of Investigation Conducted into the Allegations Regarding the Proposal for the Financing, Development, Ownership and Operation of a FSRU LNG Re-gasification Terminal and Natural Gas Transportation System.
- Special Report of Investigation Conducted into Allegations of Impropriety and/or Irregularity in the Award of Certain Contracts to Strathairn Construction Company Limited by the St. Catherine Parish Council, the National Works Agency and the Ministry of Transport & Works.

Once an Investigation Report is submitted by the Contractor General to Parliament, the Speaker of the House of Representatives, and the President of the Senate, are, thereupon, obliged, by Section 28 (3) of the Act, to table the Reports in each House *"as soon as possible."*

Pursuant to Section 28 (4) of the Contractor General Act, and in the public interest, the complete contents of these four (4) Reports were also made public by the OCG. The Reports are currently available for viewing on, or download from, the OCG's website at www.ocg.gov.jm. The Executive Summaries of the referenced Reports are reproduced verbatim, herein, at Appendix 1.

The OCG's Special Reports of Investigations have identified numerous issues which involved governance, poor planning, impropriety, irregularity, and a lack of competition, transparency and value for money, in public contracting in Jamaica. Consequently, the OCG, pursuant to Section 20(1) of the Contractor General Act, has made several remedial Recommendations. Additionally, several formal Referrals have been made by the OCG, regarding the offending Public Officers, to the appropriate State Authorities for the requisite action to be taken by them in keeping with the requirements of Section 21 of the Contractor General Act.

SOME KEY ISSUES WHICH HAVE BEEN IDENTIFIED BY THE OCG IN ITS INVESTIGATION REPORTS:

The OCG, in the conduct of its Investigations, is concerned with what appears to be a consistent and recurring pattern with issues relating to the following areas:

1. Conflict of Interest;
2. An apparent misunderstanding and lack of appreciation for the expressed legal mandate of the OCG and the fact that same transcends the requirements of the procurement rules;
3. Breach of duty on the part of Accounting and Accountable Officers;
4. Breach of duty on the part of Boards of Directors;
5. A seeming disregard for the applicable laws and/or regulations, such as the Public Bodies Management and Accountability Act, the Financial Administration and Audit Act, the Contractor General Act and the Corruption Prevention Act; and
6. Challenges to the OCG's Statutory Authority and credibility.

In Investigation after Investigation, whilst the fact circumstances and/or allegations may change, the same types of failures and/or breakdowns in compliance levels, probity, accountability and transparency in government contracting are too often evident and, consequently, give rise to the OCG positing very similar recommendations to the Public Bodies and Public Officers who are the subject of its Investigations.

Accordingly, numerous Recommendations have been proffered by the OCG in its Special Reports of Investigation, in respect of the key issues and concerns that have been highlighted in Public Sector procurement practices for the period which is under review. However, it important to note that the OCG's Recommendations have been repeated ad infinitum and ad nauseam, but to no avail.

Most recently, the OCG has squarely placed upon the proverbial table the need to be imbued with the power and authority to stop a procurement and/or contract award activity which is exhibiting signs of irregularity, impropriety or other questionable occurrences. The need for such authority was evidenced by the fact circumstances and findings of the OCG's Investigation which was conducted into the Allegations Regarding the Proposal for the Financing, Development, Ownership and Operation of a FSRU LNG Re-gasification Terminal and Natural Gas Transportation System.

As it regards the referenced Investigation, the OCG, at a very early stage of the procurement exercise, voiced its warnings, concerns and its recommendations, by way of letters which were dated 2010 June 22 and 2010 November 16, respectively, that the then process be aborted and re-tendered – to no avail. Approximately one (1) year after the OCG first raised its concerns, and subsequent to the Findings of the OCG's Report of Investigation, the findings of an Independent Committee and two (2) Legal Opinions from the Private Bar, the tender process was aborted and a new Tender exercise was initiated by the Office of the Prime Minister. The project was subsequently re-transferred to the Ministry of Energy and Mining, the Ministry with responsibility to conduct the procurement process. The OCG continues to monitor the current tender process.

Having regard to the foregoing, the OCG feels obliged to highlight, herein, some of the key Recommendations which have been a constant element of its Special Investigation Reports.

SUMMARY OF KEY RECOMMENDATIONS:

1. The OCG strongly recommends that Procuring Entities should plan their procurement activities in accordance with the Procurement Cycle, inclusive of the employment and application of an approved Procurement Plan. In this regard, contracts which are to be awarded should be properly packaged, tendered, evaluated and awarded within a specified timeframe, hence removing the need, *inter alia*, to rush the procurement process.
2. The OCG recommends that Accounting and Accountable Officers should be more proactive in the procurement activities of Public Bodies and ensure that contracts which are awarded should be consistent with the full application of the Procurement Guidelines and must be, and appear to be, awarded fairly, impartially and without any form of irregularity or impropriety.
3. The OCG recommends that the Accounting and/or Accountable Officers should take a more proactive and aggressive role in developing, implementing and enforcing effective risk management systems, and checks and balances, within their portfolio, in an effort to mitigate against any possibility of deviations from the RHPP by the institution's management and procurement staff.
4. The OCG recommends that in accordance with, *inter alia*, the Public Bodies Management and Accountability Act and the Financial Administration and Audit Act, the Cabinet, Accounting and Accountable Officers and Members of the Board of Directors of Public Bodies should, at all times, ensure that the principles of good corporate governance are adhered to and promoted within the Public Sector.

In this regard, the OCG is of the considered opinion that within the respective organizations of the Public Sector, there should be adequate checks and balances mechanisms which are designed to promote transparency, integrity and probity in the management and administration of the affairs of the State.

Further, and at all times, the highest ethical standards should be promoted and where a conflict of interest is likely to occur and/or appears to have occurred, the Public Body should promptly take the requisite corrective actions to mitigate such conflicts and/or the consequences of same.

5. The OCG is recommending that Public Officers and/or Officials, who are engaged by the GOJ, adhere to the strictest practices of professional ethics and conduct whilst in the employ of the GOJ.
6. In instances where the Government of Jamaica procurement guidelines are breached, the responsible agency should seek to remedy the breach in an expeditious and effective manner as opposed to continuing with the implementation of the project in violation of applicable Government procurement procedures and other regulations or laws.
7. The OCG remains concerned that the '**unsolicited proposal**' mechanism is a corruption enabling device which can be utilized by unscrupulous Public Officials to direct lucrative multi-million dollar State contracts to connected, undeserving or desired contractors. This can be easily accomplished by influential but corrupt Public Officials who are willing to clandestinely conspire with a contractor to have the contractor approach the State with what appears to be a unique contracting proposal.

It is the OCG's considered position that all such proposals must be tested for propriety, legitimacy, cost-effectiveness, quality, value for money and competitiveness in the open market place.

8. Consequently, the OCG recommends that Public Bodies, through their respective Accounting and Accountable Officers, should pay keen attention to, and ensure compliance with, Section 1.2 of Volume 2 of 4 of the RHPP, which dictates how unsolicited proposals should be treated and, in particular, with respect to price testing and competitive bidding.

9. The OCG also feels compelled to strongly recommend that the Cabinet should move with expedition to develop and to implement a comprehensive and over-riding policy to be applicable to all Public Body Boards, to govern, restrict or prohibit, for a specified time, as the case may be, the award of Government contracts (or the divestment of publicly owned assets) by a Public Body, to former members of its Board of Directors, or to any entity in which a former Board member may have a pecuniary interest.
10. Transparency, the appearance of fairness and the need to avoid the possibility of a conflict of interest, in the public procurement process, require that there should be, among other things, a distinct separation of the Public Officials and Officers who sit and vote on a Public Body's established Procurement Committee with respect to a particular procurement, and the Officials and Officers who grant final approval for the procurement.

Consequently, the OCG recommends that these considerations should be borne in mind when appointing persons to the PCJ's Board of Directors, the PCJ's Evaluation Committee, the PCJ's Procurement Committee and any other established PCJ Committee, so as to ensure that the highest possible degree of integrity and objectivity in the execution of the respective functions of the said Committees is attained.

11. The OCG is compelled to remind Public Officials who are involved in the procurement process that they are required to uphold the highest standards of ethical conduct, and to observe the GOJ's Code of Conduct for Civil Servants, which is outlined in the Staff Orders. Above all, Public Officials should, at all times, remain free of interest in relationships that could be potentially detrimental to the best interests of the GOJ.

Consequently, Public Officials should not participate and/or engage in any GOJ process which is related to a transaction which is to be executed between the GOJ and a company or entity, or its associated affiliates, divisions or subsidiaries, in which the Public Official has an interest.

Further, Public Body individuals who are involved in the procurement process should disclose any personal or other relationships and interests which they may have with a bidder, supplier, contractor and/or consultant. Pursuant to Section 4, Volume 1, of the Revised GOJ Public Sector Procedures (2010 October), such Public Body individuals should not take part in either the decision-making process, or the implementation of any contract, where any such relationship or interest exist.

12. Heads of Ministries, Departments and Agencies who are aware that a Public Officer is in a conflict of interest situation are strongly recommended to take the necessary action, in accordance with applicable administrative procedures, to remove such an officer from the conflicted situation. Such action will ensure legitimacy and good governance in the administration and management of the GOJ's procurement process and the GOJ's affairs.

OTHER OPERATIONAL HIGHLIGHTS

Landmark Prosecution and Conviction for Breach of Section 29 of the Contractor General Act

During 2011, the OCG welcomed the decision of Senior Magistrate Judith Pusey which was handed down in the Corporate Area Criminal Courts on November 24, 2011, when she ruled that a failure on the part of the former Chief Executive Officer of the National Works Agency (NWA), Mr. Patrick Wong, to comply with a lawful requisition of a Contractor General, without lawful justification or excuse, was a "**strict liability**" offence under Section 29 (b) (ii) of the Contractor General Act.

The Senior Magistrate found Mr. Wong guilty on two (2) counts under Section 29 (b) (ii). He was required to pay a fine of \$5,000 or to spend 30 days in prison on each count.

The sanction that is prescribed under Section 29 of the Contractor General Act is a fine not exceeding \$5,000 or imprisonment for a term not exceeding 12 months, or both. The OCG has long lobbied the Government for the said sanctions to be substantially increased, but to no avail.

The prosecution of Mr. Wong was undertaken by Mr. Dirk Harrison, the Acting Senior Deputy Director of Public Prosecutions.

The Ruling of the Senior Magistrate is regarded, by the OCG, as a very important judicial land-mark precedent and development as the OCG seeks to diligently discharge its mandates under the Contractor General Act to ensure that Government contracts are awarded impartially and on merit and in circumstances that do not involve impropriety or irregularity.

In the past, the OCG has wrestled with the incumbent Director of Public Prosecutions (DPP), Ms. Paula Llewellyn, to proceed with prosecutions under Section 29 of the Contractor General Act.

In the instant matter regarding Mr. Wong, the DPP, in a written communication to the OCG, which was dated November 4, 2011, had also expressed her reservations about proceeding with the prosecution. Additionally, the DPP had intimated that the OCG should either revert to the Clerk of Courts to have the matter prosecuted or retain private counsel of the OCG's choice to prosecute the matter.

In resisting the DPP's postures, the OCG, by way of a letter, which was dated November 8, 2011, argued not only why it believed that the matter should proceed to prosecution, but also expressed its considered opinion that Mr. Dirk Harrison, the very person who the DPP had previously designated to handle matters that were referred to the DPP by the OCG, should prosecute the matter.

The OCG publicly commended Mr. Harrison for his willingness to proceed with the prosecution of this very important and landmark matter, and for his success in securing the convictions that the OCG had always believed were warranted given the circumstances of the case.

This landmark decision has set a precedent for the OCG in matters relating to the prosecution of breaches of Section 29 of the Contractor General Act and will have long lasting implications for other current matters which are before the Courts and the overall discharge of the OCG's mandate.

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SUMMARY OF SPECIAL INVESTIGATION REFERRALS

THE OFFICE OF THE CONTRACTOR GENERAL**STATUS REPORT AS AT DECEMBER 31, 2011****SUMMARY OF REFERRALS MADE PURSUANT TO SECTION 21/RECOMMENDATIONS FOR PROSECUTION PURSUANT TO SECTION 29 OF THE CONTRACTOR GENERAL ACT REGARDING FORMAL INVESTIGATIONS CONDUCTED BY THE OCG**

Investigation No.		1												
Year of Completion of Investigation		2011												
Name of Investigation		Special Report of Enquiry Conducted into the Circumstances Surrounding the Alleged Contractual Agreements between the Petroleum Corporation of Jamaica (PCJ) and Caribbean Protective Security Management and Services Company Ltd. The Former Ministry of Industry, Technology, Energy and Commerce (MITEC) Ministry of Energy and Mining												
	Name(s) of Person(s) Referred / Recommended	Date of Referral / Recommendation	Reason(s) / Nature of Referral / Recommendation	State Authority to whom Referral/Recommendation was Made										
				Houses of Parliament	Responsible Minister	Accounting/ Accountable Officer	Prime Minister	DPP	Attorney General	Auditor General	Corruption Prevention Commission	Commissioner of Police	Other State Authorities	
1	The Key players who were implicated in the investigation, inclusive of Mr. Rodney Chin, Ms. Coleen Wright amongst others.	May 2011	For such further action as the Commissioner of Police may deem to be appropriate having regard to all of the circumstances of the case										√	
Action Taken to Date/Remarks														
None on record as at December 31, 2011.														
2	The Accounting Officer, and/or one or more of the Accountable Officers of the PCJ	May 2011	For such action as may be deemed to be appropriate, having regard to all of the circumstances of the matter, and on the basis that there is evidence which would suggest that there was a breach of duty or duties on the part of the Accounting Officer, and/or on the part of one or more of the Accountable Officers of the PCJ in contravention of the Financial Administration and Audit Act.										√	Financial Secretary
Action Taken to Date/Remarks														
None on record as at December 31, 2011.														
3		May 2011	To facilitate any further action which the PAC might, in its discretion, deem to be appropriate in this matter.		Public Accounts Committee								√	Financial Secretary
Action Taken to Date/Remarks														
None on record as at December 31, 2011.														

Investigation No.		2												
Year of Completion of Investigation		2011 May												
Name of Investigation		Special Report of Investigation -Allegations Regarding the Proposal for the Financing, Development, Ownership and Operation of a FSRU LNG Re-Gasification Terminal and Natural Gas Transportation System Office of the Prime Minister (OPM) / Ministry of Energy and Mining (MEM) / Petroleum Corporation of Jamaica (PCJ)												
	Name(s) of Person(s) Referred / Recommended	Date of Referral / Recommendation	Reason(s) / Nature of Referral / Recommendation	State Authority to whom Referral/Recommendation was Made										
				Houses of Parliament	Responsible Minister	Accounting/ Accountable Officer	Prime Minister	DPP	Attorney General	Auditor General	Corruption Prevention Commission	Commissioner of Police	Other State Authorities	
1	The Accounting and/or the Accountable Officers within the MEM and the PCJ	2011 May	Breaches of the Revised GOJ Public Sector Procurement Procedures Handbook (2008 November) and in consequence, breaches of the attendant Public Sector Regulations which were promulgated in 2008 December, which resulted from certain irregularities and improprieties in the award of the referenced contract.					√			√			Financial Secretary
<p>Action Taken to Date/Remarks</p> <p>The DPP, by way of letter dated September 20, 2011, ruled on the matter and indicated that there was not sufficient evidence of criminal conduct of the part of the named persons despite the numerous irregularities which were identified. In point of fact, the DPP asserted that "... Exmar Consortium was at a clear advantage when they submitted their proposal to the Technical Evaluation Committee. However, we identify no evidential, whether direct or circumstantial basis to draw the inference that their advantageous position was the result of bid-rigging or corruption on the part of Mr. Ian Moore or Mr. Stephen Wedderburn."</p> <p>The DPP did not proffer a ruling on the breaches of the Procurement guidelines and regulations.</p>														
2	Mr. Stephen Wedderburn	2011 May	Conflict of Interest- Contravention of the Revised GOJ Public Sector Procurement Procedures (2008 November) and, in consequence, breaches of the attendant Public Sector Regulations which were promulgated in 2008 December. To determine whether Mr. Ian Moore and/or Mr. Stephen Wedderburn used their respective Public Offices in a conspiratory, fraudulent, corrupt, clandestine and/or surreptitious manner to enure a future illicit benefit for themselves, Caribbean LNG (Jamaica) Limited and/or the Exmar Consortium.					√					√	
<p>Action Taken to Date/Remarks</p> <p>Commissioner of Police acknowledged receipt of the OCG's report of investigation by way of letter dated May 18, 2011.</p> <p>The DPP, by way of letter dated September 20, 2011, ruled on the matter and indicated that there was not sufficient evidence of criminal conduct of the part of the named persons despite the numerous irregularities which were identified. In point of fact, the DPP asserted that "... Exmar Consortium was at a clear advantage when they submitted their proposal to the Technical Evaluation Committee. However, we identify no evidential, whether direct or circumstantial basis to draw the inference that their advantageous position was the result of bid-rigging or corruption on the part of Mr. Ian Moore or Mr. Stephen Wedderburn."</p>														

SUMMARY OF SPECIAL INVESTIGATION REFERRALS

Investigation No.		2												
Year of Completion of Investigation		2011 May												
Name of Investigation		Special Report of Investigation -Allegations Regarding the Proposal for the Financing, Development, Ownership and Operation of a FSRU LNG Re-Gasification Terminal and Natural Gas Transportation System Office of the Prime Minister (OPM) / Ministry of Energy and Mining (MEM) / Petroleum Corporation of Jamaica (PCJ)												
	Name(s) of Person(s) Referred / Recommended	Date of Referral / Recommendation	Reason(s) / Nature of Referral / Recommendation	State Authority to whom Referral/Recommendation was Made										
				Houses of Parliament	Responsible Minister	Accounting/ Accountable Officer	Prime Minister	DPP	Attorney General	Auditor General	Corruption Prevention Commission	Commissioner of Police	Other State Authorities	
3	Conrad Kerr	May 2011	To undertake such further investigations, as they may deem to be appropriate, into the actions of Mr. Ian Moore, Mr. Stephen Wedderburn and Mr. Conrad Kerr. In particular, the matter was referred to the Commissioner of Police and the DPP for them to determine whether Mr. Ian Moore and/or Mr. Stephen Wedderburn used their respective Public Offices in a conspiratory, fraudulent, corrupt, clandestine and/or surreptitious manner to enure a future illicit benefit for themselves, Caribbean LNG (Jamaica) Limited and/or the Exmar Consortium.					√					√	
Action Taken to Date/Remarks														
Commissioner of Police acknowledged receipt of the OCG's report of investigation by way of letter dated May 18, 2011. The DPP, by way of letter dated September 20, 2011, ruled on the matter and indicated that there was not sufficient evidence of criminal conduct of the part of the named persons despite the numerous irregularities which were identified. In point of fact, the DPP asserted that "... Exmar Consortium was at a clear advantage when they submitted their proposal to the Technical Evaluation Committee. However, we identify no evidential, whether direct or circumstantial basis to draw the inference that their advantageous position was the result of bid-rigging or corruption on the part of Mr. Ian Moore or Mr. Stephen Wedderburn."														

Investigation No.		2												
Year of Completion of Investigation		2011 May												
Name of Investigation		Special Report of Investigation -Allegations Regarding the Proposal for the Financing, Development, Ownership and Operation of a FSRU LNG Re-Gasification Terminal and Natural Gas Transportation System Office of the Prime Minister (OPM) / Ministry of Energy and Mining (MEM) / Petroleum Corporation of Jamaica (PCJ)												
	Name(s) of Person(s) Referred / Recommended	Date of Referral / Recommendation	Reason(s) / Nature of Referral / Recommendation	State Authority to whom Referral/Recommendation was Made										
				Houses of Parliament	Responsible Minister	Accounting/ Accountable Officer	Prime Minister	DPP	Attorney General	Auditor General	Corruption Prevention Commission	Commissioner of Police	Other State Authorities	
4	Ian Moore	May 2011	To undertake such further investigations, as they may deem to be appropriate, into the actions of Mr. Ian Moore, Mr. Stephen Wedderburn and Mr. Conrad Kerr. In particular, the matter was referred to the Commissioner of Police and the DPP for them to determine whether Mr. Ian Moore and/or Mr. Stephen Wedderburn used their respective Public Offices in a conspiratory, fraudulent, corrupt, clandestine and/or surreptitious manner to enure a future illicit benefit for themselves, Caribbean LNG (Jamaica) Limited and/or the Exmar Consortium.					√					√	
Action Taken to Date/Remarks														
Commissioner of Police acknowledged receipt of the OCG's report of investigation by way of letter dated May 18, 2011. The DPP, by way of letter dated September 20, 2011, ruled on the matter and indicated that there was not sufficient evidence of criminal conduct of the part of the named persons despite the numerous irregularities which were identified. In point of fact, the DPP asserted that "... Exmar Consortium was at a clear advantage when they submitted their proposal to the Technical Evaluation Committee. However, we identify no evidential, whether direct or circumstantial basis to draw the inference that their advantageous position was the result of bid-rigging or corruption on the part of Mr. Ian Moore or Mr. Stephen Wedderburn."														

SUMMARY OF SPECIAL INVESTIGATION REFERRALS

Investigation No.		2											
Year of Completion of Investigation		2011 May											
Name of Investigation		Special Report of Investigation -Allegations Regarding the Proposal for the Financing, Development, Ownership and Operation of a FSRU LNG Re-Gasification Terminal and Natural Gas Transportation System Office of the Prime Minister (OPM) / Ministry of Energy and Mining (MEM) / Petroleum Corporation of Jamaica (PCJ)											
	Name(s) of Person(s) Referred / Recommended	Date of Referral / Recommendation	Reason(s) / Nature of Referral / Recommendation	State Authority to whom Referral/Recommendation was Made									
				Houses of Parliament	Responsible Minister	Accounting/ Accountable Officer	Prime Minister	DPP	Attorney General	Auditor General	Corruption Prevention Commission	Commissioner of Police	Other State Authorities
5	Mrs. Hillary Alexander	May 2011	Aided and abetted Mr. Stephen Wedderburn and caused a Government contract to be irregularly, improperly and unlawfully awarded to CH-IV International, in contravention of the approval requirements of the RPPH and, consequently, in contravention of Public Sector Procurement Regulations which make such breaches a criminal offence.					√					
<p>Action Taken to Date/Remarks</p> <p>The DPP, by way of letter dated September 20, 2011, ruled on the matter and indicated that there was not sufficient evidence of criminal conduct of the part of the named persons despite the numerous irregularities which were identified. In point of fact, the DPP asserted that "... <i>Exmar Consortium was at a clear advantage when they submitted their proposal to the Technical Evaluation Committee. However, we identify no evidential, whether direct or circumstantial basis to draw the inference that their advantageous position was the result of bid-rigging or corruption on the part of Mr. Ian Moore or Mr. Stephen Wedderburn.</i>"</p> <p>The DPP did not proffer a ruling on the breaches of the Procurement guidelines and regulations.</p>													
6	PCJ Board of Directors and/or the respective Accountable Officers within the MEM and/or the PCJ	May 2011	Complicity in the discharge of their statutory obligations and breaches of Sections 17 (1) (a) and (b) and 6 of the Public Bodies Management and Accountability Act.						√				
<p>Action Taken to Date/Remarks</p> <p>None on record as at December 31, 2011.</p>													

Investigation No.		3											
Year of Completion of Investigation		2011 September											
Name of Investigation		Special Report of Investigation Conducted into Allegations of Impropriety and/or Irregularity in the Award of Certain Contracts to Strathairn Construction Company Limited by the St. Catherine Parish Council, the National Works Agency and the Ministry of Transport & Works. St. Catherine Parish Council											
	Name(s) of Person(s) Referred / Recommended	Date of Referral / Recommendation	Reason(s) / Nature of Referral / Recommendation	State Authority to whom Referral/Recommendation was Made									
				Houses of Parliament	Responsible Minister	Accounting/ Accountable Officer	Prime Minister	DPP	Attorney General	Auditor General	Corruption Prevention Commission	Commissioner of Police	Other State Authorities
1	Mr. Howard Charvis	March 2011	Breaches of Section 29 of the Contractor General Act					√					
Action Taken to Date/Remarks By way of a letter which was dated March 2, 2011, the DPP advised that the ODPP was in the process of serving a Summons on Mr. Charvis for the referenced breaches. The matter was set for a Court Hearing on March 25, 2011. Subsequently, other mention and trial dates have been scheduled. The matter is still before the Courts.													
2	Mr. Clifford Everalld Warrington and certain other Directors of SCCL	September 2011	Perjury and/or breaches of Section 29 of the Contractor General Act					√				√	
Action Taken to Date/Remarks The DPP acknowledged receipt of the OCG's correspondence and enclosures by way of a letter which was dated October 7, 2011. The Commissioner of Police acknowledged receipt of the OCG's Report and correspondence, by way of letter which was dated September 28, 2011 and advised that " <i>The report will be perused and the necessary action taken.</i> "													
3	Mr. Clifford Warrington, the Directors and other representatives of SCCL	September 2011	The conduct of criminal investigations into the fraud which has been committed against the BNS, and which has, in fact, been conceded to, by certain representatives of SCCL, in their quest to engage the services of the BNS.					√				√	
Action Taken to Date/Remarks The DPP acknowledged receipt of the OCG's correspondence and enclosures, by way of a letter which was dated October 7, 2011. The Commissioner of Police acknowledged receipt of the OCG's Report and correspondence, by way of a letter which was dated September 28, 2011 and advised that " <i>The report will be perused and the necessary action taken.</i> "													
4	Mr. Clifford Everalld Warrington	September 2011	For such further investigations to be conducted having regard to the fact that Mr. Clifford Warrington did not declare any property on his Annual Statutory Declarations of Assets and Liabilities, between the period of 2002 October and 2009 December, which could have been the subject of his reported rental income from SCCL.										Integrity Commission
Action Taken to Date/Remarks None on record as at December 31, 2011													

SUMMARY OF SPECIAL INVESTIGATION REFERRALS

Investigation No.		3												
Year of Completion of Investigation		2011 September												
Name of Investigation		Special Report of Investigation Conducted into Allegations of Impropriety and/or Irregularity in the Award of Certain Contracts to Strathairn Construction Company Limited by the St. Catherine Parish Council, the National Works Agency and the Ministry of Transport & Works. St. Catherine Parish Council												
	Name(s) of Person(s) Referred / Recommended	Date of Referral / Recommendation	Reason(s) / Nature of Referral / Recommendation	State Authority to whom Referral/Recommendation was Made										
				Houses of Parliament	Responsible Minister	Accounting/ Accountable Officer	Prime Minister	DPP	Attorney General	Auditor General	Corruption Prevention Commission	Commissioner of Police	Other State Authorities	
5	The Accounting Officer of the NWA who signed QCA Reports which failed to report nine (9) contracts to the OCG.	September 2011	Contravention of Section 29 (a) and 29 (b) (ii) of the Contractor General Act					√					√	
Action Taken to Date/Remarks The DPP acknowledged receipt of the OCG's correspondence and enclosures, by way of a letter which was dated October 7, 2011. The Commissioner of Police acknowledged receipt of the OCG's Report and correspondence, by way of a letter which was dated September 28, 2011 and advised that " <i>The report will be perused and the necessary action taken.</i> "														
6	Mr. Clifford Everalld Warmington	September 2011	Contravention of Section 40 (2) (c) of the Constitution of Jamaica						√					
Action Taken to Date/Remarks None on record as at December 31. 2011														
7	Mr. Clifford Everalld Warmington	September 2011	For such further investigations and/or charges to be brought against Mr. Warmington for a contravention of Section 29 (a) of the Contractor General Act					√					√	
Action Taken to Date/Remarks The DPP acknowledged receipt of the OCG's correspondence and enclosures, by way of a letter which was dated October 7, 2011. The Commissioner of Police acknowledged receipt of the OCG's Report and correspondence, by way of a letter which was dated September 28, 2011 and advised that " <i>The report will be perused and the necessary action taken.</i> "														

Investigation No.		4												
Year of Completion of Investigation														
Name of Investigation		Special Statutory Investigation – Concerning Alleged Breaches of Prescribed Licences for the Scrap Metal Industry – Exportation of Scrap Metal in Violation of Cabinet/Ministerial Prohibition Order												
	Name(s) of Person(s) Referred / Recommended	Date of Referral / Recommendation	Reason(s) / Nature of Referral / Recommendation	State Authority to whom Referral/Recommendation was Made										
				Houses of Parliament	Responsible Minister	Accounting/ Accountable Officer	Prime Minister	DPP	Attorney General	Auditor General	Corruption Prevention Commission	Commissioner of Police	Other State Authorities	
1	Hon. Danville Walker, O.J.	December 15, 2011	Contravention of Section 29 b (i) and (ii) of the Contractor General Act					√						
Action Taken to Date/Remarks														
As at December 31, 2011, the OCG was awaiting a ruling from the Director of Public Prosecutions regarding Mr. Danville Walker's breach of Section 29 of the Act.														

Investigation No.		5												
Year of Completion of Investigation														
Name of Investigation		Conduct of Investigation Concerning the Procurement Practices of the National Works Agency.												
	Name(s) of Person(s) Referred / Recommended	Date of Referral / Recommendation	Reason(s) / Nature of Referral / Recommendation	State Authority to whom Referral/Recommendation was Made										
				Houses of Parliament	Responsible Minister	Accounting/ Accountable Officer	Prime Minister	DPP	Attorney General	Auditor General	Corruption Prevention Commission	Commissioner of Police	Other State Authorities	
1	Mr. Patrick Wong	September 2, 2011	Breaches of Section 29 b (i) and (ii) of the Contractor General Act					√						
Action Taken to Date/Remarks														
By way of a letter which was dated November 4, 2011, the Director of Public Prosecutions advised the OCG that Mr. Wong was to be charged with breaches of Section 29 b (i) and (ii) of the Contractor General Act. On November 11, 2011 Mr. Patrick Wong was served with a summons which charged him for the referenced offences. On November 24, 2011 Mr. Patrick Wong appeared before the Halfway Tree Resident Magistrates Court and pleaded guilty to the charges. Mr. Wong was fined J\$5000 or 30 days on each of the counts.														

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APPROPRIATION ACCOUNT



0400 - Office of the Contractor General
16 Oxford Road

Page Number : 1
13/07/2011
16:10

FS6 - Statement of Expenditure by Objects (Object Summary) - Selected Items ONLY

Financial years : 03 (2010/2011) Financial Pattern : 10 - Recurrent Voted
Period Number: 1 (Close) To : 12 (Open) (Apr 01 2010 - Mar 31 2011)

Function	Sub-Function	Programme								
-	-	-	-	-	-	-	-	-	-	-
Activity/Proj	Project	Sub-Project								
Code	Description	Approved Vote 1	Warrant Allocate To Date 2	Month Expense 3	YTD Expense 4	Advance 5	Un-Discharged Commitment 6	YTD Exp & Adv Un-Disc. COM. 7=(4+5+6)	UnComit Warr. 8=(2-7)	Bal on Vote 9=(1-7)
Object 21	Compensation of Emp	86,333,000.00	86,333,000.00	7,484,733.37	87,308,781.17	00.00	00.00	87,308,781.17	-975,781.17	-975,781.17
Object 22	Travel Expenses and	23,806,000.00	23,806,000.00	1,464,908.50	19,668,754.07	00.00	00.00	19,668,754.07	4,137,245.93	4,137,245.93
Object 23	Rental of Property,	20,993,000.00	20,993,000.00	4,822,487.29	20,993,000.00	00.00	00.00	20,993,000.00	00.00	00.00
Object 24	Public Utility Serv	8,379,000.00	8,379,000.00	982,024.28	8,688,024.67	00.00	00.00	8,688,024.67	-309,024.67	-309,024.67
Object 25	Purchase of Other G	15,795,000.00	15,795,000.00	2,313,447.20	18,525,254.54	00.00	00.00	18,525,254.54	-2,730,254.54	-2,730,254.54
Object 28	Retirement Benefits	20,921,000.00	20,921,000.00	5,654,828.98	20,201,575.73	00.00	00.00	20,201,575.73	719,424.27	719,424.27
Object 31	Purchase of Equipme	4,292,000.00	4,292,000.00	00.00	720,957.42	00.00	00.00	720,957.42	3,571,042.58	3,571,042.58
Total for Fin. Pattern : 10 - Recurrent Voted		180,519,000.00	180,519,000.00	22,722,428.62	176,106,347.60	00.00	00.00	176,106,347.60	4,412,652.40	4,412,652.40

Accountant
Date: 19/7/11

Dir of Finance/
Financial Controller
Date: 20/7/11

Accounting Officer
Date: 19/7/11

OFFICE OF THE CONTRACTOR-GENERAL

APPROPRIATION ACCOUNT

APRIL 2010 – MARCH 2011

Explanation of the causes of variation between approved estimates and expenditure:

21 - COMPENSATION OF EMPLOYEES

The over expenditure of \$ 975,781.17 was due to increases in NIS and NHT statutory contributions and the filling of one additional staff post to the NCC Technical Services Division.

22 - TRAVEL EXPENSE AND SUBSISTENCE ALLOWANCE

The under-expenditure of \$4,137,245.93 was the result of a reduction in internal travelling activities over the period.

24 - PUBLIC UTILITY SERVICE

The over- expenditure of \$309,024.67 was the result of an increase in telephone usage due to a reduction in internal travelling over the period.

25 - PURCHASE OF OTHER GOODS AND SERVICES

The over-expenditure of \$2,730,254.54 was mainly due to an increase in cost of printing the 2009 Annual Report. Additionally, there were increases in cost of computers supplies, legal services and security services for the year over the period.

28 - RETIRING BENEFITS

The under-expenditure of \$719,424.27 was the result of an under-provision of the amount which was received for the one year gratuities. As the amount could not cover all one-year gratuities due, the decision was made to forego the payment of all one-year gratuities for the period.

31 - PURCHASE OF EQUIPMENT

The under-expenditure of \$3,571,042.58 was the result of delays in the purchase of an Assigned Motor Vehicle due to Cabinet's deferral of some to the following financial Year.

Greg Christie (Signed)

19/7/11

.....

.....

Greg Christie

Date

CONTRACTOR-GENERAL

EXCERPTS FROM THE AUDITOR GENERAL'S REPORT TO THE ACCOUNTING OFFICER OF THE OFFICE OF THE CONTRACTOR GENERAL – DATED NOVEMBER 23, 2011

Report on the Appropriation Account

I have audited the accompanying Appropriation Account of the Office of the Contractor General – Head 0400 which comprise the Account by Objects, Activity Projects and explanatory statement of the causes for variation between approved estimates and expenditure as at March 31, 2011.

Opinion

In my opinion, the attached Appropriation Account is a fair representation of the financial transactions for the year ended March 31, 2011 in accordance with Section 24 I (1) (a) (b) of the Financial Administration and Audit Act.

Report on Additional Requirements of the Financial Administration and Audit Act

I have obtained all the information and explanations which, to the best of my knowledge and belief, were necessary for the purpose of the audit. In my opinion, proper accounting records have been maintained and the Appropriation Account is in agreement therewith and gives the information required in the manner so required.

Pamela Monroe Ellis (Mrs.) (Signed)

Auditor General

2011/11/23

Date

APPENDIX I - SUMMARIES OF SPECIAL INVESTIGATION REPORTS

OFFICE OF THE CONTRACTOR GENERAL OF JAMAICA

Executive Summary of Report of Investigation

Conducted into the into the Allegations of Improper Procurement Practices at the Sugar Company of Jamaica (SCJ)

Ministry of Agriculture & Fisheries

Initiated: 2009 September

Concluded: 2011 March

On 2009 September 4, the Office of the Contractor General (OCG), acting on behalf of the Contractor General, and pursuant to the provisions which are contained in Sections 15(1) and 16 of the Contractor General Act, initiated an investigation into allegations of improper procurement practices at the Sugar Company of Jamaica (SCJ).

Section 15 (1) of the Act provides that “... a Contractor General may, if he considers it necessary or desirable, conduct an investigation into any or all of the following matters –

- (a) the registration of contractors;
- (b) tender procedures relating to contracts awarded by public bodies;
- (c) the award of any government contract;
- (d) the implementation of the terms of any government contract;
- (e) the circumstances of the grant, issue, use, suspension or revocation of any prescribed licence;
- (f) the practice and procedures relating to the grant, issue, suspension or revocation of prescribed licences”.

Section 16 of the Contractor General Act expressly provides that “An investigation pursuant to section 15 may be undertaken by a Contractor- General on his own initiative or as a result of representations made to him, if in his opinion such investigation is warranted”.

The OCG’s decision to commence the formal Investigation followed upon its receipt of certain documentation from the Prime Minister, the Honourable Bruce Golding.

On 2009 September 3, under cover of an official Complimentary Slip, the Prime Minister, the Honourable Bruce Golding, submitted, to the Contractor General, Greg Christie, documentation with regard to certain specified transactions which were alleged to have been conducted and/or negotiated with vendors or third parties which are based in Louisiana, Florida and Jamaica.

The referenced transactions allegedly involved “*fraudulent activities*” which were said to be related to the procurement of certain equipment by the SCJ.

Among the referenced documentation, which were submitted by the Prime Minister, was a letter, which was dated 2008 February 19, which was addressed to the Chairman of the Board of Directors of the SCJ, Mr. Robert Levy, and which was signed by “A Very Concerned Taxpayer”.

In the referenced letter, which had the caption “**Combine Sugarcane Harvester**”, the Concerned Taxpayer stated, *inter alia*, as follows:

“You will recall our telephone discussion on the above ending with my promise to let you have copies of the sales invoice from the original supplier. These are attached.

You will observe that these middle men paid **US\$161,860.00** for the four (4) units and sold them to Sugar Company of Jamaica (SCJ) for **JA\$31.0M** or **US\$456,000.00** making **US\$294,140.00** profit =**182%**. This level of profiteering is consistent with the **tractors and cane carts you bought recently. Is this not of concern to you? It is to me.**²

Below is an extract of certain allegations, which were made in other pieces of documentation, which were submitted to the OCG, by the Prime Minister, the Honourable Bruce Golding on 2009 September 3:

1. *"Fraudulent activities took place in the purchasing of equipment for the SCJ by Mr. John Gayle in his former capacity as coordinator for factory services at the Sugar Industry Institute..."*
2. *Mr. Gayle is alleged to have conspired with Tyres R US, Tyre Warehouse, Partek Trading Limited (Jamaica) and P. Factor (Miami) businesses which are operated by brothers Andrew Buddan, Bryan Buddan and Hans Buddan to defraud the SCJ and by extension the GOJ.*
3. *The procurement process was circumvented by advance payments being made to Partek as money owing to them. Partek then used the money to purchase the items, marked it up and then debited the account as a creditor.*³

Further, the referenced documentation detailed four (4) specific cases in which it was alleged that the "fraudulent activities" occurred. These are as follows:

1. Case #1

John Gayle went to Louisiana in 2006, negotiated with John Deere Thibodaux for the purchase of six (6) harvesters on behalf of the SCJ. The purchase of these harvesters was done by Mr. Hans Buddan of P. Factor (Miami) who then shipped them to Mr. Andrew Buddan of Tyres R US (Jamaica). Partek Trading Ltd. operated by Mr. Bryan Buddan then sold the harvesters to the SCJ.

*Four of the six harvesters were purchased for **US\$161,860.000** [sic] and then sold to the SCJ for **J431.0 million** or **US\$456,000.00**. The Buddans made a profit of **US\$294,140.00**...*

2. Case # 2

Mr. Gayle went to Florida and negotiated twelve (12) infield trailers and eight (8) tractors. These were 20 years old. P. Factor (Miami) paid US\$3000 each for the infield trailers and through the same process described above, sold them to the SCJ for US\$15,000 each.

The tractors were bought for US\$5000 each and sold to the SCJ for US\$25,000 each.

3. Case # 3

Seventeen trailers were bought in Florida for US\$15,000 each. Purchase of these trailers was [sic] done by Hans Buddan and then shipped to Tyres R US. The price at which these trailers were sold to the SCJ has not been determined.

4. Case # 4

*Equipment costing US\$229,000.00 were identified at a factory in Florida and purchased by Partek then sold to the SCJ. The price at which these equipment were sold to SCJ has not been determined.*⁴

² Concerned Taxpayer. Letter to Mr. Robert Levy. 2008 February 19

³ Documentation submitted to the OCG from the Prime Minister. 2009 September 3

⁴ Documentation submitted to the OCG from the Prime Minister. 2009 September 3

The concerns and allegations, which were contained in the letter of complaint and attached documentation, alluded to, *inter alia*, (a) impropriety; (b) a lack of transparency; (c) a lack of fairness; (d) cronyism in the award of Government contracts; (e) a breach of applicable Government Procurement Procedures; (f) mismanagement; and (g) a breach of applicable Public Service administrative and accounting procedures.

Consequently, these allegations and inferences, *inter alia*, raised several concerns for the OCG, especially in light of the perceived absence of an adherence to the Government contract award principles which are enshrined in Section 4 (1) of the Contractor General Act.

Section 4 (1) of the Act requires, *inter alia*, that GOJ contracts should be awarded “*impartially and on merit*” and that the circumstances of award should “*not involve impropriety or irregularity*”.

The OCG’s Investigation primarily sought to determine, *inter alia*, the following:

- (a) Whether there was compliance with the provisions of the Contractor General Act (1983) and the Government of Jamaica Procurement Procedures Handbook (GPPH- 2001 May) by the SCJ.
- (b) The merits of the allegations, which have been made, that Mr. John Gayle conspired with Tyres-R-US, Tyre Warehouse, Partek Trading Limited (Jamaica) and P. Factor (Miami) – businesses which are operated by brothers Andrew Buddan, Brian Buddan and Hans Buddan to defraud the SCJ and, by extension, the GOJ.
- (c) Whether the process which led to the award of the contracts to the named companies was fair, impartial, and transparent and whether the contracts were awarded on merit.

At the commencement of its Investigation on 2009 September 4, the OCG undertook a preliminary review of (a) the allegations which were contained in the referenced documentation; and (b) the Quarterly Contract Award Reports (QCA) which were submitted to the OCG, by the SCJ, for the years 2006 to 2009. This was done in an effort to inform the direction of the Investigation as well as to determine the most efficacious method by which to proceed.

The Terms of Reference of the OCG’s Investigation into the allegations of improper procurement practices at the SCJ were primarily developed in accordance with the provisions which are contained in Section 4 (1) and Section 15 (1) (a) to (d) of the Contractor General Act.

Additionally, the OCG was guided by the recognition of the very important responsibilities which are imposed upon Public Officials and Officers by, *inter alia*, the Contractor General Act, the GPPH (2001 May), the Financial Administration and Audit Act, the Public Bodies Management and Accountability Act, the Staff Orders for the Public Service (2004), as well as the Corruption Prevention Act.

The OCG was also guided by the expressed provisions which are contained in Section 21 of the Contractor General Act. Section 21 specifically mandates that a Contractor General shall consider whether he has found, in the course of his Investigation, or upon the conclusion thereof, evidence of a breach of duty, misconduct or criminal offence on the part of an officer or member of a Public Body and, if so, to refer same to the competent authority to take such disciplinary or other proceedings as may be appropriate against that officer or member.

It is also instructive to note that letters were directed on 2009 September 4, by the Contractor General, to the Minister of Agriculture and Fisheries, the Hon. Dr. Christopher Tufton, the Permanent Secretary in the Minister of Agriculture and Fisheries, Mr. Donovan Stanberry, the Chairman of SCJ, Mr. Robert Levy, the then Chairman of SCJ Holdings Limited, Mr. Aubyn Hill, and the then General Manager, SCJ Holdings Limited, Mr. John Gayle, to formally advise them of the commencement of the OCG’s Investigation into the allegations of improper procurement practices at the SCJ.

A preliminary Requisition/Questionnaire, which was dated 2009 September 11, was sent by the Contractor General to Mr. Donovan Stanberry, Permanent Secretary, Ministry of Agriculture and Fisheries (MAF).

Further Requisitions/Questionnaires were subsequently directed to other Public Officials, who were considered material to the Investigation.

Where it was deemed necessary, Follow-up Requisitions were directed to a number of Respondents in an effort to clarify certain issues which were identified in their initial declarations and responses. These Follow-up Requisitions were also designed, *inter alia*, to clarify any discrepancy in the information which was supplied by the Respondents.

The Findings of the OCG's Investigation into the allegations of improper procurement practices at the SCJ are premised primarily upon an analysis of the sworn statements and the documents which were provided by the Respondents who were requisitioned by the OCG during the course of the Investigation.

The Findings of the OCG's Investigation have revealed that the companies, (a) Partek Trading Ltd., (b) P. Factor Trading, and (c) Tyre Warehouse Ltd., as alleged, are operated by the Buddan brothers, namely, Mr. Andrew Buddan, Mr. Brian Buddan and Mr. Hans Buddan.

Based upon the OCG's analysis of the Quarterly Contracts Award (QCA) Reports, which were submitted to the OCG by the SCJ, for the period of 2006 May to 2010 May 27, the OCG found that the SCJ has awarded contracts to (a) Partek Trading Ltd., (b) P. Factor Trading, and (c) Tyre Warehouse Ltd.

Further, based upon the OCG's analysis of the National Contracts Commission's (NCC's) Contract Analysis Database, the SCJ awarded a contract to Tyres-R-US Ltd. on 2007 January 17, for the purchase of used mechanical harvesters. This contract had a value of J\$37,426,200.00.

It is instructive to note that Mr. Donovan Stanberry, Permanent Secretary, MAF, in his response to the OCG's Requisition, which was dated 2009 October 14, stated, *inter alia*, that "*The Sugar Company of Jamaica Ltd (SCJ) started trading with Partek Trading Ltd from SCJ's inception in January 1994. P Factor Trading is a company registered in Florida and was introduced to SCJ by Partek Trading. Tyre Warehouse Ltd is also one of our Suppliers. In all instances contact was initiated through our Purchasing Department in the normal course of business.*"⁵

Having regard to the foregoing, the OCG found that (a) Partek Trading Ltd., (b) P. Factor Trading, (c) Tyres-R-US Ltd. and (d) Tyre Warehouse Ltd. have all been awarded contracts by the SCJ.

SUMMARY OF KEY FINDINGS AND CONCLUSIONS

Based upon the documents which have been reviewed, as well as the sworn written statements which have been received from the representatives of the MAF and the SCJ, the OCG has arrived at the following considered Findings and Conclusions:

1. The allegations against Mr. John Gayle spoke specifically to the conduct of "*fraudulent activities*" prior to 2009 July, when Mr. John Gayle assumed position of the General Manager of the SCJ Holdings Ltd.

Having regard to the foregoing, the OCG narrowed its Investigation to the period of 2006 January to 2009 June. It is instructive to note that Mr. Donovan Stanberry, Permanent Secretary, MAF, informed the OCG that, during the referenced period, Mr. John Gayle was not authorised to approve the (a) award and (b) variation of contracts for and on behalf of the SCJ. However, during the referenced period, Mr. John Gayle was authorised to (a) negotiate and (b) implement contracts which were awarded by the SCJ.

2. The OCG has concluded that the companies, which were allegedly involved in the "*fraudulent activities*", namely (a) Tyres-R-US Ltd., (b) Partek Trading Ltd., (c) P. Factor and (d) Tyre Warehouse Ltd., are in fact operated by the brothers, Mr. Andrew Buddan, Mr. Hans Buddan and Mr. Brian Buddan.

⁵ Donovan Stanberry. Response to the OCG's Requisition. 2009 October 14. Question 1

3. The OCG is unable to definitively state that Mr. John Gayle ‘conspired’ with (a) Tyres-R-US Ltd., (b) Partek Trading Ltd., (c) P. Factor and (d) Tyre Warehouse Ltd. and/or the Buddan Brothers namely, Mr. Andrew Buddan, Mr. Hans Buddan and Mr. Brian Buddan.

This is premised upon the fact that the OCG has not seen sufficient *prima facie* evidence to suggest that the named parties colluded and conspired to defraud the SCJ.

4. In the first instant, it was alleged that “*John Gayle went to Louisiana in 2006, negotiated with John Deere Thibodaux for the purchase of six (6) harvesters on behalf of the SCJ. The purchase of these harvesters was done by Mr. Hans Buddan of P. Factor (Miami) who then shipped them to Mr. Andrew Buddan of Tyres R US (Jamaica). Partek Trading Ltd. operated by Mr. Bryan Buddan then sold the harvesters to the SCJ...*”⁶

However, contrary to the foregoing allegations, the OCG found that the SCJ reportedly utilised the Open Tender Procurement Methodology to award the contract to Tyres-R-US Ltd. for the supply of six (6) harvesters. The referenced tender exercise was initiated on 2006 December and was publicly advertised.

The referenced contract was valued at J\$37,426,200.00, and following the approval of the Procurement Committee, the NCC on 2007 January 17 and the Cabinet on 2007 February 7, the contract was awarded to Tyres-R-US Ltd.

5. Based strictly upon the procurement process, which was utilised by the SCJ, the OCG has concluded that the process which led to the award of the contract to Tyres-R-US Ltd. appears, on the face of it, to have been fair, impartial and transparent.

This is premised upon the fact that (a) the bids were solicited from suppliers of the requisite equipment, (b) the SCJ conducted a comparative analysis of the bids which were submitted to it, and (c) approval was sought and granted by the NCC and the Cabinet for the award of the contract to Tyres-R-US Ltd. As such, in the OCG’s considered opinion, the SCJ undertook a competitive bidding exercise and sought and obtained the requisite approvals.

However, prior to the conduct of the Open Tender exercise, the SCJ received an offer from Tyres-R-US Ltd., for the supply of harvesters, sometime in 2006 October. Upon the receipt of the referenced offer, the representatives of the SCJ visited the premises of John Deere Thibodaux, along with representatives of Tyres-R-US Ltd. and examined the harvesters which were being offered. After the inspection of the harvesters by Mr. Wray Mendez and Mr. John Gayle, they informed the SCJ Board of Directors that the referenced equipment was suitable for the SCJ’s use.

Consequently, the SCJ Board of Directors instructed that an Open Tender exercise should be conducted. This tender exercise was undertaken in 2006 December and Tyres-R-US Ltd. was subsequently evaluated as the preferred bidder.

Based upon the foregoing, the OCG has concluded that the above detailed circumstances have raised questions about the propriety and regularity of the tender process which led to the award of the contract to Tyres-R-US Ltd. In this regard, the questions which are raised include, *inter alia*, the following:

- (a) Did the SCJ after meeting with Tyres-R-US Ltd. tailor the specifications in the 2006 December tender document to mirror the harvesters which Tyres-R-US Ltd. had presented to it in 2006 October?
- (b) Having already presented the harvesters to the SCJ, was Tyres-R-US Ltd. given an unfair advantage in allocating twenty (20) out of a possible one hundred (100) points for ‘Delivery Time’ in the evaluation criteria for the tenders?

⁶ Documentation submitted to the OCG from the Prime Minister. 2009 September 3

In light of the fact that (a) Tyres-R-US Ltd. approached the SCJ with regard to the said harvesters prior to the tender exercise in 2006 December and (b) the SCJ examined the harvesters which were being offered by Tyres-R-US Ltd. prior to the tender exercise, the OCG hereby concludes that questions may be raised with respect to the propriety and regularity of the bidding process which led to the award of the contract to Tyres-R-US Ltd.

It should be noted, however, that irrespective of the foregoing questions which may be raised about the propriety and/or irregularity of the bidding process, the OCG has not found any evidence to indicate that the award of the contract to Tyres-R-US Ltd. was unmeritorious.

6. The OCG was only able to compare the offers which were actually received by the SCJ in response to the tender invitation. In this regard, Tyres-R-US Ltd. provided the SCJ with the most cost-effective offer as it submitted a bid of J\$37,426,200.00, while MAPEX submitted a bid of \$51,039,548.00. However, it should be noted that based upon the OCG's calculations of prices stated in the Evaluation Report, the total bid price for MAPEX should have been \$51,039,547.50 and not \$51,039,548.00.
7. The OCG also sought to ascertain the merits of the allegations that the "...*procurement process was circumvented by advance payments being made to Partek as money owing to them.*"

In this regard, the OCG's Investigation revealed that the SCJ has made several advance payments to (a) Partek Trading Ltd. and (b) P Factor. In point of fact, Partek Trading Ltd. was paid a total of US\$150,000.00 and J\$2,244,722.00 between 2007 February and 2008 June. On the other hand, P. Factor was paid US\$150,000.00 and J\$3,015,600.00 between 2008 January and June.

Having regard to the foregoing, the OCG sought to ascertain whether the SCJ requested and received an advance payment surety prior to the payments being made to the referenced contractors.

In this regard, it is instructive to note that Mr. Donovan Stanberry, Permanent Secretary, MAF, in his response to the OCG's Requisition, which was dated 2009 February 26, stated, *inter alia*, that "**I am advised by the SCJ that it did not request, neither did it receive surety for the advance payments made to Partek and/or P. Factor, as Partek was a long established supplier to SCJ.** Indeed, in conducting procurement in this manner the SCJ has never suffered any loss, as its suppliers are traditionally long standing and reputable entities."⁷ (OCG Emphasis)

Further, the former President of the SCJ, Dr. Richard Harrison, in his response to the OCG's Requisition, which was dated 2010 March 12, informed the OCG as follows:

"I am aware that some advanced payments were made to the referenced contractor; however, I cannot recall the details

The rationale for making the payment was to facilitate the timely delivery of the goods given the tight timelines under which we operated and in particular, the need to have factories and field equipment prepared for the crop...

Advanced payments are usually authorized by the Board of Directors after consultation with the Chairman Mr. Maurice Jackson, Chief Financial Officer and myself.⁸ (OCG Emphasis)

⁷ Mr. Donovan Stanberry. Response to the OCG's Requisition. 2010 February 26

⁸ Dr. Richard Harrison. Response to the OCG's Requisition. 2010 March 12. Question 1

Dr. Richard Harrison, in his response to the OCG's Requisition, which was dated 2010 March 12, also informed the OCG that "*The decision to request surety from a Supplier is **based on the relationship between the company and SCJ and an assessment of the risk involved in making the advanced payments.***"⁹ (OCG Emphasis)

Having regard to the foregoing, the OCG found that the SCJ did not request and/or receive an advance payment security from Partek Trading Ltd. and/or P Factor Trading. As such, the OCG found that the SCJ breached Section 6.1.33 of the GPPH (2001 May).

Section 6.1.33 of the GPPH (2001 May) provides that:

*"Where advance payments are to be made, these will only be allowed upon presentation of an advance payment security. No advance payment shall be made without provision of a surety in the full value of the advance."*¹⁰

8. Based upon the representations which have been made to the OCG, the OCG has concluded that Mr. John Gayle was not involved in the initial negotiations for the purchase of trailers and equipment in Florida on behalf of the SCJ.

Mr. Donovan Stanberry, in his response to the OCG's Requisition, which was dated 2009 October 14, stated, *inter alia*, as follows:

"...the SCJ Board was advised on June 25, 2007 of the availability of factory spares,(see copy of Board Minutes – Attachment No. 8), viz. centrifugal baskets spares, in Florida, consequent on the dismantling of a sugar factory in South Florida. Upon receiving this advice, and conscious that the SCJ was already late in procuring spare parts for the start of the 2007/08 crop in December and against the background of the severe financial constraints being faced by the company, the Chairman dispatched a team comprising Mr. Josh Jadoo, a Director of the SCJ Board, Mr. James Dawkins (Director of Engineering Services- SCJ) and Lt. Colonel Richard Sadler (retired) (Chairman's Assistant) to follow up on this lead. (OCG Emphasis)

While pursuing the centrifugal baskets in Florida, the team became aware of the availability of 30-ton cane trailers which the SCJ also required. The team was advised that due to the interest of other purchasers in these equipment & parts an immediate deposit was required to secure them...

***The aforementioned visit transpired whilst Mr. John Gayle (Director Agricultural Services) was on leave.** Upon his return, he undertook a review of the specs relating to the cane trailers, since he had direct responsibility for agricultural operations. He expressed some reservations in relation to the specs for the cane trailers which prompted another visit to Florida. A team comprising Mr. John Gayle, Mr. Josh Jadoo and Lt. Col. Richard Sadler was dispatched to Florida to review the suitability of the cane trailers. The team after discussions with the vendor and SCJ's appointed agent, agreed on some modifications."¹¹ (OCG Emphasis)*

Of import is the fact that Mr. John Gayle was not a member of the team which was sent to negotiate on behalf of the SCJ for the acquisition of the equipment. Further, subsequent to the referenced trip, the SCJ acquired spares and equipment from Alquip Agricultural Equipment Supply, Inc. which had the rights to dispose of the equipment and parts.

⁹ Dr. Richard Harrison. Response to the OCG's Requisition. 2010 March 12. Question 5

¹⁰ GPPH. Section 6.1.33. 2001 May.

¹¹ Donovan Stanberry. Response to the OCG's Requisition. 2009 October 14. Question 5

The referenced transaction, it is alleged, occurred while Mr. John Gayle was on leave, and he only became involved after he raised concerns with regard to the specifications of the equipment which was being purchased. As such, contrary to the allegations, Mr. Gayle only became involved in the transaction after the SCJ had already contracted Partek Trading Ltd. to handle the acquisition of the equipment from Alquip Agricultural Equipment Supply, Inc.

9. Partek Trading Ltd. was appointed an agent by the SCJ to handle the acquisition of equipment from Alquip Agricultural Equipment Supply, Inc. In this regard, Mr. Maurice Jackson, Chief Financial Officer, SCJ, in his response to the OCG's Requisition, which was dated 2010 February 26 stated, *inter alia*, that "**...Partek was asked to act as its agent in all aspects of the arrangements.**"¹²

Further, Partek Trading Ltd. paid the initial deposit of US\$100,000.00 on behalf of the SCJ to Alquip Agricultural Equipment Supply, Inc. and appointed P Factor Trading to execute the transaction on its behalf.

Mr. Maurice Jackson, in his response to the OCG's Requisition, which was dated 2010 February 26, also stated, *inter alia*, as follows:

- i. "The initial cost of each trailer was agreed with the vendor/owner at US\$14,000 as is where is. Estimated cost delivered to SCJ was approximately \$1,870,000.00.
- ii. Partek &/or its representative in Florida is to be **reimbursed** for agreed expenditure in modifying and making the units road worthy and shipping to Jamaica and for delivery to SCJ. They are also to be paid a commission of 5% for their services.
- iii. SCJ agreed to pay the amount discussed and indicated by the vendor/owner plus any costs incurred to receive the trailer in Jamaica. **There is to be no mark-up on the vendors [sic] price and Partek is entitled to an agreed commission of 5%.** (OCG Emphasis)
- iv. Final payment was \$1,975,193"¹³

However, it is instructive to note that the OCG has concluded that the referenced commission payment of J\$1,975,193.00 was not reported to the OCG on the QCA Reports which were submitted by the SCJ for 2007.

The payment of the referenced commission, and what appears to be the failure on the part of the SCJ to report same, to the OCG, on the prescribed QCA reporting form, is a matter in respect of which the OCG will be seeking further particulars from the SCJ's and the MAF's Accounting Officer, Mr. Donovan Stanberry.

The OCG is obliged to pursue this matter in light of the fact that the SCJ is lawfully required to submit, to the OCG, via its QCA Reports, the particulars of all contracts which were awarded by it within the relevant QCA contract value ranges. Consequently, a failure, on the part of the SCJ to report same, would constitute a *prima facie* breach of Section 29(b) (ii) of the Contractor General Act.

Section 29(b) (ii) of the Contractor-General Act provides, *inter alia*, as follows:

"Every person who –

... (b) without lawful justification or excuse –

i. ...

¹² Maurice Jackson. Response to the OCG's Requisition. 2010 February 26. Question 4

¹³ Maurice Jackson. Response to the OCG's Requisition. 2010 February 26. Question 9

ii. **fails to comply with any lawful requirement of a Contractor General or any other person under this Act; or**

shall be guilty of an offence and shall be liable on summary conviction before a Resident Magistrate to a fine not exceeding five thousand dollars or to imprisonment for a term not exceeding twelve months or to both such fine and imprisonment.”

10. The OCG found that Partek Trading Ltd. submitted an “*unsolicited proposal*” to the SCJ which resulted in the SCJ purchasing used harvesters via the Sole Source Procurement Methodology.

In this respect, Mr. Donovan Stanberry, in his response to the OCG’s Requisition, which was dated 2009 October 14, stated, *inter alia*, that “**In respect to the Harvester Used Parts items in the referenced list, these, were the subject of an unsolicited proposal made to the company.** SCJ was also looking for these parts and accepted the offer after evaluating alternative solutions (report available on file for inspection). The company found the offer to be economically beneficial as these parts could not be sourced anywhere else in Jamaica.”¹⁴ (OCG Emphasis)

Further, Mr. Donovan Stanberry, in his response to the OCG’s Requisition, which was dated 2010 February 26, stated, *inter alia*, as follows:

*“The parts in question are used parts, which Partek Trading Ltd would have cannibalized from old harvesters. **In the particular instance, Partek personnel through telephone calls sought to interest SCJ’s operators at the local level in these parts.** It is not unusual for suppliers to directly contact technical personnel at the estate level. **After this telephone contact was made, consultations ensued with the Purchasing Dept., after which the parts in question were inspected to ascertain suitability. Upon being satisfied that these parts were suitable an “Internal Purchase Requisition” was triggered and a formal quotation sought from the Supplier...***

We are unable to be specific on the dates of contact as the services of some of the personnel who worked in the Tractor & Transport departments were terminated via redundancy in December 2008...

Each individual quotation was assessed by the purchasing Manager Mr. Lincoln Morris in the usual manner that all purchases of this nature are done. *At this stage of the process the Purchasing Manager carries out an assessment to determine price validity and ensure that goods / services are procured at a minimum; in this regard consideration is given to alternate sources of supply.*

This being an unsolicited and unique business opportunity, there were no other offers and as far as the company was aware, no other supplier in Jamaica had used harvester parts available for sale at that time...¹⁵ (OCG Emphasis)

11. The OCG has concluded that several of the contracts were reportedly awarded to Partek Trading Ltd., via the Sole Source Procurement Methodology. Having regard to the foregoing, the OCG sought to ascertain whether the requisite approvals, from the Accounting Officer and the NCC, were sought and/or obtained for the use of the Sole Source Procurement Methodology.

¹⁴ Donovan Stanberry. Response to the OCG’s Requisition. 2009 October 14. Question 5

¹⁵ Mr. Donovan Stanberry. Response to the OCG’s Follow-up Requisition. 2010 February 26. Question 2

In this regard, Mr. Donovan Stanberry, in his response to the OCG's Requisition, which was dated 2009 October 14, stated, *inter alia*, that "Not applicable...**This matter was not referred to my attention for Sole Sourcing procurement approval.** It is not customary for the SCJ to bypass the Accounting Officer...**This matter was not referred to the NCC for Sole Sourcing procurement approval.** It is not customary for the SCJ to bypass the NCC."¹⁶ (OCG Emphasis)

It is instructive to note that Mr. Stanberry, in his response to the OCG's Requisition, also indicated that the Chairman of the Board of Directors of the SCJ, Mr. Robert Levy, had approved the transaction. In this regard, Mr. Donovan Stanberry stated that "***It should be noted, that the exigencies surrounding this procurement warranted the taking of on the spot decisions after consultations with the Chairman. The matter was brought to a subsequent Board meeting for information/ratification.***"¹⁷

Consequently, the OCG has concluded that several of the contracts, which were awarded to Partek Trading Ltd., via the Sole Source Method of Procurement, were awarded in breach of Section 2.1.3.4 of the GPPH (May 2001). Section 2.1.3.4 of the GPPH (May 2001), provides, *inter alia*, that:

*"All Sole Source or Direct Contracting greater than \$1M must receive prior written approval from the NCC through the Accounting Officer."*¹⁸

12. The OCG has not seen any *prima facie* evidence to suggest that there was impropriety on the part of any individual or entity which contributed to the award (or non-award) of the contracts to (a) Partek Trading Ltd., (b) P Factor, (c) Tyre Warehouse Ltd. and (d) Tyres-R-US Ltd.

SPECIAL NOTE

It is instructive to note that by way of a letter, which was dated 2010 June 3, the SCJ informed the OCG, *inter alia*, as follows:

"This letter serves to inform and confirm that the assets of the Sugar Company of Jamaica Limited (SCJ) have been divested and/or transferred as of July 31, 2009. The assets of SCJ and the operations of the sugar factories previously owned by that company are now the responsibility of SCJ Holdings Limited trading as Sugar Divestment Enterprise (SDE).

*During the period following closure to the end of December 2009, SCJ continued to facilitate the operations of SCJ Holdings Limited to enable that company to put in place proper purchasing systems, including the issuing of purchase orders. SCJ Limited has therefore signed and submitted its last Quarterly Report which covers the period October 1, 2009 to December 31, 2009 and the company is now in the process of being wound up."*¹⁹ (OCG Emphasis)

Further, it is instructive to note that on 2010 July 13, the Jamaica Information Service (JIS) published an article, which was entitled "*Gov't Finalising US\$9 Million Sale of Last 3 Sugar Factories*"²⁰.

In the referenced article, it was reported, *inter alia*, that "*The Government's Sugar Divestment Team (SDT) is to finalise a deal soon with China's COMPLANT International Sugar Industry Company, for the sale of its three remaining sugar factories - Frome, Monymusk and Bernard Lodge - following Monday's (July 12) green light from the Cabinet.*"²¹

¹⁶ Donovan Stanberry. Response to the OCG's Requisition. 2009 October 14. Question 5

¹⁷ Donovan Stanberry. Response to the OCG's Requisition. 2009 October 14. Question 5

¹⁸ GPPH. Section 2.1.3.4. 2001 May.

¹⁹ SCJ. Letter to the OCG. 2010 June 3

²⁰ JIS. "Gov't Finalising US\$9 Million Sale of Last 3 Sugar Factories" 2010 July 13

²¹ JIS. "Gov't Finalising US\$9 Million Sale of Last 3 Sugar Factories" 2010 July 13

Having regard to the foregoing and, in particular, the Findings and Conclusions which are detailed herein, the OCG has deemed it prudent to direct its Recommendations to SCJ Holdings Ltd. and the Ministry of Agriculture (MAF), for the benefit of itself and its respective portfolio Public Bodies.

In light of the foregoing, and having regard to the Findings and Conclusion which are discussed in greater detail in this Report, the OCG has respectfully made the following considered Recommendations.

RECOMMENDATIONS

Section 20 (1) of the Contractor-General Act mandates that “*after conducting an Investigation under this Act, a Contractor-General shall, in writing, inform the principal officer of the public body concerned and the Minister having responsibility therefore of the result of that Investigation **and make such Recommendations as he considers necessary in respect of the matter which was investigated.***” (OCG’s Emphasis)

1. The OCG has found that there were breaches of the procurement guidelines, by the SCJ, with respect to (a) securing the requisite approvals of the Accounting Officer and the NCC for the use of the Sole Source Procurement Methodology and, (b) securing advance payment sureties.

It is instructive to note that this is the second instance, in the space of a year, in which the OCG, via a Report of Special Investigation, has identified procurement breaches on the part of a Public Body entity in respect of which the MAF’s Permanent Secretary has Accounting Officer portfolio responsibilities.

While there are breaches which have been identified herein, it should be noted that the then applicable rules, which were contained in the GPPH (2001 May), did not impose any sanctions for breaches of the GPPH. In point of fact, criminal sanctions for breaches of the Government Procurement Rules were not imposed until 2008 December 12, effective with the promulgation of Section 40 of the 2008 Public Sector Procurement Regulations.

In the circumstances, the OCG recommends that the MAF and its Accounting Officer should ensure scrupulous compliance, by its respective portfolio Public Bodies, with the Revised Handbook of Public Sector Procurement Procedures (2010 October) which came into effect on January 2, 2011, particularly with respect to the following matters:

- (a) Securing the requisite approvals from the Public Body’s Procurement Committee, its Accounting Officer/Head of Entity, the NCC, and the Cabinet, as applicable, in conformance with the requirements which are detailed in Appendix 6 of Volume 2 of 4 of the RHPP;
 - (b) Securing the relevant approvals from the Accounting Officer/Head of Entity and the NCC as applicable, in conformance with the requirements of Section 1.1.4 of Volume 2 of 4 of the RHPP;
 - (c) Securing the requisite contract security where advance payments are made, in conformance with the requirements of Section A7.6.3 of Volume 2 of 4 of the RHPP.
2. The OCG strongly recommends that procuring entities should plan their procurement activities in accordance with the Procurement Cycle, inclusive of the employment and application of an approved Procurement Plan. In this regard, contracts which are to be awarded should be properly packaged, tendered, evaluated and awarded within a specified timeframe hence removing the need, *inter alia*, to rush the procurement process.
3. The OCG recommends that the Accounting and Accountable Officers should be more proactive in the procurement activities of Public Bodies and ensure that contracts which are awarded should be consistent with the full application of the Procurement Guidelines and must be, and appear to be, awarded fairly, impartially and without any form of irregularity or impropriety.

4. The OCG recommends that the Accounting and/or Accountable Officers should take a more proactive and aggressive role in developing, implementing and enforcing effective risk management systems, and checks and balances, within their portfolio, in an effort to mitigate against any possibility of deviations from the RHPP by the institution's management and procurement staff.
5. The OCG recommends that in accordance with, *inter alia*, the Public Bodies Management and Accountability Act and the Financial Administration and Audit Act, the Cabinet, Accounting and Accountable Officers and Members of the Board of Directors of Public Bodies should, at all times, ensure that the principles of good corporate governance are adhered to and promoted within the Public Sector.

In this regard, the OCG is of the considered opinion that within the respective organizations of the Public Sector, there should be adequate checks and balances mechanisms which are designed to promote transparency, integrity and probity in the management and administration of the affairs of the State.

Further, and at all times, the highest ethical standards should be promoted and where a conflict of interest is likely to occur and/or appears to have occurred, the Public Body should promptly take the requisite corrective actions to mitigate such conflicts and/or the consequences of same.

6. The OCG is recommending that Public Officers and/or Officials, who are engaged by the GOJ, adhere to the strictest practices of professional ethics and conduct whilst in the employ of the GOJ.
7. The OCG also recommends that the Auditor General conducts an exhaustive Investigation and/or audit into the financial affairs of the SCJ and SCJ Holdings Ltd. The OCG believes that such an exhaustive Investigation is also required in light of the divestment of the remaining GOJ sugar assets.
8. The OCG remains concerned that the **unsolicited proposal** mechanism is a corruption enabling device which can be utilized by unscrupulous Public Officials to direct lucrative multi-million dollar State contracts to connected, undeserving or desired contractors. This can be easily accomplished by influential but corrupt Public Officials who are willing to clandestinely conspire with a contractor to have the contractor approach the State with what appears to be a unique contracting proposal.

It is the OCG's considered position that all such proposals must be tested for propriety, legitimacy, cost-effectiveness, quality, value for money and competitiveness in the open market place.

Consequently, the OCG recommends that Public Bodies, through their respective Accounting and Accountable Officers, should pay keen attention to, and ensure compliance with, Section 1.2 of Volume 2 of 4 of the RHPP, which dictates how unsolicited proposals should be treated and, in particular, with respect to price testing and competitive bidding.

9. Finally, while the OCG's Investigation has not unearthed any *prima facie* evidence of corruption, the nature of the allegations which triggered the OCG's Investigation requires that the OCG should remind all Public Officers, inclusive of Board Members of Public Bodies, who abuse their office and authority for personal gain and/or for the benefit of others, that there are circumstances in which such conduct is likely to rise to the level of a criminal act of corruption.

The provisions that are contained in Section 14 (1) (b) of the Corruption Prevention Act are instructive in this regard. They provide simply that "*A public servant commits an act of corruption if he, in the performance of his public functions, does any act or omits to do any act for the purpose of obtaining any illicit benefit for himself or any other person*".

An act of corruption is punishable upon summary conviction in a Resident Magistrate's Court, in the case of a first offence, to a fine not exceeding one million dollars or to imprisonment for a term not exceeding two years, or to both such fine and imprisonment; and in the case of a second or subsequent offence, to a fine not exceeding three million dollars or to imprisonment for a term not exceeding three years, or to both such fine and imprisonment.

Upon conviction in a Circuit Court, an act of corruption is punishable, in the case of a first offence, to a fine not exceeding five million dollars or to imprisonment for a term not exceeding five years, or to both such fine and imprisonment; and in the case of a second or subsequent offence, to a fine not exceeding ten million dollars, or to imprisonment for a term not exceeding ten years or to both such fine and imprisonment.

OFFICE OF THE CONTRACTOR GENERAL OF JAMAICA

Executive Summary of Report of Investigation

Conducted into the Circumstances Surrounding the Alleged Contractual Agreements between the Petroleum Corporation of Jamaica (PCJ) and Caribbean Protective Security Management and Services Company Ltd.

The Former Ministry of Industry, Technology, Energy and Commerce (MITEC)

Ministry of Energy and Mining

Initiated: 2009 September

Concluded: 2011 May

On 2009 September 23, the Office of the Contractor General (OCG), acting on behalf of the Contractor General, and pursuant to the provisions which are contained in Sections 15(1) and 16 of the Contractor General Act, initiated an Enquiry into the circumstances surrounding the alleged contractual agreements between the Petroleum Corporation of Jamaica (PCJ) and Caribbean Protective Security Management and Services Company Limited.

Section 15 (1) of the Act provides that “...a Contractor-General may, if he considers it necessary or desirable, conduct an investigation into any or all of the following matters-

- (a) the registration of contractors;
- (b) tender procedures relating to contracts awarded by public bodies;
- (c) the award of any government contract;
- (d) the implementation of the terms of any government contract;
- (e) the circumstances of the grant, issue, use, suspension or revocation of any prescribed license;
- (f) the practice and procedures relating to the grant, issue, suspension or revocation of prescribed licenses”.

Section 16 of the Contractor General Act expressly provides that “An investigation pursuant to section 15 may be undertaken by a Contractor- General on his own initiative or as a result of representations made to him, if in his opinion such investigation is warranted”.

The OCG’s decision to commence the formal Enquiry followed, *inter alia*, upon the publication of two (2) articles in the Daily Gleaner newspaper, which were dated 2009 September 16 and 2009 September 23, respectively.

The publications drew the attention of the OCG to the alleged payment of J\$2 million by the PCJ, in 2006, to a security firm, which was known as Caribbean Protective Security Management and Services Company Ltd., for services which were rendered at a community centre that was located in Santa Cruz, St. Elizabeth.

In the first article, which was dated 2009 September 16, and which was entitled “*Parliamentary committee livid with PCJ*”, it was reported, *inter alia*, as follows:

“PRESSURE IS mounting on the Petroleum Corporation of Jamaica (PCJ) as another parliamentary committee castigated the agency for a questionable transaction at the agency three years ago.

Members of Parliament's Public Accounts Committee (PAC) were livid yesterday when technocrats from the Ministry of Mining and Energy failed to provide a clear explanation about how a \$2-million payment was made in 2006 to a security company for providing services at a community centre in Santa Cruz, St Elizabeth.

Auditor General Pamela Munroe – Ellis disclosed that her audit found that the PCJ had no affiliation with the community centre yet sums were paid to the security firm.

Robert Martin, deputy financial secretary, suggested that an incident like this should be investigated by the Office of the Contractor General ...²²

In the second article, which was dated 2009 September 23, and which was entitled "PCJ searches for evidence- Company does forensic audit in the midst of \$2- million payments", it was reported, *inter alia*, as follows:

"MORE DETAILS have emerged concerning the controversial \$2 million paid by the Petroleum Corporation of Jamaica (PCJ) in 2006 to a security firm for services at a community centre in Santa Cruz, St Elizabeth.

A PCJ document responding to a query by Auditor General Pamela Monroe – Ellis about the corporation's interest in the community centre said the government entity's budget had a provision for community outreach programmes.

According to the PCJ, in 2006, a charitable organization, Rainbow of Hope Limited, was undertaking a community-outreach programme.

The exercise included the erection of perimeter fencing and replacement of two gates at the community centre.

The security company is listed as Caribbean Protective Security Management and Services Company whose principals were Rodney Chin and Joseph Blackwood.

Rainbow of Hope Limited, the charitable entity, had as its principals Joseph Blackwood, Colleen Nicole Wright and Donovan Williamson...²³

The allegations, which were contained in the above referenced articles, alluded, *inter alia*, to (a) impropriety; (b) a lack of transparency; (c) a lack of fairness; (d) cronyism in the award of Government contracts; (e) a breach of applicable Government Procurement Procedures; (f) mismanagement; and (g) a breach of the applicable Public Service administrative and accounting procedures.

Consequently, these allegations and inferences, amongst others, raised several concerns for the OCG, especially in light of (a) the OCG's previous Findings, Conclusions, Referrals and Recommendations that were revealed in its Special Report of Investigation, which was conducted into the circumstances surrounding the award of contracts, by the PCJ, for the 4M Energy Saving and Light Bulb Distribution Project, and which was formally submitted, by the OCG, to the relevant authorities on 2008 February 8 (b) the arrest on 2008 February 26, on criminal charges, in relation to matters that were associated with the said 4M Energy Saving and Light Bulb Distribution Project contract awards, of at least two (2) of the persons who were named in one (1) of the referenced newspaper reports, namely Mr. Rodney Chin and Ms. Colleen Nicole Wright, and (c) the perceived absence of adherence to the Government contract award principles which are enshrined in Section 4 (1) of the Contractor General Act.

Section 4 (1) of the Act requires, *inter alia*, that GOJ contracts should be awarded "impartially and on merit" and that the circumstances of award should "not involve impropriety or irregularity".

²²Daily Gleaner. "Parliamentary committee livid with PCJ". 2009 September 16. <http://jamaica-gleaner.com/gleaner/20090916/lead/lead9.html>

²³Daily Gleaner. "PCJ searches for evidence- Company does forensic audit in the midst of \$2- million payments" 2009 September 23. <http://jamaica-gleaner.com/gleaner/20090923/lead/lead5.html>

Having regard to the foregoing, the OCG's Enquiry primarily sought to determine, *inter alia*, the following:

2. The extent, if any, to which the PCJ had an interest in Rainbow of Hope Ltd.
3. Whether there was impropriety and/or irregularity involved in the process which was used, by the PCJ, to approve the alleged request for assistance from Rainbow of Hope Ltd.
4. The nature of the relationship, if any, between and among executives and/or officials at the PCJ and the principals of Caribbean Protective Security Management and Services Company Ltd. and the proprietors of Rainbow of Hope Ltd.
5. The procurement process which was employed by the PCJ in the award, implementation, execution and/or variation of the contract which was awarded to Caribbean Protective Security Management and Services Company Ltd.
6. Whether there was any *prima facie* evidence that would suggest impropriety on the part of any individual and/or entity which contributed to the award (or non-award) of the contract to Caribbean Protective Security Management and Services Company Ltd.
7. Whether there were any breaches of the GOJ's Public Sector Procurement Procedures and/or applicable laws on the part of the PCJ and/or anyone acting on its behalf, in the facilitation, procurement, award, implementation, execution and/or variation of the referenced contract; and
8. Whether the process which led to the award of the contract to Caribbean Protective Security Management and Services Company Ltd. was fair, impartial, transparent and devoid of irregularity and impropriety.

At the commencement of its Enquiry on 2009 September 23, the OCG, by way of a letter of even date, wrote to Dr. Ruth Potopsingh, the then PCJ Group Managing Director, to inform her of the OCG's decision to launch an Enquiry into the circumstances surrounding the alleged contractual agreements between the PCJ and Caribbean Protective Security Management and Services Ltd.

In furtherance of the OCG's Enquiry, the OCG, on the said date, dispatched a three (3) person Audit Team, to the offices of the PCJ, to review and requisition the files and other relevant documentation and/or information which were related to the matter.

The Terms of Reference of the OCG's Enquiry into the circumstances surrounding the alleged contractual agreements between the PCJ and Caribbean Protective Security Management and Services Ltd. were primarily developed in accordance with the provisions which are contained in Section 4 (1) and Section 15 (1) (a) to (d) of the Contractor General Act.

Additionally, the OCG was guided by the recognition of the very important responsibilities which are imposed upon Public Officials and Officers by, *inter alia*, the Contractor General Act, the GPPH (2001 May), the Financial Administration and Audit Act (FAA Act), the Public Bodies Management and Accountability Act (PBMA), as well as the Corruption Prevention Act.

The OCG was also guided by the expressed provisions which are contained in Section 21 of the Contractor General Act. Section 21 specifically mandates that a Contractor General shall consider whether he has found, in the course of his Investigation, or upon the conclusion thereof, evidence of a breach of duty, misconduct or criminal offence on the part of an officer or member of a Public Body and, if so, to refer same to the competent authority to take such disciplinary or other proceedings as may be appropriate against that officer or member.

The Findings of the OCG's Enquiry into the circumstances surrounding the alleged contractual agreements between the PCJ and Caribbean Protective Security Management and Services Company Ltd. are premised primarily upon an analysis of the statements and the documents which were provided by the respondents who were requisitioned herein.

SUMMARY OF KEY FINDINGS AND CONCLUSIONS

The OCG found that in the Meeting of the Public Accounts Committee (PAC) of the Parliament of Jamaica, which was held on 2009 September 15, it was revealed that a security contract was awarded to Caribbean Protective Security Management and Services Company Ltd., to provide security services at a community centre which was located in Santa Cruz, St. Elizabeth.

In this regard, Mrs. Hillary Alexander, Permanent Secretary, in the Ministry of Energy and Mining (MEM), in her response to the concerns which were raised by the PAC on 2009 September 15, stated, *inter alia*, the following:

*“... The subject of this query was investigated by the group internal auditor. **The security services were provided for safeguarding this building...and the cost of the services was absorbed by the PCJ.**”*

Further, Dr. Ruth Potopsingh, in her response to the OCG's Requisition, which was dated 2010 February 16, stated, *inter alia*, as follows:

*“The extent of my knowledge of the alleged contract(s) which was/ were awarded to Caribbean Protective Security Management and Services Company Limited to provide security services for and/or on behalf of the Petroleum Corporation of Jamaica (PCJ) is from the findings of the Auditor General on the Appropriation and other Accounts of Jamaica for the Financial Year ended 31st March 2008. **The Group Internal Auditor (PCJ) first reported that services were procured in regard to the provision of security services at a community centre in Santa Cruz between August 1 and December 31, 2006.** The information concerning these payments to Caribbean Protective Security Management and Services Company Ltd. was obtained from payment records in PCJ. **No documented contracts between the PCJ and this company have been found**”²⁴ (.OCG Emphasis)*

The Accounts Payable Vouchers of the PCJ revealed, *inter alia*, that the PCJ made fourteen (14) payments to Caribbean Protective Security Management and Services Company Ltd. The referenced payments were made over the period of 2006 May 29 to 2007 April 11, and had an aggregate total value of J\$3,828,580.40.

Of the sum stated above, J\$2,648,650.80 was paid, by the PCJ, for services which were described as being for the provision of 'Armed Security Officers' and J\$971,889.60 was paid for services which were described as being for the provision of 'Unarmed Security Officers'.

A further J\$208,040.00 was paid to Caribbean Protective Security Management and Services Company Ltd., by the PCJ, for the acquisition of a 'computer printer for MCST'.

The OCG found that the referenced payment, which was made for the acquisition of a computer printer, appears to have nothing to do with the provision of security services. In point of fact, the OCG found that the invoice that was dated 2006 May 25, which was presented by Caribbean Protective Security Management and Services Company Ltd. to the PCJ, and which was signed by Mr. Joseph Blackwood, Director, indicated that the PCJ was being charged for the following items:

1. Tablet PC;
2. HP 24 X Combo DVD/ CDRW Multibay II Drive;
3. HP External Multibay II Cradle;
4. Cannon IP90 Mobile Printer.

²⁴ Dr. Ruth Potopsingh. Response to OCG's Requisition. 2010 February 16.

Based upon the foregoing, the OCG found that the PCJ purchased a computer and related equipment from Caribbean Protective Security Management and Services Company Ltd. It is instructive to note, however, that the OCG found that the documents, which were on the PCJ files, did not indicate (a) whether the PCJ received the above referenced items, (b) the reasons for the purchase of the items and/or (c) the location at which the items were delivered.

Further, based upon the documents which were made available to the OCG, and considering the nature of the services which were purportedly being provided by Caribbean Protective Security Management and Services Company Ltd., the OCG is unable to verify the necessity of the procurement and the rationale for its approval.

The OCG's position is also buttressed by the inability on the part of the Accounting and Accountable Officers of the PCJ to clearly account for the contracting of Caribbean Protective Security Management and Services Company Ltd.

The OCG was provided with copies of the PCJ cheques, which were made payable to Caribbean Protective Security Management and Services Company Ltd., for the period of 2006 June to 2007 April.

A review of the referenced cheques, which were reportedly drawn from the PCJ's Account, revealed, *inter alia*, the following;

1. Cheques totalling J\$4,149,264.00 were made payable to Caribbean Protective Security Management and Services Company Ltd.
2. There was a distinct disparity between the total amount which was paid to Caribbean Protective Security Management and Services Company Ltd. and the total amount which was detailed in the Accounts Payable Records of the PCJ.

In this regard, the cheques revealed that a total of J\$4,149,264.00 was paid to Caribbean Protective Security Management and Services Company Ltd.; however, the Accounts Payable Records of the PCJ and the invoices on the PCJ files, indicated that a total of J\$3,828,580.40 was to be paid.

3. Consequently, the OCG found that Caribbean Protective Security Management and Services Company Ltd. was paid a total of J\$320,683.60 more than that which was invoiced.

The OCG also found that there was a lack of documentation and poor methods of records keeping, on the part of the PCJ, specifically with respect to the payments and invoices for the referenced contract.

Having regard to the foregoing, and based upon the documents which were made available to the OCG, by the PCJ, it is instructive to note that the OCG is unable to verify and/or state the reasons for the apparent overpayment that was made to Caribbean Protective Security Management and Services Company Ltd.

With respect to the procurement process which was utilized by the PCJ in the award of the contract to Caribbean Protective Security Management and Services Company Ltd., it is instructive to note that the PCJ, in its Quarterly Contract Award (QCA) Reports, reported that it utilized the Sole Source Procurement Methodology.

However, the OCG did not find any evidence to indicate that the then Accounting Officer, Dr. Jean Dixon, the then Permanent Secretary, in the former Ministry of Industry, Technology, Energy and Commerce (MITEC), approved the use of the Sole Source Procurement Methodology for the award of the referenced contracts.

Consequently, the OCG found that the foregoing amounts to a breach of Section 2.1.3.4 of the GPPH (2001 May).

Further, it should be noted that notwithstanding the representations of the PCJ in its QCA Reports, with respect to the procurement process which was utilized in the award of the referenced contract, the OCG found that Dr. Ruth Potopsingh, the then PCJ Group Managing Director, in her response to the OCG's Requisition, which was dated 2010 February 16, stated, *inter alia*, as follows:

*"I am not aware of how the PCJ or any other Public Body on its behalf, went about getting proposals for and/or quotations from Caribbean Protective Security Management and Services company Ltd. for the provision of security services. **There is no evidence that the public sector procurement procedures were followed and no evidence of any competing proposals and/or quotations.**"²⁵ (OCG Emphasis)*

Based upon the documents which were presented to the OCG, by the PCJ, the OCG also found that there was no written contract between the PCJ and Caribbean Protective Security Management and Services Company Ltd. for the referenced contract.

Therefore, the OCG found that the referenced contract did not receive the approval of the Accounting Officer, nor was the Head of the PCJ, the Group Managing Director, aware of its award.

Consequently, the OCG has concluded that in the contracting of Caribbean Protective Security Management and Services Company Ltd., the PCJ has shown scant regard for the Government Procurement Guidelines and, in particular, the Contractor General Act, specifically Section 4(1).

Further, based upon Dr. Potopsingh's representations, to the OCG, invoices with respect to the contract which was awarded to Caribbean Protective Security Management and Services Company Ltd. were approved by Mr. Rodney Salmon, the then Director of Administration/ Corporate Secretary. In this regard, Dr. Potopsingh stated, *inter alia*, as follows:

*"Not having seen any documented contracts between the PCJ and Caribbean Protective Security Management and Services Company Ltd., **and not having seen any evidence that any such contracts were subjected to public sector procurement procedures, I am unable to state the names of the officers who approved the contracts, but I am able to state that the related invoices were approved by the then Director of Administration/ Corporate Secretary**"²⁶ (OCG Emphasis)*

The OCG found no evidence to suggest that (a) a 'Request for Proposals' was prepared by the PCJ, (b) quotations were sought by the PCJ, or (c) that the GOJ Public Sector Procurement Guidelines were utilized in the execution of the referenced procurement.

It is instructive to note that Papineau Consulting Inc. conducted a Special Audit Report with respect, *inter alia*, to (a) procurement breaches and (b) the alleged contract(s) which was/were awarded to Caribbean Protective Security Management and Services Company Ltd., by the PCJ, in 2009 October.

In this regard, the referenced report determined, *inter alia*, that:

1. *"Most approvals for paying invoices only had one signature and the majority of PCJ expenditures were approved by the former Director of Administration or the former Financial Controller"*.
2. *"General expenditures identified as problematic related to Grants & Donations where a multitude of donations were made monthly by PCJ to public and private organizations. Many payments were made for loans and grants to PCJ employees, for numerous reasons. However, there were no written criteria used as the basis to authorize donations, loans and grants"*.
3. *"Questionable expenditures for security services were identified, relating to one specific security firm in 2006-07 for a Santa Cruz Community Centre..."*

²⁵ Dr. Ruth Potopsingh. Response to the OCG's Requisition. 2010 February 16.

²⁶ Dr. Ruth Potopsingh. Response to the OCG's Requisition. 2010 February 16.

4. "The amount paid by PCJ to this **security firm was in excess of \$5 million.** No contracts or documents were ever found to justify or support these expenditures other than the brief invoices".
5. The PCJ manager who was responsible for security services did not (a) authorize these expenditures; (b) was unable to provide contracts, documentation or support for the justification of these security services and (c) was unaware of the purpose for which they were required.
6. Most contracts were awarded using the Sole Source Procurement Methodology without any justification being provided. One (1) competitively awarded contract was reviewed; however, doubts were raised with respect to the competitiveness of the process.

The following are problems which were identified with respect to the contracts that were reviewed:

- i. *"lack of competitiveness*
 - ii. *awarding work without written contracts,*
 - iii. *awarding work without knowing the cost of the work*
 - iv. *change orders to work description without prior approval*
 - v. *making payments without proper approvals of PCJ officials*
 - vi. *making payments on invoices without details of the work completed"*
7. "There was no written manual or written guidelines on the practices and procedures of the PCJ Accounts Unit relating to how it should handle and process expenditures and revenues. There was no written directive on the process to authorize and record information in the financial records of PCJ..."²⁷

Having regard to the information which was presented, to the OCG, the OCG also thought it prudent to conduct a company search on the website of the Companies Office of Jamaica (COJ) for the companies Rainbow of Hope Ltd. and Caribbean Protective Security Management and Services Company Ltd. This was undertaken, by the OCG, in order to ascertain further and better particulars of the referenced companies.

In this regard, the referenced search for Rainbow of Hope Ltd. revealed, *inter alia*, the following:

- The company was incorporated on Wednesday, 2006 February 22;
- Listed as its Directors were Mr. Joseph Blackwood, Mr. Donovan Williamson and Ms. Coleen Wright.

The search with respect to Caribbean Protective Security Management and Services Company Ltd. revealed, *inter alia*, the following information:

- The company was incorporated on Friday, 2006 May 19;
- Listed as its Directors and Shareholders were Mr. Joseph Blackwood and Mr. Rodney Chin. Mr. Chin was also listed as the majority shareholder of the company.

It is instructive to note that Mr. Rodney Chin, who is mentioned above as a Director and Shareholder of Caribbean Protective Security Management and Services Company Ltd., was also highlighted in the OCG's Special Report of Investigation, which was conducted into the circumstances surrounding the procurement of contracts for the 4M Energy Saving and Light Bulb Distribution Project.

²⁷ Papineau Consulting Inc. Audit Report. 2009 October

In this regard, Mr. Chin was found to be the sole Director of Universal Management and Development Company (UMD), the company which was reported as having received the bulk of the payments from the PCJ, in relation to the referenced Project.

It is instructive to note that UMD, like Caribbean Protective Security Management and Services Company Ltd. and Rainbow of Hope Ltd., was incorporated in 2006.

Further, it is instructive to note that Ms. Coleen Wright, who is listed as a Director of Rainbow of Hope Ltd. is currently before the courts facing a number of criminal charges which were brought against her with respect to her alleged involvement with the 4M Energy Saving and Light Bulb Distribution Project.

On 2008 February 26, Mr. Rodney Chin was arrested and taken into custody and was subsequently charged in connection with certain matters that were associated with the said 4M Energy Saving and Light Bulb Distribution Project; however, the referenced charges, against Mr. Chin, were subsequently dropped by the Director of Public Prosecutions (DPP), Ms. Paula Llewellyn, who assumed office on 2008 March 5.

Of note is the fact that Ms. Wright, during the referenced period, was employed to the PCJ. The employment contract of Ms. Wright was for a period of two (2) years commencing on 2006 May 1.

It is instructive to note that the referenced community centre, at which Rainbow of Hope Ltd. was conducting an outreach project, and at which Caribbean Protective Security Management and Services Company Ltd. was alleged to have been providing security services, at the expense of PCJ, is one which is located in Santa Cruz, St. Elizabeth. This is an area within the St. Elizabeth North Eastern Constituency for which Mr. Kern Spencer is the Member of Parliament. During the referenced period, Mr. Kern Spencer was also the Junior Minister in the parent Ministry of the PCJ, MITEC.

The OCG, in its Special Report of Investigation, found *prima facie* evidence of corruption in the selection of contractors, inclusive of UMD, on the part of Mr. Kern Spencer. It is instructive to note that Mr. Kern Spencer is also currently before the courts, along with Ms. Coleen Wright, facing charges with respect to the 4M Energy Saving and Light Bulb Distribution Project.

Further, the OCG also found that on a PCJ "*Payment Voucher*", it was revealed that on 2006 July 17, Ms. Coleen Wright collected and signed for a cheque which was drawn for the benefit of the Caribbean Protective Security Management and Services Company Ltd.

Having regard to the relationship, which was identified by the OCG, with the above referenced individuals, the OCG, at this juncture, must highlight that there are glaring similarities between the findings of this Enquiry and those of the findings, which have been detailed in the OCG's Special Investigation Report, which was conducted into the circumstances surrounding the procurement of contracts for the 4M Energy Saving and Light Bulb Distribution Project.

In this regard, the OCG has identified similarities with respect to (a) the procurement process at the PCJ during the referenced period (b) the breakdown in the financial and administrative management of the PCJ and (c) the award of contracts in an irregular and improper manner to companies which were associated, whether directly and/or indirectly, with Ms. Coleen Wright and Mr. Rodney Chin.

It should also be noted that the contract which was awarded to Caribbean Protective Security Management and Services Company Ltd. was granted within the same time period as those of the PCJ contracts which were awarded for the 4M Energy Saving and Light Bulb Distribution Project.

Based upon the documents which have been reviewed, as well as the sworn written statements which have been received from Dr. Ruth Potopsingh, the then PCJ Group Managing Director, and Mrs. Hillary Alexander, the Permanent Secretary in the MEM, the OCG has arrived at the following considered Findings and Conclusions:

1. The OCG has concluded that the PCJ breached various provisions of the GPPH (2001 May); the breaches include, *inter alia*, the following:
 - a. The PCJ failed to facilitate a competitive tender process in the award of the contract to Caribbean Protective Security Management and Services Company Ltd. for security services. As such, the PCJ breached Section 4.5 of the GPPH (2001 May).
 - b. The PCJ did not prepare a detailed 'Request for Proposal' and/or any other tender document with respect to the contract which was awarded to Caribbean Protective Security Management and Services Company Ltd. Consequently, the OCG has concluded that the PCJ breached Section 6.1 of the GPPH (2001 May).
 - c. The PCJ failed to disclose and/or publish the procurement opportunity with respect to the contract which was awarded to Caribbean Protective Security Management and Services Company Ltd. As such, the OCG has concluded that the PCJ breached Section 2.5.3 of the GPPH (2001 May).
 - d. The PCJ also acted in contravention of Section 2.11 of the GPPH (2001 May), which highlights the reporting requirements of a Public Body and states, *inter alia*, that the procuring entity apprise the portfolio Ministry of all procurements effected by the entity.

The OCG has not seen any evidence to indicate that the contract, which was awarded to Caribbean Protective Security Management and Services Company Ltd., was reported in accordance with the above provision of the GPPH (2001 May).

- e. The OCG has concluded that the PCJ breached Section 2.1.3.4 of the GPPH (2001 May). This is premised upon the fact that the PCJ asserted, in its QCA Reports, that the contract which was awarded to Caribbean Protective Security Management and Services Company Ltd. was awarded via the Sole Source Procurement Methodology.

In the OCG's considered opinion, the nature of the referenced procurement, cannot be described and/or justified as (a) a procurement of a sensitive nature, (b) the result of a meritorious unsolicited proposal, (c) a matter of compelling urgency, and (e) requires the need for expert services.

2. The OCG has concluded that the process which led to the award of the contract to Caribbean Protective Security Management and Services Company Ltd. lacked transparency, as there was an absence of appropriate documentation to illustrate the process which led to the award of the subject contract.
3. Based upon the fact that the PCJ purchased a computer and related accessories from Caribbean Protective Security Management and Services Company Ltd., the OCG has concluded that the referenced purchase was highly irregular and questionable at best.

The foregoing circumstances points to mismanagement in the disbursement of public funds, on the part of the Accountable Officer who signed off on same, and can be viewed as *prima facie* evidence of a breach of the FAA Act.

4. The OCG has concluded that there was no probity and/or equity involved in the process which led to the award of the contract to Caribbean Protective Security Management and Services Company Ltd.
5. The OCG is unable to verify whether the PCJ obtained 'value for money' in the award of the contract to Caribbean Protective Security Management and Services Company Ltd. This is premised upon the fact that there was no competitive tender process and/or no comparative estimate.

6. Based upon the cheques which were issued to Caribbean Protective Security Management and Services Company Ltd., the PCJ paid a total of J\$4,149,264.00. However, the PCJ reported, to the OCG, in its QCA Reports that two (2) contracts were awarded to Caribbean Protective Security Management and Services Company Ltd. on 2006 September 15 and 2006 August 14, in the amount of J\$716,400.00 and J\$419,760.00 respectively. The OCG found that the cheque amount is far more than that which was reported to the OCG in the aforementioned QCA Reports.

Having regard to the foregoing, the contracts which were reported on the QCA Reports and the absence of a written contract, several questions may be raised. These include, *inter alia*, the following:

- a. That either the PCJ failed to report, to the OCG, any other contract which may have been awarded to Caribbean Protective Security Management Services and Company Ltd.;
 - b. That there was a variation to the contracts which were reported to the OCG in the QCA Reports;
 - c. That the contracts were splintered in order to avoid the scrutiny of the NCC, which at the time, reviewed contracts valued at \$4 million and above.
7. The OCG has not seen any documentary evidence to indicate which entity, whether the PCJ and/or the then MITEC, and/or which individual was responsible for engaging, either directly or indirectly, the services of Caribbean Protective Security Management and Services Company Ltd.

In point of fact, the OCG has seen no written contract and has only seen (a) PCJ cheques which were made payable to Caribbean Protective Security Management and Services Company Ltd., (b) invoices from Caribbean Protective Security Management and Services Company Ltd. and (c) PCJ payment vouchers. Further, there was no competitive bidding process involved in the selection of Caribbean Protective Security Management and Services Company Ltd.

Based upon the foregoing, the OCG has concluded that the process which was utilized by the PCJ to select Caribbean Protective Security Management and Services Company Ltd. was not impartial and non-discriminatory.

8. The OCG has concluded that during the referenced period, Caribbean Protective Security Management and Services Company Ltd. was not an approved and/or registered GOJ contractor and, as such, was ineligible to be engaged in any contractual agreement with the GOJ, through the PCJ. The PCJ's award of contracts to Caribbean Protective Security Management and Services Company Ltd. was, therefore, in contravention of Section 2.6 of the GPPH (2001 May).
9. The OCG has concluded that the process which led to the award of a contract to Caribbean Protective Security Management and Services Company Ltd. was irregular and improper.
10. The OCG has concluded that the lack of documented records on the subject procurement points to a lack of transparency in the management of the disbursement of public funds and public administration as it pertains to the procurement activities at the PCJ. The impact of this, in the considered opinion of the OCG, is dire and grave, since the lack of transparency inevitably creates an atmosphere for corruption to thrive and negatively impacts on the ethos of good governance.
11. The OCG found that there was an apparent overpayment of J\$320,683.60 to Caribbean Protective Security Management and Services Company Ltd. In this regard, cheques totalling J\$4,149,264.00 were made payable to Caribbean Protective Security Management and Services Company Ltd. However, the invoices which were presented to the PCJ and the Accounts Payable records of the PCJ indicated that J\$3,828,580.40 was to be paid.

Having regard to the foregoing, the OCG has concluded that the Accountable Officers of the PCJ have failed in their respective duties pursuant to Section 16 (2) of the FAA Act. These individuals, in accordance with Section 24F of the FAA Act, were vested with the authority and responsibility, *inter alia*, to make commitments and payments and, in accordance with Section 19C of the Act, they were authorized and were held responsible to certify and approve the payment of vouchers.

12. The OCG has concluded that the PCJ, specifically during the period which is under review, demonstrated a blatant disregard for the provisions that have been established to govern the public sector procurement process as well as to facilitate equity and transparency in the use and appropriation of public funds.

The OCG has also discerned from the extracts of the PAC meeting, that there have been significant inefficiencies in respect of the Governance of the PCJ operations. Further, during the period which is under review, the OCG has concluded that there were no effective guidelines and/or measures which promoted scrupulous checks, balances and accountability.

13. The OCG has not seen any evidence to indicate that the PCJ had established protocols and guidelines for the provision of monetary assistance and/or grants for community based programmes, or that there was a defined process which was used by the PCJ in the approval of requests for assistance during the period under review.

In this regard, the OCG is unable to conclude that the PCJ breached any internal procedures in approving the alleged request which was said to have been made by Rainbow of Hope Ltd.

14. The OCG has not been able to determine who and/or what entity made the initial request, of the PCJ, for assistance at the community centre. Further, the OCG found that the PCJ did not have an interest in the referenced community centre.

Having regard to the foregoing, the question must then be asked, why did the PCJ feel compelled to make payments to Caribbean Protective Security Management and Services Company Ltd. for the provision of security services?

15. The OCG has concluded that based upon (a) the absence of documentation with respect to the processing of the alleged request from Rainbow of Hope Ltd. and (b) the lack of documentation with respect to the approval process for the said alleged request, that there was impropriety and irregularity involved in the process which led to the PCJ's involvement in the Project.
16. The OCG found that while employed to the PCJ, Ms. Coleen Wright was also a Director of Rainbow of Hope Ltd. The OCG also found that Ms. Wright, on 2006 July 17, signed for a cheque for Caribbean Protective Security Management and Services Company Ltd.

Having regard to the foregoing, and (a) the lack of documentation on the part of the PCJ with respect to the processing of the alleged request from Rainbow of Hope Ltd., (b) the absence of established protocols and guidelines for the provision of monetary assistance and/or grants for community based programmes, and (c) the irregular award of a contract to Caribbean Protective Security Management and Services Company Ltd., and the ambiguities surrounding the award of the said contract, the OCG has concluded that, among other things, the foregoing circumstances have raised critical questions with respect to a possible conflict of interest.

17. In light of the findings of the OCG's Investigation Report into the circumstances surrounding the procurement of contracts for the 4M Energy Saving and Light Bulb Distribution Project; and the involvement of Ms. Coleen Wright and Mr. Rodney Chin with Rainbow of Hope Ltd. and Caribbean Protective Security Management and Services Company Ltd. respectively, in the instant matter, the OCG has concluded that it is past coincidence that among the key actors who were involved in this matter – a matter that is fraught with irregularities, improprieties and breaches of the provisions of the GPPH (May 2001), the FAA Act and the Contractor General Act, are persons who are among the principal actors who were involved with, and/or who were criminally implicated in, the 4M Energy Saving and Light Bulb Distribution Project.

In the foregoing regard, it is instructive to note that both Mr. Chin and Ms. Wright were arrested on 2008 February 26, with respect to certain alleged fraudulent activities which were associated with certain contracts that were awarded by the PCJ in respect of the 4M Energy Saving and Light Bulb Distribution Project. However, and as was previously indicated, the charges that were brought against Mr. Chin were subsequently dropped by the DPP.

18. The OCG has concluded that during the period which is under review, there were significant governance deficiencies in the operations of the PCJ, specifically as it relates to (a) the contract award process and (b) the expenditure process.

SPECIAL NOTE

It is instructive to note that the PCJ was brought before the PAC, on 2009 September 15, based upon the findings which were detailed in the Auditor General's Report for the financial year 2006 – 2007.

Consequently, the PCJ, on 2009 November, prepared several comments, to the Auditor General's Report, in which it acknowledged the following:

1. *"In 2006, a charitable organization, Rainbow of Hope Limited, was undertaking a community outreach programme, which included erecting perimeter fencing and replacing two gates at the Community Centre...*
2. *A request was made by the charitable organization to the former Chairman of the PCJ for the Corporation's assistance with the project...*
3. *The request for assistance was approved by the then Chairman...*
4. *The related payments including those for security services were approved by the then Director for Administration.*
5. *The PCJ was unable to locate evidence of these transactions having been concluded within the approved GOJ Procurement Guidelines.*²⁸

Having acknowledged the following, the PCJ noted that it had undertaken several actions, since 2006, which were geared towards strengthening internal controls and raising capacity and knowledge of the GOJ Procurement Rules. In this regard, the PCJ noted, *inter alia*, that it took the following actions:

1. *"Internal controls have been significantly strengthened with the following actions:*
 - (a) *The PCJ has established a panel of A and B signatories for all cheques. Previously cheques could be signed by any two signatories.*
 - (b) *An Accounting Manual has been approved and is in the process of being implemented.*

²⁸ PCJ. "Comments on Auditor General's Report- Financial Year 2006-2007". 2009 November

- (c) *The Procurement Committee has been reconstituted.*
- (d) *A letter was sent to all managers and technical officers regarding adherence to procurement procedures.*
- (e) *The PCJ has reviewed its Limits of Authority which will ensure greater control over expenditure. This is in the final stages of approval.*
- (f) *The Group Managing Director and the Group Chief Financial Officer now approve all payments...*
- (g) *Most recently, members of the PCJ management have undergone procurement training in September 2009, and further sessions are to follow.*
- (h) *Two senior accounting officers involved in this matter are no longer employed to the PCJ (between March 2008 and 2009).²⁹*

REFERRALS

The OCG, in the conduct of its Investigation, is required to be guided by Section 21 of the Contractor General Act. **Section 21 of the Contractor General Act** provides as follows:

"If a Contractor-General finds, during the course of his Investigations or on the conclusion thereof that there is evidence of a breach of duty or misconduct or criminal offence on the part of an officer or member of a public body, he shall refer the matter to the person or persons competent to take such disciplinary or other proceeding as may be appropriate against that officer or member and in all such cases shall lay a special report before Parliament" (OCG Emphasis)

²⁹ PCJ. "Comments on Auditor General's Report- Financial Year 2006-2007". 2009 November

Having regard to those of the several Findings, Conclusions and concerns of the OCG which have been set out herein and, having regard, in particular, to (a) the significant governance deficiencies which have been identified in the operations of the PCJ, inclusive of the highly irregular contract award and expenditure processes which have been exhibited by the entity during the period which is under review; (b) the PCJ's flagrant breaches of the GPPH (2001 May) and the Contractor General Act; (c) the absence of transparency, merit and competition in the PCJ's award of the subject contract to Caribbean Protective Security Management and Services Company Ltd.; (d) the absence of appropriate or satisfactory documentation and explanations to evidence or to explain the process or the rationale that led to the award of the subject contract to Caribbean Protective Security Management and Services Company Ltd.; (e) the curious, unexplained and un-accounted for purchase by the PCJ of computer related equipment from Caribbean Protective Security Management and Services Company Ltd.; (f) the PCJ's apparent and unexplained overpayment of \$320,683.60 to Caribbean Protective Security Management and Services Company Ltd.; (g) the curious and alarming inability of the PCJ to satisfactorily establish whether the referenced security services and computer equipment purchase contract was in fact performed by Caribbean Protective Security Management and Services Company Ltd. although significant payments were made by the PCJ in relation to same; (h) the serious irregularities that were identified in the PCJ's failure to report the full particulars of the referenced contract award, in its Quarterly Contract Award (QCA) Reports, to the OCG; (i) the absence of documentation with respect to the processing of the alleged request which was made to the PCJ by Rainbow of Hope Ltd., an entity in respect of which the PCJ had no interest; (j) the absence, at the PCJ, of established protocols and guidelines for the provision of monetary assistance and/or grants for community based programmes; (k) the fact that Ms. Coleen Wright, while employed to the PCJ, was also a Director of Rainbow of Hope Ltd. and, while being so employed on 2006 July 17, signed to receive a PCJ cheque which was drawn for the benefit of the Caribbean Protective Security Management and Services Company Ltd.; (l) the involvement of Ms. Coleen Wright and Mr. Rodney Chin as directors of Rainbow of Hope Ltd. and Caribbean Protective Security Management and Services Company Ltd., respectively; (m) the fact that Mr. Rodney Chin was listed as the majority shareholder of Caribbean Protective Security Management and Services Company Ltd.; (n) the fact that that both Mr. Chin and Ms. Wright were arrested on 2008 February 26 and subsequently had charges brought against them with respect to certain alleged fraudulent and other activities that were associated with certain contracts which were awarded, by the PCJ, during the same period which is under review, in respect of the 4M Energy Saving and Light Bulb Distribution Project (NB. the charges against Mr. Chin were subsequently dropped); and (o) the fact that among the key actors who were involved in this matter – a matter which is fraught with irregularities, improprieties and breaches of the provisions of the GPPH (2001 May), the FAA Act and the Contractor General Act, are persons who were among the principal actors who were involved with, and/or who were criminally implicated in, the 4M Energy Saving and Light Bulb Distribution Project; the OCG is compelled to conclude that the referenced circumstances are such that they have raised, among other things, and at the very minimum, an evidentiary inference of the possibility of an unlawful criminal conspiracy in relation to what is undoubtedly a highly irregular, improper and suspicious, and potentially illicit, fraudulent and corrupt, award of the herein-referenced contract to Caribbean Protective Security Management and Services Company Ltd. In the premises, it is the considered view of the OCG that the matter is one which warrants immediate and further investigation by the country's criminal law enforcement authorities.

1. Consequently, and pursuant to the mandatory statutory obligations which are imposed upon a Contractor General by Section 21 of the Contractor General Act, the OCG is hereby formally referring a copy of this Report to the Commissioner of Police for such further action as he may deem to be appropriate having regard to all of the circumstances of the case.

2. Pursuant to the mandatory statutory obligations which are imposed upon a Contractor General by Section 21 of the Contractor General Act, the OCG is also hereby formally referring a copy of this Report to the Auditor General, and to the Financial Secretary, for them to take such action as either or both of them may deem to be appropriate, having regard to all of the circumstances of the matter, and on the basis that there is evidence which is recorded herein which would suggest that there was a breach of duty or duties on the part of the Accounting Officer, and/or on the part of one or more of the Accountable Officers of the PCJ, and that one or more of the said Officers may have contravened, *inter alia*, the provisions of the Financial Administration and Audit Act. The matter is being referred to the Auditor General particularly in light of the provisions which are contained in Sections 2, 16, 19, 20, and 24 of the Financial Administration and Audit Act.

In referring the matter as aforesaid, the OCG is cognizant of the fact that the Auditor General has already conducted her own Audit into the referenced matter. However, the OCG has also deemed it prudent to refer the matter in light of the remedial and other related actions which have already been reportedly taken by the PCJ with respect to (a) its procurement activities, (b) its management and disbursement of public funds and (c) its termination of the services of Dr. Ruth Potopsingh, the then PCJ Group Managing Director and Mr. Rodney Salmon, the then PCJ Director of Administration/Corporate Secretary.

3. In light of the questions and concerns which were raised by the PAC regarding the matter which is the subject of this OCG Enquiry, and the Findings, Conclusions and concerns of the OCG which have been detailed herein, the OCG is also hereby formally referring a copy of this Report to the Chairman of the PAC to facilitate any further action which the PAC might, in its discretion, deem to be appropriate in this matter.

RECOMMENDATIONS

Section 20 (1) of the Contractor General Act mandates that “*after conducting an Investigation under this Act, a Contractor-General shall, in writing, inform the principal officer of the public body concerned and the Minister having responsibility therefore of the result of that Investigation and make such Recommendations as he considers necessary in respect of the matter which was investigated.*” (OCG’s Emphasis)

1. The OCG has found that there were several breaches of the procurement guidelines, by the PCJ, specifically during the period of 2006 to 2007. The procurement breaches which have been identified include, *inter alia*, (a) securing the requisite approvals of the Accounting Officer and the NCC for the use of the Sole Source Procurement Methodology and, (b) utilizing the provisions of the then GOJ procurement guidelines, which were contained in the GPPH (2001 May).

It is instructive to note that this Enquiry has identified that during the period which is under review, not only were there poor procurement practices at the PCJ, but there was an apparent ‘loose’ management system especially with respect to the expenditure of public funds. Further, there was an absence of proper mechanisms and adequate checks and balances to govern the operations of the PCJ. This allowed for poor governance, improper activities and evident mismanagement.

While there are breaches, which have been identified herein, it should be noted that the then applicable rules, which were contained in the GPPH (2001 May), did not impose any criminal sanctions for breaches of the GPPH. In point of fact, criminal sanctions for breaches of the Government Procurement Rules were not imposed until 2008 December 12, effective with the promulgation of Section 40 of the 2008 Public Sector Procurement Regulations.

The OCG recognizes that the PCJ, as asserted by its Accounting Officer, Mrs. Hillary Alexander in the PAC Meeting, which was held on 2009 September 15, has since taken steps to remedy some of the defects, in its operations, which had been highlighted by the Special Audit Report, which was prepared by Papineau Consulting Inc., and the OCG’s 4M Energy Saving Light Bulb Distribution Project Special Report of Investigation.

Nonetheless, in the circumstances, the OCG feels compelled to recommend that the PCJ and its Accounting and Accountable Officers should ensure scrupulous compliance, with the Revised Handbook of Public Sector Procurement Procedures (RHPP 2010 October) which came into effect on 2011 January 2, particularly with respect to the following matters:

- (a) Securing the requisite approvals from the Public Body's Procurement Committee, its Accounting Officer/Head of Entity, the NCC, and the Cabinet, as applicable, in conformance with the requirements which are detailed in Appendix 6 of Volume 2 of 4 of the RHPP;
 - (b) Securing the relevant approvals from the Accounting Officer/Head of Entity and the NCC as applicable, in conformance with the requirements of Section 1.1.4 of Volume 2 of 4 of the RHPP;
 - (c) Recognizing the oversight and the functional responsibilities of, *inter alia*, the NCC, the OCG, the PCJ's Procurement Committee, and the PCJ's Accounting and Accountable Officers, pursuant, *inter alia*, to Section 2 of Volume 1 of 4 of the PHHP, and adhering to the requirements thereof;
 - (d) Promoting competition in the procurement process, while ensuring that PCJ procurement opportunities are open to all appropriately registered and qualified contractors, in conformance with the requirements which are detailed in Section 1.1.2 of Volume 2 of 4 of the RHPP;
 - (e) Recognizing and setting in place measures to prevent a conflict of interest situation, in conformance with section 4 of Volume 1 of 4 of the RHPP; and
 - (f) Observing the provisions which highlight the eligibility and qualifications requirement which ought to be satisfied to validate the participation of a contractor in the GOJ procurement process, which are detailed in Section 1.3.1 of Volume 2 of 4 of the RHPP.
2. The OCG strongly recommends that procuring entities should plan their procurement activities in accordance with the Procurement Cycle, inclusive of the employment and application of an approved Procurement Plan. In this regard, contracts which are to be awarded should be properly packaged, tendered, evaluated and awarded within a specified timeframe, hence removing the need, *inter alia*, to rush the procurement process.
 3. The OCG recommends that Accounting and Accountable Officers should be more proactive in the procurement activities of Public Bodies and ensure that contracts which are awarded should be consistent with the full application of the Procurement Guidelines and must be, and appear to be, awarded fairly, impartially and without any form of irregularity or impropriety.
 4. The OCG recommends that the Accounting and/or Accountable Officers should take a more proactive and aggressive role in developing, implementing and enforcing effective risk management systems, and checks and balances, within their portfolio, in an effort to mitigate against any possibility of deviations from the RHPP by the institution's management and procurement staff.
 5. The OCG recommends that in accordance with, *inter alia*, the Public Bodies Management and Accountability Act and the Financial Administration and Audit Act, the Cabinet, Accounting and Accountable Officers and Members of the Board of Directors of Public Bodies should, at all times, ensure that the principles of good corporate governance are adhered to and promoted within the Public Sector.

In this regard, the OCG is of the considered opinion that within the respective organizations of the Public Sector, there should be adequate checks and balances mechanisms which are designed to promote transparency, integrity and probity in the management and administration of the affairs of the State.

Further, and at all times, the highest ethical standards should be promoted and where a conflict of interest is likely to occur and/or appears to have occurred, the Public Body should promptly take the requisite corrective actions to mitigate such conflicts and/or the consequences of same.

6. The OCG is recommending that Public Officers and/or Officials, who are engaged by the GOJ, adhere to the strictest practices of professional ethics and conduct whilst in the employ of the GOJ.
7. In instances where the Government of Jamaica procurement guidelines are breached, the responsible agency should seek to remedy the breach in an expeditious and effective manner as opposed to continuing with the implementation of the project in violation of applicable Government procurement procedures and other regulations or laws.
8. It is recommended that frequent reviews of the accounting, procurement and public administration management practices at the PCJ and the MEM be undertaken by the Public Administration and Appropriations Committee of the House of Representatives, the Auditor General and the Ministry of Finance and the Public Service.

The reviews should be conducted to ensure that adequate procedures, systems, checks and balances are not only implemented, but are aggressively enforced to secure a radically improved level of compliance on the part of Public Bodies and Public Officials with relevant Government approved procedures, regulations and laws.

9. The OCG strongly recommends that the PCJ ensures that contracts which are awarded by it are awarded in a manner which is consistent with the GOJ procurement guidelines and, in the application of same, be awarded fairly, impartially and without impropriety and/or irregularity, pursuant to Section 4 of the Contractor General Act.
10. The OCG recommends that the PCJ implements an effective and efficient records keeping/filing system which will address the entity's inefficiencies in maintaining proper documentation. This will further facilitate greater levels of transparency in the entity's use of public funds and public administration.
11. The OCG recommends that the PCJ establish and implement a formal system of approval and design protocols and guidelines for the provision of monetary assistance and/or grants by the entity for Outreach and other related projects.

OFFICE OF THE CONTRACTOR GENERAL OF JAMAICA

Executive Summary of Report of Investigation

Allegations Regarding the Proposal for the Financing, Development, Ownership and Operation of a FSRU LNG Re-gasification Terminal and Natural Gas Transportation System

Office of the Prime Minister (OPM) /

Ministry of Energy and Mining (MEM) / Petroleum Corporation of Jamaica (PCJ)

Initiated: 2010 September

Concluded: 2011 May

On 2010 September 15, the Office of the Contractor General (OCG), acting on behalf of the Contractor General, and pursuant to Sections 15 (1) and 16 of the Contractor General Act, formally initiated an Investigation into the circumstances surrounding the recommendation by the Petroleum Corporation of Jamaica (PCJ), to enter into negotiations with the selected '*preferred bidder*', the Exmar Consortium, for the proposed Financing, Development, Ownership and Operation of a FSRU LNG Re-gasification Terminal and Natural Gas Transportation System in Jamaica ('hereinafter referred to as 'FSRU LNG Project').

Section 15 (1) of the Act provides that "... a Contractor-General may, if he considers it necessary or desirable, conduct an investigation into any or all of the following matters –

- (a) the registration of contractors;
- (b) tender procedures relating to contracts awarded by public bodies;
- (c) the award of any government contract;
- (d) the implementation of the terms of any government contract;
- (e) the circumstances of the grant, issue, use, suspension or revocation of any prescribed licence;
- (f) the practice and procedures relating to the grant, issue, suspension or revocation of prescribed licences".

Section 16 of the Contractor General Act expressly provides that "An investigation pursuant to section 15 may be undertaken by a Contractor-General on his own initiative or as a result of representations made to him, if in his opinion such investigation is warranted".

It is instructive to note that prior to the initiation of the OCG's Investigation on 2010 September 15, the OCG was in the process of monitoring the referenced project. In this regard, the monitoring of the proposed 'FSRU LNG Project' was prompted by the receipt of a letter from a '*Concerned Citizen of Jamaica*', which was dated 2009 September 8. In the referenced letter, the '*Concerned Citizen of Jamaica*' stated, *inter alia*, the following:

"There has been much talk recently about Government moving from oil to liquefied natural gas (LNG). From my own checks it seems that the Minister of Energy and Mining has unilaterally appointed someone to lead the charge in this direction. Unfortunately my checks have also revealed that the person so selected is a good friend of the Minister and only last year was fired from the PCJ.

*Kindly use your good office to investigate the procurement procedures which led to this person being assigned such an important role and whether this appointment can stand the tests of probity and transparency. I believe it was the same LNG that this individual was in charge of at the PCJ and he seemed to have gone off with substantial intellectual property which belongs to the Government of Jamaica as no one in the PCJ appears to know what he was about...*³⁰

Subsequent to the foregoing allegation, the OCG wrote to the Permanent Secretary in the Ministry of Energy and Mining (MEM), Mrs. Hillary Alexander, on 2009 September 25, in the interest of probity, to ascertain the veracity of the allegations which were detailed in the aforementioned letter.

It is instructive to note that the Permanent Secretary responded to same on 2009 October 1, at which time she indicated, *inter alia*, that "...there is no truth to any of the allegations in the 2009 September 8 letter."³¹

Subsequently, on 2009 December 9, an article was published in the Daily Gleaner, which was entitled "*Four vying for LNG project – Bids due Jan 5 – Jamaica seeking 'BOT' investors for floating platform*", and in which it was reported, *inter alia*, as follows:

"Four foreign energy companies are now vying for the job to develop a floating natural gas platform for Jamaica, under an arrangement that requires the selected investor to 'build, own and operate' the system.

Jamaica has opted to develop an offshore platform – earmarked for Port Esquivel in St. Catherine, saying it could be more than 40 per cent cheaper than a land-based facility – at US\$400 million...

Joint venture partners Korea Gas Corporation and Samsung Corporation of Korea, Hoegh LNG and BW Gas both of Norway, as well as Belgian firm Exmar, are expected to submit proposals by the January 5, 2010 deadline to finance, construct and operate the LNG Floating Storage and Regasification Unit (FSRU) for the Jamaican Government.

"The limited tender process for identification of the infrastructure provider is already under way," Stephen Wedderburn, project coordinator for LNG...said via email...

*A request for proposal was, he said, sent to nine companies on November 12, but five declined to participate...*³²

Consequently, the OCG, by way of a letter which was dated 2009 December 21, wrote to Mr. Stephen Wedderburn, LNG Project Coordinator, PCJ, requesting a copy of certain pre-tender documents inclusive of: a) a copy of the Request for Proposal (RFP); b) copies of the letters of invitation which were sent to the nine (9) companies; and c) a Status Report.

During the course of the OCG's monitoring of the referenced project, the OCG received another complaint by way of an email, on 2010 May 6, from a concerned individual who was purportedly involved in the LNG process from 2007. The referenced email, which was captioned the "*Jamaica LNG Project*" stated, *inter alia*, the following:

*"...the RFP and the evaluation of the existing bids are under way. We see that there are several postponements and i wish to say that...almost all the invited companies, chose to decline participation...Needless to say we have all put a lot of work into this project and...are disappointed with the way things have turned out, **especially with the background were we were asked to come up with solutions and did so.** We were in the [sic] Jamaica on july 09 and after that we were asked to tailor a solution to the spec given...the process has been somewhat strange and hard to understand.*

³⁰ Letter from a "Concerned Citizen", which was dated 2009 September 8.

³¹ Letter from Mrs. Hillary Alexander, Permanent Secretary, MEM, which was dated 2009 October 1.

³² Daily Gleaner article entitled "Four vying for LNG project – Bids due Jan 5 – Jamaica seeking 'BOT' investors for floating platform" which was dated 2009 December 9.

*The reason for this is that....**the RFP...was not very well founded. There was no technical and FEED studies done, also no technical consultant was engaged to assist in the development.** This is the first and so far the only time that has been the case. **This means that there was no real spec and that made it difficult to develop a bid that was accurate on financial and technical planning.** There was a clause that the ship/FSRU must be 10 years or younger. There was a requirement that said the bidder must bear all the investments, also for the infrastructure onshore... The reasons mentioned here are why most invited companies did not participate. Industry sources more than once mentioned that **this RFP is tailor-made to the Belgian company that chose to participate.** We have **also heard rumours about very close ties between this company and officials high up in the MOE & Mining** as well as the business community...Our sources in the industry, as well the [sic] press, points out that the credibility of Jamaica is at stake here and that is needed if this is going to be a success. No supply of LNG will be contracted to Jamaica as long as there is no formal project, this everybody know [sic] for sure. This in spite of Mr. Wedderburns [sic] optimistic statements in the press.”³³ (OCG’s Emphasis)*

The OCG’s concerns were further heightened upon the receipt of another anonymous complaint on 2010 June 16, regarding the alleged ‘preferred bidder’ for the ‘FSRU LNG Project’, that is, the Exmar Consortium.

The referenced complaint asserted the following:

“...So who are the local player [sic] in Exmar, who the government announced as the preferred bidder for LNG. What is their personal and professional relationship with the current energy minister. how much did they donate to him in the last campaign. How much support did he provide to their bid. Have they been in business with him before in providing international bypass facilities. You are worried about the bauxite deal. This one is worse”.

Upon receipt of the foregoing allegation, the OCG, by way of a Statutory Requisition which was dated 2010 June 18, requisitioned the Hon. James Robertson, Minister of Energy and Mining, and asked him to respond to certain interrogatories which were related to the said allegation.

The OCG’s concerns were further heightened on 2010 June 18, by certain media reports and public disclosures and pronouncements, regarding the ‘Liquid Natural Gas (LNG) Deal’, which were made, *inter alia*, on the Nationwide News Network (NNN) during its 5:00 PM News broadcast and its 5:30 PM News Commentary Programme.

In particular, the media reports and associated pronouncements alleged that Caribbean LNG (Jamaica) Limited was a part of the ‘Exmar Consortium’ and has as one of its majority Shareholder and Directors, one Mr. Ian Moore, the former Chairman of the Board of Directors of the PCJ, whose tenure was terminated in 2008 November by the then Minister of Energy, Mr. Clive Mullings.

The OCG’s concerns were further compounded when a review of the records of the Office of the Registrar of Companies, Jamaica, (ORC) did not corroborate the reports and disclosures, which were made in the media, with respect to Mr. Ian Moore’s shareholder status in Caribbean LNG (Jamaica) Limited – a company which the Registrar’s records indicated, *inter alia*, was incorporated in Jamaica on 2009 June 19, approximately seven (7) months after Mr. Moore demitted office as the Chairman of the Board of Directors of the PCJ.

The records indicated that the company, Caribbean LNG (B.V.I) Limited, which was organized and registered in the British Virgin Islands, was the majority shareholder, of the company Caribbean LNG (Jamaica) Limited, with 5.2 million shares or approximately 80% of the indicative issued share capital. Other listed shareholders of the referenced company included, *inter alia*, A.C. Kerr LLC (800,000 shares), Andrew Bogle (197,827 shares), Old Harbour Estates Ltd., (47,826 shares), Maritime & Transport Services Ltd. (47,826 shares), and Albert Donaldson (50,001 shares).

³³ Email received from a concerned citizen on 2010 May 6.

The records of the ORC also indicated that whilst Mr. Ian Moore and one Mr. Paul East were listed as Directors of the company, Caribbean LNG (Jamaica) Limited, they were not listed amongst the shareholders.

Based upon the referenced records, the OCG was unaware of the identity of the majority beneficial owner(s) of Caribbean LNG (Jamaica) Limited and the true relationship(s) which subsist(s)/subsisted, if any, between that entity and any person and/or entity which is/was a party to, or which is/was or has been involved in the 'FSRU LNG Project'.

Having regard to the foregoing, several concerns were raised for the OCG in light of, *inter alia*, the following:

- (a) The possibility of a potential conflict of interest, taking into consideration Mr. Ian Moore's former position as the Chairman of the Board of Directors of the PCJ and his now documented position as a Director of the '*local*' company, Caribbean LNG (Jamaica) Limited, which was alleged to be a partner of the prospective PCJ contract awardee, the Exmar Consortium;
- (b) Mr. Moore's probable prior involvement in (i) the underlying considerations which would have informed the current procurement process, a process which was initiated in 2007 April and which overlapped with Mr. Moore's tenure as the PCJ Board of Directors Chairman, (ii) the prospective contract award to the Exmar Consortium as the selected '*preferred bidder*' and/or (iii) Mr. Moore's probable exposure to and use of '*sensitive*' information by virtue of his former position as the Chairman of the PCJ Board of Directors;
- (c) The OCG's suspicions, *inter alia*, about the possibility of 'bid rigging', the use of proprietary insider information, and/or the consequential potential for a *prima facie* finding of corruption in the underlying processes which would have informed the Bid(s) which was/were submitted in response to the PCJ's Procurement Process; and
- (d) The fact that because the majority shareholder of Caribbean LNG (Jamaica) Limited is an off-shore company, which was registered in the British Virgin Islands, and whose current human shareholders were unknown, there was the unknown factor of whether there were any 'connected persons' or Public Officers who, by virtue of their being beneficial shareholders of Caribbean LNG (Jamaica) Limited, could improperly benefit from the contract which was to be prospectively awarded to the Exmar Consortium.

In light of the foregoing, the OCG, by way of two (2) separate letters³⁴ which were dated 2010 June 22, and which were addressed to Mr. Nigel Logan, Acting Group Managing Director, PCJ, and Mrs. Hilary Alexander, the MEM Permanent Secretary, issued a written '*Notice of Enquiry*' concerning the tender and contract award processes for the 'FSRU LNG Project'.

In the referenced letters, the OCG advised both Mr Logan and Mrs. Alexander that the OCG had taken the decision to secure, without delay or reservation, certain documents and associated correspondence which would inform its Enquiry.

The OCG's Enquiry, into the referenced tender and contract award processes, was undertaken pursuant to the powers which are vested in a Contractor General, by the Contractor General Act (1983) and, in particular, pursuant to the provisions which are contained in Sections 4, 15 (1) and 18 of the Act.

³⁴ For the full text of both letters, please see Appendix 1.

On 2010 June 22, the date of the OCG's two (2) Letters of Enquiry, the OCG took into custody a number of files, both hardcopy and electronic, from the PCJ and the MEM, which were related to the 'FSRU LNG Project'. The OCG's actions were undertaken pursuant, *inter alia*, to Sections 4 (2) (b) and 4 (3) of the Contractor General Act, which empower a Contractor General "...to have access to all books, records, documents, stores or other property belonging to government, whether in the possession of any officer of a public body or a contractor or any other person" and to "...require any public body to furnish in such manner and at such times as may be specified by the Contractor-General, information with regard to the award of any contract and such other information in relation thereto as the Contractor-General consider desirable".

The OCG's decision to proceed as it did was fortified and deemed necessary by, among other things, the following considerations:

- (a) The referenced anonymous complaint of 2010 June 16, which appeared to have originated from a seemingly knowledgeable source and which made certain allegations with respect to impropriety and irregularity in the selection of the Exmar Consortium as the '*preferred bidder*';
- (b) Certain then identifiable and pronounced concerns which were predicated, *inter alia*, upon certain recent disclosures, allegations and/or reports which were disseminated through the local print and electronic media;
- (c) A review of the unedited Hansard of the Sitting of the House of Representatives of 2010 June 15 at which time the Hon. James Robertson formally announced the selection of the Exmar Consortium as the '*preferred bidder*'; and
- (d) A review of the official documents, which were disclosed as having being entered upon the official records of the ORC, in relation to Caribbean LNG (Jamaica) Limited, as at 2010 June 21.

It is instructive to note that documentation, which was retained from the MEM and the PCJ, was comprehensively reviewed by the OCG prior to the commencement of its Investigation.

Further, it is instructive to note that several other complaints, pronounced concerns, disclosures and reports were received and reviewed, by the OCG, which further compelled the OCG to undertake a more comprehensive investigation into the matter. These included, *inter alia*, the following:

- A. A complaint which was received on 2010 June 23, in which the following information was provided:

"LNG FSRU Contract - Exmar Consortium Questions to consider LNG Coordinator Who is the LNG Coordinator? Was he engaged iwth [sic] the full support of the Board and the then Permanent Secretary? Is or was hen [sic] connected to Exmar? Did he prepare the RFP? Did he receive and answer queries from the bidders? Was he at the tender opening? Did he and how many times did he meet with the Evaluation Committee? Did he attend any meetings of the Sector Committee, NCC and Infrastructure Committee? LNG Task Force Who chairs the LNG Task Force? What is the role of this body? Where do they fit into PCJ's corporate governance framework? Did the OCG receive minutes of the meetings of the Task Force? Should the Task Force be giving instructions to the PCJ? Evaluation Committee Who were the members of the Evaluation Committee? Were any of them also members of the PCJ Board? Were any of them also members of the Task Force? Did the Committee highlight the ownership structure of CLNG? There should be much information in the minutes of the various meetings. Please note carefully the contents of these minutes."

- B. An email which was received on 2010 June 25, from a concerned citizen, which stated, *inter alia*, as follows:

*“...Of the preapproved 9 bidders, 7 were from the previous tender for a land-based facility. Board expressed concerned but it was advised that it wasn't much difference and that the opinion of the ministry and that the minister had cabinet approve such list. **This was done purposely knowing that over half of the bidders were not providers of FSRU as it is a new technology and would not bid on the process.***

*Limited time was given for submission of tenders. **The BOD made continuous argument against the timeline and which the minister himself came to a gathering of the board members clearly stated that there will be no extensions and basically threatening the Board for changes.** Not until the Chair brought it to the attention of the prime minister that a [sic] extension was provided for **it was clear that the minister was not advising the cabinet accordingly.** After which on numerous occasions bidders requested additional extensions and to be discovered Stephen wedderburn was responding to the bidders, which it was clearly stated at the board level that he should not be part of the procurement process. Extensions were requested based on Limited information in order to make comprehensive submissions, e.g. weather studies., rejected by the ministry and Wedderburn.*

***There is a requirement in the tender, that clearly states that bidders have to have experience in certain volumes of processing LNG under certain technology.** At a Board meeting it was clearly asked how many bidders has such experience this requirement and Stephen Wedderburn stated 2 bidders, when asked if Exxmar was one of the two he said yes. This brought grave concern to the board and continued to express the process is not being administered properly and simply told by the minister and the PS Aexander [sic] that the task force agreed to wedderburns [sic] recommendations which Minister is the Chairman of.*

Several correspondences after showed that wedderburn was responding to bidders that the BOD agreed or disagreed to request which was untrue.

***Board was being told the urgency of energy to afterwhich find out from JPS that they would not be able to take LNG until minimum 2014 which simply meant the need for a floating facility was untrue and actually moe [sic] expensive.** This was simply done to ensure that exmar would get the contract*

*The board stated that since it was a new technology why limit the age of the ships as brazil had older ships and **even a member of the board knowledgeable in shipping stated that a 20 year old ship retrofitted would not be a concern as it would be refurbished and would be in standstill not at sea moving continuously. This was rejected by the minister.***

*Dr. Potopsingh and Director Watson were members of the Task force and members of the board **and continuously the board expressed dissatisfaction that they were not advising the board of the actions of the task force and the task force were advancing without board approval and then asking the board to approve after the fact. Then when the board expressed concerns, being advised by the minister it was being sabotaging.** Several occasions the board made Itself [sic] clear it would not be a rubber stamp for the ministry especially in the case of breaches and that of compromising integrity.*

PS Forbe [sic] made it clear to the board that she had concerns re WEdderburn [sic] and after especially issuing a letter instructed by the Minister to have PCJ employ Wedderburn at great resistance by certain members to later find out **that wedderburn has admitted to receiving financial benefit for work done with Exmar in Columbia.** Again expressed to the ministry. Few members withdrew from voting in this decision as against. **Very much so that Director Watson sent an email to the then corporate secretary requesting that such minutes be voided from the minutes as they were unsubstantiated, the board felt this was completely inappropriate of Director Watson as this was the Permanent Secretary making a declaration to the board in which she confirms her own conversation directly with Mr. Wedderburn...**

Evaluation committee: to my understanding after the procurement committee received the evaluation report from the evaluation committee. It was very much expressed that 2 company were only bidders which one received 70+ points (Exxmar) [sic] Hoegh (38 points). When brought forward to the board. It was expressed by the procurement committee that solely on the view that exxmar [sic] was the only tender based on the following facts:

- Hoegh response was not compliant to the terms of the RFP therefore technically should not even be considered a bid and being that this is based solely on the recommendation of the evaluation committee the procurement endorses it but makes note of the following pending the following which will have to be submitted and such endorsement was submitted to the ministry to follow with. The conditions were:

- **CLNG has to disclose the directors**
- **Financials of CLNG**
- **Company profile of CLNG**
- This was based on information presented in the consortium tender which clearly showed that CLNG placed 1/3 of the tender bond which would have to be assumed they would have a significantly larger portion in the consortium than indicated and that also **letters from several banks included showed CLNG was attempting to the [sic] be LNG supplier therefore attempting to dominate such fuel source**

During Mr Moore term at PCJ he was very proactive in support of LNG versus the previous minister choice of Coal/Petcoke/ CNG vs LNG and also very supportive of Exmar over Golar [sic] at the time.

Mr. Moore on a trip to Bangkok which was solely to meet with Golar for a presentation as they were providing 100% financing. Left the meeting and went with Mr. Wedderburn to meet with Exmar people. Which Mr Wedderburn was directed not to attend the travels and Mr. Moore paid for Mr Wedderburn travels as he was the bridge to Exmar. Inclusive of this many activities are now being discovered where during Mr Moore Term as Chairman he was approving activities without proper board approval.

I highly recommend rather than reading the minutes of the meetings, it may be more suggestive to listen to the tapes of the meetings.” (OCG’s Emphasis)

- C. An email which was received on 2010 June 26, from a concerned citizen, which stated, *inter alia*, as follows:

“Again you will see recent activities copied below in RED demonstrating [sic] the activities of Mr. Wedderburn acting without approval of the board and/or the GM yet working directly with the Ministry.

he is proposing a structure to be presented to off takers, yet the board or executive management has yet to approve such structure. Only the Ministry is aware yet it is suppose to be a PCJ project.

Also 2 recommendations to your case would be the following:

- **Timelines between when cabinet submissions were made and pcj approvals.** You will find that **cabinet was done before PCJ yet cabinet was under the impression that PCJ had signed off.** Typical activity would be to tell cabinet pcj [sic] approved it vice versa telling PCJ that cabinet had approved it already therefore being forced to comply.
- Seizing the Mail server of PCJ, will be much more comprehensive than that of documents seized.” (OCG’s Emphasis)

Attached to the foregoing emails, were the following correspondence in support of the allegations which were made:

1. An email from Mr. Stephen Wedderburn, LNG Project Coordinator, PCJ, which was captioned “LNG Meeting with Major Propective [sic] Gas Users -- Tuesday 29 June 2010” and, which was dated 2010 June 25, to prospective Gas Users and copied to, *inter alia*, Mr. Glenford Watson, Legal Counsel, MEM, Mrs. Hillary Alexander, Permanent Secretary, MEM, Mr. Nigel Logan, Acting Group Managing Director, PCJ, Dr. Carlton Davis, Mr. Parris Lyew-Ayee, Jamaica Bauxite Institute (JBI). In the referenced email, Mr. Wedderburn indicated as follows:

“Dear Colleagues,

As you will be aware from various news reports, **a preferred LNG infrastructure provider, Exmar Consortium, has been identified through the recently conducted tender process.** As we move beyond this important juncture **it is expected that the prospective oftakers of gas will be required to play a much more central and active role in bringing the LNG Project to realization.**

I am inviting you to attend a meeting between gas oftakers and MEM/PCJ to be held in the PCJ Auditorium next week Tuesday 29 June 1:00 - 3:30 p.m. If you are unable to attend personally, please make every effort to ensure that your organization is represented. You are free to bring other representatives from your organization in order to ensure that you have the most appropriate team participating in the meeting.

The agenda items for this meeting will include:

- *Presentation [sic] by Exmar Consortium on their Proposal*
 - *Proposed Commercial Structure of LNG Project (see attached)*
 - *Proposed Memeorandum [sic] of Cooperation amongst Oftakers (as a precursor to establishment of special purpose vehicle)*
 - *Proposed Strategy for Procuring LNG Supply...”(OCG’s Emphasis)*
2. An email from Mr. Stephen Wedderburn, LNG Project Coordinator, PCJ, which was dated 2010 June 25, to Mrs. Hillary Alexander, Permanent Secretary, MEM, and which was copied to Mr. Glenford Watson, Legal Counsel, MEM, and Mr. Nigel Logan, Acting Group Managing Director, PCJ, in which he stated the following:

"Dear PS,

When I sent out this meeting invitation to the offtakers, **I saw the meeting as primarily a technical briefing for the offtakers, to bring them up to speed on the Exmar proposal for developing the infrastructure and to discuss cooperation amongst PCJ and the offtakers to deal with the procurement of LNG and the establishment of the special purpose company.**

However, **with the subsequent announcement of an investigation by the OCG, I think an important aspect of the meeting becomes a policy level matter of instilling confidence amongst the offtakers that the LNG Project is still on track.** With this in mind I am asking that the Ministry chair the meeting with the offtakers -- set for 1 - 3:30 p.m. Tuesday." (OCG's Emphasis)

3. An email from Mr. Glenford Watson, Senior Legal Counsel, MEM, to a Wahkeen Murray, which was dated 2009 August 31, and which was captioned "Stephen Wedderburn", in which he stated the following:

*"It is my understanding that at the Board meeting of Friday last, certain statements, that may have been slanderous, were made in relation to Mr. Wedderburn without any evidence or attempt to substantiate same. To avoid the possibility of the corporation reducing the statements into writing (libel) and publishing same, **may I recommend that the statements be kept out of the minutes of the meeting (at least for the time being) until the next sitting of the Board. At this sitting, we can suspend the agenda to take, as the first order of business, a motion that, "in the absence of any evidence in support of the allegations made, the statements be kept out of the official records (minutes) of the corporation** as their inclusion may constitute a libel and make the corporation liable for the publishing of said libel..."* (OCG's Emphasis)

The foregoing allegations raised several critical questions and concerns with respect to the pre-contractual stage and the process(es) which led to the identification of the 'preferred bidder', the Exmar Consortium. Further, the allegations inferred, *inter alia*: (a) a lack of transparency; (b) a lack of impartiality; (c) a potential conflict of interest; (d) potential bid-rigging; (e) a potential benefit from insider information; and (f) potential corruption.

These allegations and inferences, amongst others, raised several concerns for the OCG, especially in light of the perceived absence of adherence to the Government contract award principles which are enshrined in Section 4 (1) of the Contractor General Act.

Section 4 (1) of the referenced Act requires, *inter alia*, that GOJ contracts should be awarded "impartially and on merit" and that the circumstances of award should "not involve impropriety or irregularity".

The OCG's Investigation primarily sought to determine, *inter alia*, the merits of the allegations and to ascertain whether there was compliance with the provisions of the Contractor General Act (1983) and the Government Public Sector Procurement Guidelines in relation to the recommended selection of the 'preferred bidder', the Exmar Consortium, for the 'FSRU LNG Project'.

Additionally, the OCG was guided by the recognition of the very important responsibilities which are imposed upon Public Officials and Officers by the Contractor General Act, the 2008 Public Sector Procurement Regulations, the Financial Administration and Audit Act, the Public Bodies Management and Accountability Act, as well as the Corruption Prevention Act.

The OCG was also guided by the expressed provisions which are contained in Section 21 of the Contractor General Act. Section 21 specifically mandates that a Contractor General shall consider whether he has found, in the course of his Investigation, or upon the conclusion thereof, evidence of a breach of duty, misconduct or criminal offence on the part of an officer or member of a Public Body and, if so, to refer same to the competent authority to take such disciplinary or other proceedings as may be appropriate against that officer or member.

The Findings of the OCG's Investigation into the circumstances which surrounded the recommendation of the PCJ and the MEM to enter into negotiations with the selected '*preferred bidder*', the Exmar Consortium, for the 'FSRU LNG Project', are premised primarily upon an analysis of the sworn statements and the documents which were provided by the Respondents who were requisitioned by the OCG during the course of the Investigation.

In keeping with the OCG's stated intent to initiate an Investigation, the OCG formally requisitioned the Heads of Department and the Accounting/Accountable Officers of the PCJ and the MEM, and other Public Officials, to ascertain the circumstances which surrounded, *inter alia*, the referenced recommendation to enter into negotiations with the selected '*preferred bidder*', the Exmar Consortium, for the 'FSRU LNG Project'.

SUMMARY OF KEY FINDINGS

Based upon a comprehensive review of the hard copy and electronic documentation which was sequestered from the PCJ and the MEM, and the sworn written statements which were furnished to the OCG by the Public Officials/Officers and other persons of interest who were statutorily requisitioned by the OCG, the following key OCG Findings, amongst others, were identified:

1. Liquefied Natural Gas (LNG) was being considered by the then Minister of MME and the MoFAFT, Mr. Anthony Hylton, since 2001, at which time "...*the Ministry commenced the formulation of an energy policy and strategy, which called for the diversification of energy sources to include LNG, coal and renewables i.e. wind, solar, thermal etc.*"³⁵
2. The OCG found that, up to 2007, the GOJ was uncertain about the preferred and most suitable fuel type for Jamaica. The MEM and the respective Entities were said to have conducted research on several types of fuel to determine which would be more suitable.
3. The OCG found that between the period of 2007 September into early 2009, under the stewardship of the then Minister, Mr. Clive Mullings, coal was being pursued as the alternative energy source and the LNG project was 'officially' halted.

However, the OCG found that during the said period, both Mr. Ian Moore and Mr. Stephen Wedderburn were lobbying for the introduction of LNG. In this regard, there were several meetings and correspondence, with various LNG stakeholders, including Merrill Lynch, Hoegh LNG, Golar LNG and Exmar Marine NV.

In point of fact, the OCG found several pieces of correspondence which were shared between Mr. Stephen Wedderburn, Mr. Ian Moore and, primarily, Mr. Bart Lavent of Exmar Marine NV, which demonstrates an attempt by the named parties to promote LNG in Jamaica.

4. By way of an email, which was dated 2008 April 21, Mr. Stephen Wedderburn, the then Group Technical Director, PCJ, informed Mr. Ian Moore, the then Chairman of the PCJ Board of Directors, *inter alia*, as follows:

"...*Noel Hylton will meet with Exmar Marine NV in Belgium this week. **I have asked Bart to share Exmar's views on CNG (Compressed Natural Gas) (which are not very positive) with him.***" (OCG's Emphasis)

In another email, which was dated 2008 April 23, Mr. Bart Lavent informed Mr. Stephen Wedderburn, *inter alia*, that "*I had the chance to explain to Mr Hylton and Ms Bennett the LNG project and the dangers of coal and CNG...*"³⁶

³⁵ Response from the former Minister of MME and the MoFAFT, Mr. Anthony Hylton, which was dated 2011 February 4. Response #1

³⁶ Email dated 2008 April 23, from a Mr. Bart Lavent, Exmar Marine NV, to Mr. Stephen Wedderburn, PCJ.

By way of another email, which was also dated 2008 April 23, Mr. Stephen Wedderburn informed Mr. Ian Moore, *inter alia*, that “***It appears we have another supporter in Jamaica House. Please see Bart’s report on the first meeting with Sancia Bennett Templer and Noel Hylton...***”³⁷ (OCG’s Emphasis)

The foregoing emails were just three (3) of many which the OCG reviewed and which allude to the following:

- i. Evidence to suggest that Exmar Marine NV was not in favour of the use of CNG in Jamaica and used the opportunity to introduce the concept of the LNG Project to certain specified GOJ Officials;
- ii. Exmar Marine NV appears to have been instrumental in the attempts to influence the Government’s policy decision away from coal and CNG, as has been evidenced by the email from Mr. Stephen Wedderburn regarding the apparent support which was emerging in ‘Jamaica House’;
- iii. A working relationship, of some sort, existed between Exmar Marine NV, Mr. Stephen Wedderburn and Mr. Ian Moore, the then Chairman of the PCJ Board of Directors; and
- iv. There were several pieces of email correspondence in 2008 between Mr. Ian Moore, the then Chairman of the PCJ Board of Directors, Mr. Stephen Wedderburn, in his capacity as the Group Technical Director, and Mr. Bart Lavent of Exmar Marine NV.

The foregoing would suggest that the three (3) named gentlemen would have, at a minimum, been in dialogue, in whatever capacity, regarding the prospects of alternative fuel types in Jamaica.

5. The OCG found that neither the MEM nor the PCJ conducted any Front End Engineering Design (FEED) study and/or other form of a formal pre-assessment for the ‘FSRU LNG Project’. To the contrary, the only FEED study which was conducted was for a land-based facility which was undertaken by Mustang Engineering for the LNG Project in 2006.
6. The OCG found that from as early as 2006, Exmar Marine NV had been courting the GOJ with respect to the introduction of LNG to Jamaica. This was evidenced, *inter alia*, by way of a document which was submitted to the OCG by the Permanent Secretary in the MOFAFT, Ambassador Evadne Coxe, which was entitled “*Report of Meeting: CEO EXMAR, Hilton Hotel, Brussels*”, which was dated 2006 December 1.

In the referenced document, the OCG found that Minister Hylton had “...*outlined that the meeting was of an exploratory nature. He proceeded to give an overview of Jamaica’s present situation as it relates to reliance on fuel oil and the possibilities for a convergence of interest between Jamaica and EXMAR...*”

7. The OCG found that the ‘FSRU LNG Project’ is a sub-component of the overall “*LNG Project*” in Jamaica and reflects the GOJ’s decision to adopt the changing technologies which are associated with obtaining and distributing LNG.
8. The OCG found that the Invitation to Pre-qualify was issued by the PCJ in 2007 April. In response to the referenced pre-qualification exercise, nine (9) potential LNG Providers submitted proposals on 2007 May 25. The OCG also found that the referenced pre-qualification exercise was not completed and that the ‘FSRU LNG Project’, was not formally reconsidered until late 2009.
9. It is instructive to note that the former Minister, Mr. Clive Mullings, stated that among the persons who spearheaded the LNG Project, during his tenure, were Mr. Ian Moore, the former Chairman of the PCJ Board of Directors and Mr. Stephen Wedderburn, the then Group Technical Director, PCJ.

³⁷ Email dated 2008 April 23, Mr. Stephen Wedderburn to Mr. Ian Moore.

10. The OCG was advised by Mr. Stephen Wedderburn, LNG Project Coordinator, PCJ, in his sworn response to the OCG's Statutory Requisition, which was dated 2010 November 15, that several meetings were held in respect to the LNG Project both locally and internationally.

It is instructive to note that the majority of the meetings, which were allegedly attended by various Public Officers and/or Officials, were held prior to the commencement of the tender process for the 'FSRU LNG Project' in 2009 November.

Of the nine (9) companies which expressed an interest in the LNG Project from 2007, the OCG found, based upon representations from Mr. Stephen Wedderburn, that meetings were held with only six (6) of the potential bidders, as prospective '*FSRU Providers*' for Jamaica.

11. Mr. Stephen Wedderburn also provided the OCG, at the request of the OCG, with tabular representations of, *inter alia*, (a) all the places he had travelled, (b) the respective meetings which were attended, and (c) the persons with whom he travelled in each instance, in regard to the 'FSRU LNG Project'.

Based upon the referenced tabular representations, which were provided by Mr. Stephen Wedderburn, the OCG found, *inter alia*, the following:

- i. Meetings were attended by GOJ representatives between the period of 2003 to 2010 in regard to the LNG Project.
- ii. Meetings were attended by GOJ representatives with potential bidders between the period of 2005 to 2010, with specific regard to the 'FSRU LNG Project'.
- iii. Between the period of 2005 to 2010, Mr. Stephen Wedderburn indicated that he attended several meetings to, *inter alia*, promote LNG awareness, investigate potential FSRU and/or LNG suppliers and to investigate the feasibility of the FSRU technology. He also indicated that conferences and training courses were attended with potential LNG Providers/Suppliers, in regard to the 'FSRU LNG Project'.
- iv. Three (3) meetings were alleged to have been attended, between the period of 2006 to 2007, by representatives of the GOJ in Brussels, Belgium. Of the three (3) meetings, two (2) were with Exmar Marine NV and Besix and Dredging International, and the third with Hoegh LNG.
- v. Mr. Stephen Wedderburn, in 2008 June, '*travelled on the same flight*' with Mr. Bart Lavent, Director LNG, Exmar Marine NV, from Jamaica to Havana for a '*PetroCaribe Gas Working Group Meeting*'. Mr. Wedderburn indicated that he "*...attended the meeting as a Working Group Member. Mr. Lavent attended to brief the Working Group on FSRU technology.*"³⁸
- vi. Several meetings were held with potential LNG suppliers between the period of 2006 to 2007. Of note, this was during the period in which the former Minister, Mr. Anthony Hylton, MoFAFT, indicated that the GOJ was in search of sourcing supplies of LNG in regard to the agreement between Jamaica and Trinidad. The OCG found that the then Minister, was in attendance at several of these meetings.
- vii. Mr. Stephen Wedderburn, in 2009 May, '*travelled on the same flights*' with Mr. Bart Lavent of Exmar Marine NV, from Jamaica to Colombia to '*Private gas supply meetings*'. Mr. Wedderburn also stated that Mr. Bart Lavent had been in Jamaica for a meeting with the MEM. It is instructive to note that in 2009 May, Mr. Stephen Wedderburn, who was not employed to the GOJ at the time, submitted a proposal to the MEM to coordinate the LNG Project. (OCG's Emphasis)

³⁸ Response from Mr. Stephen Wedderburn which was dated 2010 November 15. Response to question # 8

viii. Meetings were held in 2010 with potential LNG suppliers, among others, with respect to the LNG Project.

12. Based upon the foregoing representations from Mr. Stephen Wedderburn, it would appear that the trips which were undertaken by GOJ representatives, from 2003, were specifically with respect to FSRU LNG Re-gasification. However, the OCG found that contrary to the foregoing assertion by Mr. Stephen Wedderburn, Mr. Anthony Hylton indicated that during his tenure as Minister of MoFAFT and MEM, the GOJ's energy policy was with respect to diversification and the use of alternative sources such as LNG, coal and renewables.

In this regard, Mr. Anthony Hylton, in his response to the OCG's Statutory Requisition, which was dated 2011 February 4, stated that *"Useful and cutting edge information was gathered from trips to Japan, South Korea, Algeria, Trinidad & Tobago, Belgium, Norway and Venezuela."*³⁹

13. The OCG found that the GOJ held several meetings with Golar LNG and Exmar Marine NV between the period of 2008 to 2009. In this regard, both companies were required to provide updated proposals, on separate occasions, to different Public Officials/Officers, with respect to the LNG Project.
14. In 2009 June, representatives of Exmar Marine NV met with the current Minister of Energy and Mining, the Hon. James Robertson, and the then Permanent Secretary, Ms. Marcia Forbes (together with Promigas, EDC LNG and Merrill Lynch). The goal of the meeting was to advise the Government of its intent to conduct the pre-feasibility studies to determine the economic and technical viability of developing a private project to import LNG and supply natural gas for use by private bauxite sector entities.

It should be noted that neither the MEM and/or the PCJ conducted a pre-feasibility study for the 'FSRU LNG Project'. Interestingly, EDC LNG (now CLNG) conducted its own feasibility study, which was completed 2009 October, one (1) month prior to the commencement of the tender period for the 'FSRU LNG Project'.

15. The OCG also found that Exmar Marine NV signed a 'Mandate', which was dated 2007 March 17, with the Ministry of Foreign Affairs and Foreign Trade, under the then Minister, Mr. Anthony Hylton, *"...to act as an agent for and on behalf of the Government of Jamaica to assist the Government, in purchasing liquefied natural gas ("LNG") and/or natural gas..."* The mandate remained valid until and including the termination date of 2007 September 30.

Mr. Anthony Hylton also indicated in his response to the OCG's Statutory Requisition, which was dated 2011 February 4, that 'Mandates' were signed between 2006 - 2007 between a number of possible LNG providers in an effort to source supplies of LNG.

It is instructive to note that despite Mr. Anthony Hylton's assertion that *'an identical mandate'* was signed with Hoegh LNG, Ambassador Evadne Coye, in her sworn response to the OCG, which was dated 2011 February 4, advised that *"There is no evidence in this Ministry that any other 'Mandate' was signed between the Ministry of Foreign Affairs and Foreign Trade and Exmar Marine NV and/or any other company in regard to assisting the GOJ in purchasing liquefied natural gas."*⁴⁰

The OCG has not seen any other documentary evidence to support the assertions which were made by Mr. Anthony Hylton, former Minister, MEM and MOFAFT.

16. The OCG sent a Follow-Up Letter of Invitation (LOI) to Mr. Sveinung Stohle, President & CEO, Hoegh LNG, which was dated 2011 February 23, and questioned, *inter alia*, *"... whether Hoegh LNG signed a 'Mandate' with the GOJ in 2007, and/or at any time, in regard to the purchasing of LNG..."*

³⁹ Response from the former Minister of MME and MOFAFT, Mr. Anthony Hylton, which was dated 2011 February 4. Response to Question #1

⁴⁰ Response from Ambassador Evadne Coye, Permanent Secretary, MOFAFT, which was dated 2011 February 4. Response to Question # 5

Hoegh LNG responded to the OCG's LOI, by way of a letter which was dated 2011 March 9, and stated, *inter alia*, that "...please be informed that HLNG AS was in discussions in 2007 for appointment; however no original copy of a formal appointment letter has yet been found in our archives..."

Having regard to the lack of documentation and the conflicting statements which have been presented to the OCG by Ambassador Evadne Coye, Mr. Anthony Hylton and Hoegh LNG, the OCG is unable to corroborate Mr. Hylton's assertion that "*an identical mandate*" was signed with Hoegh LNG.

17. Mr. Stephen Wedderburn submitted a proposal to the MEM in 2009 May, to coordinate the Liquefied Natural Gas Project.

It is instructive to note that the proposal, which was submitted to the MEM by Mr. Stephen Wedderburn, recommended, *inter alia*, that the formal GOJ Public Sector Procurement Procedures should be bypassed in the selection and award of a contract to a FSRU provider for the 'FSRU LNG Project', for the sake of expedience.

In this regard, the OCG found that Mr. Stephen Wedderburn not only proposed an unorthodox approach to the issue, but simultaneously sought to justify same by indicating that "...rather than going through a formal procurement system to select an [sic] FSRU provider (which will waste time and unduly delay the execution of more important aspects of the Project such as the identification of LNG supply) that one of these two companies be selected by interview."⁴¹

Nonetheless, Mr. Wedderburn, in his 2009 May proposal also recommended that if the MEM was desirous of utilizing the traditional procurement methodology, consideration would have to be given to the contracting of Technical Consultants in order to ensure that a proper RFP would be developed.

The proposal further revealed that Mr. Stephen Wedderburn had already identified two (2) companies in the industry as having an interest, namely, Exmar Marine NV and Golar LNG. In this regard, Mr. Wedderburn expressed that the referenced companies were the only ones to "...actually have floating regasification systems in operation..."⁴²

It is instructive to note that Mr. Wedderburn, in his referenced proposal, also indicated that "*Two other companies, Hoegh LNG and Suez Gaz de France, will join the floating regasification club in the next year when they jointly begin to supply LNG...*"⁴³

18. The OCG found that irrespective of Mr. Stephen Wedderburn's recommendation to by-pass the procurement process to contract one (1) of the two (2) recommended LNG Providers for the 'FSRU LNG Project', the GOJ, through the PCJ, utilized the GOJ Public Sector Procurement Procedures in accordance with the Limited Tender Procurement Methodology, to contract a suitable LNG FSRU Re-gasification provider.
19. The OCG found that several Public Officers, Officials and Consultants, since 2001, contributed in different forms and manner to the progress of the LNG Project in Jamaica.

Notwithstanding the foregoing, the OCG found that there are certain key players who were affiliated with the project from the inception to present, namely:

- i. Mr. Stephen Wedderburn; and
- ii. CH-IV International.

⁴¹ Ibid.

⁴² Ibid.

⁴³ Footnote #1 as stated in 2009 May proposal from Mr. Stephen Wedderburn. Page # 6

The OCG also found that the following Public Officials/Public Officers, between November 2009 to December 2010, were primarily responsible for the tender process of the 'FSRU LNG Project', within the MEM and the PCJ:

- i. The Hon. James Robertson – Minister, MEM;
- ii. Mrs. Hillary Alexander – Permanent Secretary, MEM;
- iii. Dr. Ruth Potopsingh – former PCJ Group Managing Director;
- iv. Mr. Nigel Logan – PCJ Acting Group Managing Director;
- v. Mr. Stephen Wedderburn – LNG Project Coordinator;
- vi. The PCJ Board of Directors (2009 to 2010)

20. The OCG found that the following Committees, outside of the PCJ Procurement Committee and the Evaluation Committee (referred to as the LNG Technical Evaluation Committee), were established by the MEM for the 'FSRU LNG Project':

- i. The LNG Steering Committee / LNG Task Force;
- ii. The LNG Negotiating Team; and
- iii. Natural Gas Project Team.

The OCG also found that the PCJ established a LNG Project Unit which was headed by Mr. Stephen Wedderburn.

The OCG further found evidence to suggest that the established LNG Steering Committee/LNG Task Force was a key decision-making body in the tender process for the 'FSRU LNG Project'. However, the Permanent Secretary in her response to the OCG's Statutory Requisition, which was dated 2010 November 12, stated that *"The Task Force is not a part of the PCJ's Corporate Governance Framework as it represents an attempt to have a grouping of the various Ministries/Agencies/Bodies of Government identify and contribute to the best course for implementation of an [sic] LNG Project. The critical nature of the project and the various activities involved required the matters to be considered and addressed by a wider grouping of individuals than under the umbrella of the PCJ."*⁴⁴

21. The OCG found that several of the Public Officers within the PCJ served on more than one (1) Committee, which was established for the 'FSRU LNG Project'.

In accordance with information which was provided by Mrs. Hillary Alexander, Permanent Secretary, MEM, and Mr. Nigel Logan, Acting Group Managing Director, PCJ, the OCG found that members of the PCJ Board of Directors and the LNG Steering Committee/LNG Task Force also served on the LNG Technical Evaluation Committee.

The Permanent Secretary indicated that three (3) of the members who served on the LNG Steering Committee/LNG Task Force, a Committee which was integral in the decision-making process of the 'FSRU LNG Project', also served on the Evaluation Committee.

The OCG found that Mr. Stephen Wedderburn was a member of the LNG Steering Committee and that he also played an integral role in guiding the LNG Technical Evaluation Committee, prior to the commencement of the Evaluation process.

⁴⁴ Response from Mrs. Hillary Alexander, Permanent Secretary, MEM, which was dated 2010 November 12. Response #28(i)

22. It is instructive to note that Mr. Stephen Wedderburn declared a financial interest with one (1) of the potential partners of the Exmar Consortium, Exmar Marine NV, to the PCJ and the MEM. However, and as stated by Mr. Wedderburn, in an email to the former Group Managing Director, Dr. Ruth Potopsingh, “*Given this background it has already been decided that I would not be involved in the evaluation of any LNG FSRU proposals for Jamaica...*”

Notwithstanding, the OCG, however, found the following:

- i. The LNG Technical Evaluation Committee, which was chaired by Dr. Audley Darmand was found to have been guided by Mr. Stephen Wedderburn, despite knowing that Mr. Wedderburn declared a prior affiliation with one of the potential bidders for the ‘FSRU LNG Project’.

The OCG also found that the then PCJ Board of Directors, indicated that Mr. Wedderburn “...was present at nine of the eleven evaluation meetings and was present at the opening of the bids.”

- ii. The Minutes of the Special Meeting of the PCJ Board of Directors, which was held on 2010 March 31, revealed that the Evaluation Committee met prior to the opening of the bids.
- iii. The referenced Minutes of the Special Meeting of the PCJ Board of Directors, also indicated that Dr. Darmand stated, *inter alia*, that “...**the meetings that Mr. Wedderburn attended, his presence was necessary as he was required to develop the instrument of measure.**”
- iv. The referenced Minutes of the Special Meeting of the PCJ Board of Directors, also revealed that Mr. Wedderburn was involved in the development of the RFP.
- v. According to Mr. Wedderburn, he was involved in a floating LNG liquefaction project in Colombia which also involved Exmar Marine NV. Mr. Wedderburn also stated that he does “...**not have any commercial relationship with Exmar. Nevertheless, if the project is successful both Exmar and I will benefit.**”
- vi. It is instructive to note that Mr. Wedderburn, in his response to the OCG’s Statutory Requisition, which was dated 2010 November 15, revealed, *inter alia*, that in 2009 May, he ‘travelled on the same flights’ with Mr. Bart Lavent of Exmar Marine NV, from Jamaica to Colombia to ‘**Private gas supply meetings**’.

Of note, this was during the same period (2009 May) in which he submitted a proposal to the MEM to coordinate the LNG Project. Further, Mr. Wedderburn stated that he was employed to the PCJ, ‘**retroactive to July 2009**’. However, he stated that his employment contract became official in 2009 October. It must be noted that the RFP was issued by the PCJ on 2009 November 12.

23. The OCG, in an effort to ascertain whether the PCJ, the MEM and/or any other Public Body had identified, leased and/or purchased any land with respect to the sitting of the ‘FSRU LNG Project’, requisitioned the Port Authority of Jamaica (PAJ) and the respective Accounting/Accountable Officers in the MEM and the PCJ, with respect to same.

The OCG found that no form of an agreement has been signed between the PAJ and any other GOJ Entity, Public Official/Officer and/or any of the potential bidders for the ‘FSRU LNG Project’.

It is instructive to note, however, that the PAJ provided the OCG with a table which revealed that the PAJ had had several meetings with EDC LNG (now CLNG), amongst others, with respect to the LNG Project.

Based upon the referenced tabular representation, the OCG found the following:

- i. Exmar Marine NV had a meeting with the PAJ one (1) day before the issuance of the RFP, to “...**determine the suitability of harbor facilities as against the scope of the project**”.

- ii. The other meetings which were held with the PAJ were undertaken after the PCJ's recommendation to enter into negotiations with the selected *'preferred bidder'*, the Exmar Consortium, for the 'FSRU LNG Project', was made.
 - iii. On 2010 September 22, the Minister, the Hon. James Robertson, invited the PAJ, amongst other relevant Public Sector Entities, to attend a *'LNG briefing meeting'*, in which the Exmar Consortium was present and presentations were made *"...on technical aspects of industry and provided responses to queries."*
 - iv. The basis, however, upon which several meetings were held with Exmar Marine NV and/or EDC LNG (now CLNG), was in regard to identifying and/or selecting a location for the project. Of note, the meeting of 2010 August 9 revealed that the PAJ *"...expressed concerns regarding having a gas facility close to the container terminal"* and as such the PAJ rejected a proposal to have the LNG facility in close proximity to the terminal.
 - v. The PAJ has not sold and/or granted any lease and/or license to any GOJ Entity and/or any of the potential bidders for any prospective property for the 'FSRU LNG Project'.
24. The OCG found that a new procurement process for the 'FSRU LNG Project' commenced with the issuance of the RFP to the potential nine (9) companies/consortia which were invited to tender on 2009 November 12 and 13.
25. The OCG found that there were several concerns expressed in regard to the RFP. These concerns are as follows: (a) the circumstances surrounding the preparation of the RFP; (b) certain requirements for qualification which were outlined in the RFP; and (c) the approval process of the RFP.

Based upon a review of the Minutes of the then PCJ Board of Directors' meetings, which were dated 2009 December 8 and 10, the OCG found the following, among other things:

- i. Cabinet approval of the RFP preceded the approval of the PCJ Procurement Committee.
 - ii. The Minutes of the Meeting of the PCJ Board of Directors, which was held on 2009 December 10, revealed that Mr. Wedderburn was waiting on the proposals from the potential bidders to guide him in the planning of the project.
 - iii. A FEED Study was not undertaken for the 'FSRU LNG Project'.
 - iv. There appears to have been certain internal issues between the PCJ Board of Directors and the LNG Steering Committee/LNG Task Force in regard to the preparation of the RFP and the urgency with which the RFP was issued to the potential bidders.
 - v. It is instructive to note that the issues which arose in regard to the drafting of the RFP were in relation to: a) the age of the ship; and b) the timeline, which was considered to be inadequate, that was given for the potential bidders to submit their proposals.
26. The OCG found that the 'Form of Questionnaire', within the RFP, contained a requirement that *"...the maximum age of the FSRU vessel should be no more than ten (10) years at the start of the operation."*

The OCG found that one (1) of the bidders, Golar LNG, wrote to the PCJ, on 2009 November 25, indicating that having been in meetings with the GOJ, in which no specific concerns were raised, they were *"...surprised that LNG carriers older than 10 years were specifically excluded from the Request for Proposal..."*

The OCG found that the then PCJ Board of Directors deliberated upon same on 2010 January 13, and a unanimous resolution had been passed to reconsider a previous decision to amend the RFP to reflect ten (10) years instead of twenty (20) years. Hence, the Board agreed on the decision for the age of the ship to be ten (10) years.

27. The OCG has noted several concerns with respect to the timelines which were given for the submission of the bids. These include, *inter alia*, the following:

- i. Four (4) requests for extensions to the submission deadline were received by the PCJ. Two (2) of the requests were for the deadline to be extended between 2010 April-May. However, the Permanent Secretary in the MEM, alleged that the World Bank and the OUR were consulted with respect to the extensions. In this regard, ninety (90) days was deemed to be an appropriate timeframe for the submission of bids.
- ii. The bidders were given approximately ninety (90) days to prepare a proposal in accordance with the RFP, which was issued on 2009 November 12.

It is instructive to note that it is stated in Clause IV, Sub-Section S-2090 of the GOJ Public Sector Procurement Procedures (2008 November), for Contracts which are in excess of JA\$150 million, that a minimum of 45 days should be allotted to a Bid Submission. It is further stated that "*For large complex projects might be as long as three months.*"

- iii. The only potential bidder that did not request an extension of the deadline for submission was the Exmar Consortium.
- iv. The PCJ Board of Directors was not informed by Mr. Stephen Wedderburn of the decisions, which were being made, in respect of the requests for extensions of the submission deadline. The Minutes of the Meeting of the PCJ Board of Directors, which was held on 2009 December 22, indicated that the Board was not consulted on same, however, there were "*...letters going out indicating that a decision was taken to grant an extension after consultation with the PCJ and with the Ministry.*"

28. It is instructive to note that Mr. Stephen Wedderburn informed the OCG that he was unaware of the circumstances which led to the decision not to extend the deadline beyond 2010 February 16, as per the request from Samsung/Kogas.

However, contrary to Mr. Stephen Wedderburn's assertion, the OCG found that Mr. Wedderburn sent an email to the Permanent Secretary, Mrs. Hillary Alexander, MEM, which was dated 2010 January 28, which outlined his reasons why the deadline for submission should not be extended and made his recommendations accordingly.

29. The OCG found that the Technical Consultants, CH-IV International, prepared a document which was entitled "*FRAMEWORK FOR REVIEW AND EVALUATION OF PROPOSALS*", which was dated 2010 February 12, to evaluate the proposals which were received for the 'FSRU LNG Project'.

The referenced document stated, *inter alia*, that "*The purpose of this Report is to describe the framework that CH-IV proposes to use to complete its review of Proposals received in accordance with Section 2.17 of the RFP.*"⁴⁵ The OCG also found that the referenced document contained an appended "*Review Matrix*" which was designed by the Consultants, CH-IV International, to review the bids which were received for the 'FSRU LNG Project'.

⁴⁵ Bid Evaluation Matrix Report: Framework for Review and Evaluation of Proposals, dated 2010 February 12, and which was prepared by CH-IV International. Pg. 1

It is instructive to note that by way of a letter, which was dated 2010 March 28, a Mr. Joseph Fossella, CH-IV International, informed Dr. Audley Darmand, Chairman, FSRU LNG Bid Evaluation Committee, PCJ, *inter alia*, that “*This final weighted matrix was reviewed by the LNG team and a consensus was reached on the matrix and weighting...*”⁴⁶

30. It is instructive to note that the OCG was not provided with and/or found any evidence to suggest that the referenced ‘Review Matrix’, which was designed by the Consultants, CH-IV International, for and on behalf of the PCJ, was issued to the potential bidders, via an Addendum or otherwise, prior to the submission deadline.

The OCG also found that the referenced ‘Review Matrix’ broadened the scope of the evaluation criteria.

Sub-Section No. S-3100 of the GOJ Public Sector Procurement Procedures (2008 November) provides, *inter alia*, that “**All adopted sub-criteria should be specified in the RFP... If points allocated to these sub-criteria are not disclosed in the RFP, the Evaluation Committee should allocate them before proposal submission, to reduce the risk of manipulations during the evaluation process...**” (OCG’s Emphasis)

Consequently, the OCG found the foregoing to be irregular and a breach of the GOJ Public Sector Procurement Guidelines.

31. The OCG found that two (2) proposals were received from Hoegh LNG and the Exmar Consortium, prior to the deadline for submission.
32. The OCG was advised by Mr. Stephen Wedderburn, LNG Project Coordinator, PCJ, on 2010 February 21, that Golar LNG submitted a proposal, by way of an email on 2010 February 15, after the deadline for submission.

By way of a letter, which was dated 2010 February 24, the OCG responded to the foregoing email and stated, *inter alia*, that “*...In accordance with the provisions of the Request for Proposal (RFP), which states, “Proposals must be physically received at PCJ’s office...no later than 4:00 p.m. Electronically transmitted Proposals will not be considered a valid response to the Request for Proposal”, Golar LNG’s proposal cannot be considered...the OCG posits that the late proposal, which was electronically submitted, be rejected...*”

The OCG found that the bids which were received from Hoegh LNG and the Exmar Consortium proceeded to the evaluation stage.

33. It is instructive to note that the OCG also found that information which was requested, by the PCJ, in Clause 2.21.2 “*Form of Questionnaire*’ which was contained in the RFP, included qualification requirements which were not reflected in the Evaluation Criteria of the RFP.
34. It is also instructive to note, that Mr. Stephen Wedderburn, LNG Project Coordinator, PCJ, in his response to the OCG’s Statutory Requisition, which was dated 2010 November 15, stated, *inter alia*, that “**...the PCJ FSRU tender did not ask for a binding price or a firm financing proposal** as would be normal in a 90 – 120 day tender. *The absence of these requirements made the shorter timeline feasible. **Section 3.4 of the RFP Questionnaire would have indicated to the bidders that PCJ was not requiring a completed FEED-level or detailed engineering design**, another factor making the 54 day timeline feasible.*”⁴⁷

However, the ‘Review Matrix’ which CH-IV International used to evaluate the bids indicated that the bids were going to be assessed, *inter alia*, on:

⁴⁶ Letter from Mr. Joseph Fossella, CH-IV International informed Dr. Audley Darmand, Chairman, FSRU LNG Bid Evaluation Committee, MEM, which was dated 2010 March 28.

⁴⁷ Response from Mr. Stephen Wedderburn, which was dated 2010 November 15. Response # 11(j) – (l)

- i. The “*Commercial Proposal*”, which would assess, *inter alia*, the bidders capability and commitment to finance the project and would consider details of the financing plan and structure considerations along with the bidder projected cost estimate and pricing.
- ii. The “*Technical Proposal*”, which included, *inter alia*, the proposed design with particular consideration of the “*Status of the proposed design, i.e. feasibility, pre-FEED or FEED.*”

Further, while Mr. Wedderburn stated that the PCJ was not requesting bidders to provide “...*completed FEED-level or detailed engineering design...*”, the technical component of the evaluation criteria, as detailed in the ‘Review Matrix’, also examined the project execution and construction plan, where the credibility of the construction schedule, commissioning plan and operating plan were to be assessed.

It is also instructive to note that despite Mr. Wedderburn’s assertion that the bidders were not required to provide “...*completed FEED-level or detailed engineering design...*”, one (1) of the nine (9) invited bidders indicated, in writing, its unwillingness to participate in the referenced tender process because of, *inter alia*, “...*the absence of site specific information (maritime and weather data)...*”

35. The OCG found that the LNG Technical Evaluation Committee, by way of a Final Report, which was dated 2010 March 29, recommended the Exmar Consortium as the ‘*preferred bidder*’ for the ‘FSRU LNG Project’.

It is instructive to also note that CH-IV International, by way of a letter to Dr. Audley Darmand, Chairman, FSRU LNG Bid Evaluation Committee, which was dated 2010 March 29 and subjected “*PCJ Procurement Committee – Preferred Supplier*”, provided “...*a summary of the attributes of each proposal submitted and the final score that CH-IV presented to the Committee.*”

Based upon the foregoing letter, the OCG found that the Exmar Consortium received a score of 68.2 and that Hoegh LNG received a score of 33 from the Consultant’s Report.

36. The OCG found that the PCJ Procurement Committee, and the then PCJ Board of Directors, expressed concerns with respect to the Evaluation Report which was prepared by the Technical Advisors, CH-IV International, in which the composition of the Exmar Consortium, and in particular, CLNG, and its financial viability, was questioned.

The OCG found that on 2010 April 12, the Secretary for the PCJ Procurement Committee, Mr. Godfrey Perkins, wrote to Dr. Ruth Potopsingh, expressing certain concerns in regard to the Evaluation Report for the proposed ‘FSRU LNG Project’. The referenced letter stated, *inter alia*, that “...*The report which was received was grossly inadequate in quite a number of particulars.*”

37. The OCG also found that several concerns were expressed by both the PCJ Procurement Committee and the PCJ Board of Directors in regard to (a) the report which was submitted by CH-IV International and (b) subsequent letters which were received from same in respect of the Evaluation of the Bids. In particular, however, and based upon the referenced letter, the OCG found, that the following information was requested, by the PCJ:

- a) **Particulars of the principals of each of the three entities within the Exmar consortium;**
- b) **Corporate and financial profile of CLNG as well as the experience of this company in the business of LNG supplies;**
- c) **Financial analysis of the two tenders...**

38. By way of a letter, which was dated 2010 April 14, Mr. Godfrey Perkins, Secretary, PCJ Procurement Committee, informed Ms. Kathryn Phipps, the then Chairman of the PCJ Board of Directors, that the PCJ Procurement Committee had approved the recommendation in accordance with the final report of the Technical Consultants, CH-IV International and the LNG Technical Evaluation Committee.
39. On 2010 April 14, the then PCJ Board of Directors “...approved the bid Evaluation Report being forwarded to the Accounting Officer in the Ministry of Energy and Mining subject to the corporate profile being obtained and incorporated...”⁴⁸ for CLNG.
40. It is instructive to note that Mrs. Hillary Alexander, Permanent Secretary, MEM, by way of a letter which was dated 2010 April 28, wrote to Mr. John Wright, Chairman of the NWA Sector Committee, seeking “... the approval of the NCC to select Exmar as the preferred bidder and to conduct detailed negotiations with Exmar in relation to the financing, building, owning and operation of the FSRU.”⁴⁹

The NCC, on 2010 May 13, endorsed the recommendation of the MEM to enter into negotiations with the ‘preferred bidder’, the Exmar Consortium.

41. The Cabinet approved the recommendation for the selection of the ‘preferred bidder’, the Exmar Consortium, and also for the PCJ to enter into negotiations with the said bidder, for the ‘FSRU LNG Project’ on 2010 June 14.

However, finalization of the negotiation was subject to the completion of a technical assessment of the project and the procurement procedures utilized. The assessment was to be undertaken by an ‘independent consultant’ which was obtained through the World Bank.

42. It is instructive to note, that the PCJ, prior to the approval of the Negotiation Team by the Cabinet, on 2010 October 25, commenced negotiations with the ‘preferred bidder’, the Exmar Consortium, from 2010 July.
43. The OCG found that the ‘preferred bidder’, which was recommended for the proposed ‘FSRU LNG Project’, is a Consortium, referred to as the “Exmar Consortium” which is composed of the following partners:

- i. Exmar Marine NV;
- ii. Promigas S.A.; and
- iii. Caribbean LNG (Jamaica) Limited (CLNG).

44. The OCG found that a MOU was signed between CLNG, Promigas S.A. ESP and Exmar Marine NV on 2010 February 15. It is instructive to note that the deadline for submission of the bids and Tender Opening was extended to 2010 February 15.

45. The OCG conducted a company search, on the Companies Office of Jamaica (COJ) website, for CLNG and found that the Directors and Shareholders of the company, as at 2010 June 22, were as follows:

Directors:

- i. Andrew Bogle (ceased);
- ii. Paul East;
- iii. Ian Moore;

⁴⁸ PCJ Minutes of Special Meeting of Board of Directors, which was held on 2010 April 14. Pg. 9.

⁴⁹ Letter from Mrs. Hillary Alexander, Permanent Secretary, MEM which was dated 2010 April 28 and which was addressed to Mr. John Wright, Chairman of the NWA Sector Committee.

iv. Al Kerr;

Shareholders:

i.	Caribbean LNG (BVI) Limited	5,200,000 shares	(81.9%)
ii.	AC. Kerr LLC	800,000 shares	(12.6%)
iii.	Old Harbour Estates Limited	47,826 shares	(0.75%)
iv.	Maritime & Transport Services Limited	47,826 shares	(0.75%)
v.	Andrew Bogle	197,827 shares	(3.12%)
vi.	Albert Donaldson	50,001 shares	(0.79%)
vii.	Martin Phillips	0 shares	
viii.	Sandra Martin	-	
ix.	Marco Mirst	0 shares	
x.	Nicole Mirst	-	

The OCG further found that the total shares in the company amounted to 6,343,480.

Based upon the foregoing breakdown of the shareholding of CLNG, the company, Caribbean LNG (BVI) Limited, was found by the OCG to be the majority shareholder of CLNG with a shareholding of 81.9%.

46. The OCG found that Mr. Conrad Kerr, Chief Executive Officer (CEO), CLNG, wrote to Mr. Bart Lavent, on 2010 July 6, and provided confirmation of the Directors of and Shareholders in both CLNG and Caribbean LNG (BVI) Limited.

It is instructive to note that the share allotment of CLNG, which was provided by Mr. Kerr, differed from that which was detailed on the COJ's website as at 2010 June 22. In this regard, the total shares in CLNG was reported by Mr. Kerr as 6,539,130, with Caribbean LNG (BVI) Limited having a majority share allotment of 79.52%.

47. It is also instructive to note that by way of a letter, which was dated 2010 June 23, Mr. Ian Moore wrote to the OCG and advised, *inter alia*, that "*Kindly see enclosed herewith our correspondence directed to Messrs. Coverdale Trust Services Ltd. who is the corporate secretary for Caribbean LNG (B.V.I.) Ltd. We have already given verbal instruction to Messrs. Coverdale Trust Services Ltd, for them to cooperate with your office to the fullest extent, and concurrent with this letter we are providing them with the original of the enclosed authority... For your immediate attention we inform you that the shareholders of Caribbean LNG (B.V.I.) Ltd. are:*

Mr. Ian Moore

*Mr. Paul East.*⁵⁰

Consequently, the OCG, by way of a letter which was dated 2010 December 16, extended an invitation to Coverdale Trust Services Limited, the Corporate Secretary of Caribbean LNG (BVI) Limited, to provide a formal statement and/or information in regard to the circumstances which surrounded its role(s), responsibility(ies), contribution, and/or involvement, if any, in the referenced 'FSRU LNG Project'.

⁵⁰ Letter from Mr. Ian Moore to the OCG which was dated 2010 June 23

Based upon the documentation which was provided by Coverdale Trust Services Limited, the OCG found the following information:

- i. The Certificate of Incumbency for the company, Caribbean LNG (BVI) Limited, was dated 2010 December 28.
- ii. The company, Caribbean LNG (BVI) Limited, was incorporated on 2009 December 22.
- iii. The Directors of the company are '*Paul East*' and '*Ian Moore*'. Of note, both Directors were appointed on the date the company was incorporated (2009 December 22).
- iv. The Shareholders of the company are '*Paul East*' and '*Ian Moore*'. Of note, is the fact that the shares were issued on the date the company was incorporated and divided as follows: a) Paul East - 20,000 and b) Ian Moore - 30,000.
- v. No fiduciary services were being provided by the company Caribbean LNG (BVI) Limited and, under BVI Law, there is no requirement for the company to have audited financial statements.

48. The OCG found that the company, Caribbean LNG (B.V.I.) Limited, the primary Shareholder of CLNG (Jamaica) Limited, was incorporated on 2009 December 22, approximately one (1) month after the issuance of the RFP for the 'FSRU LNG Project'.

49. The OCG conducted a review of the final evaluation document, which was prepared by CH-IV International for the PCJ, that was entitled "*REVIEW OF PROPOSALS*", with respect to the 'FSRU LNG Project', and dated 2010 April 8, against the proposal which was submitted by the Exmar Consortium and entitled "*EXMAR CONSORTIUM – JAMAICA LNG FSRU TENDER*".

Having regard to the foregoing, the OCG found the following:

- i. That although the bid proposal which was submitted by the Exmar Consortium made mention of Excelerate Energy LP being a partner of Exmar Marine NV, the proposal does not include Excelerate Energy LP as a partner of the Consortium.
- ii. Appendix B, which was prepared by CH-IV International, assessed the strengths of the Exmar Consortium by including the capabilities of an Exmar Marine NV/Excelerate Energy LP partnership.

In this regard, the referenced report indicated, as a strength of the proposal, that "*Exmar and partner Excelerate have demonstrated since 2005 the ability to develop offshore regasification projects*"⁵¹. However, the proposal was assessed to be weak as it "*...does not state clearly the relationship between Exmar and Excelerate...*"⁵²

Nonetheless, CH-IV International, after highlighting the foregoing weakness and strength, noted that the Exmar Marine NV had a "*Very good response*".

Having regard to the foregoing, and the fact that Excelerate Energy LP is not a party to the Exmar Consortium, the OCG is unable to determine the basis upon which CH-IV International arrived at its conclusion that the Exmar Consortium had a "*Very good response*" with respect to its capabilities to carry out its project, despite the noted ambiguity.

⁵¹ The final issued "Review of Proposals" which was prepared by CH-IV International which was dated 2010 April 8. Appendix B, Proposal Review Findings – Exmar Consortium.

⁵² The final issued "Review of Proposals" which was prepared by CH-IV International which was dated 2010 April 8. Appendix B, Proposal Review Findings – Exmar Consortium.

- iii. The referenced Appendix B further stated that “**Exmar demonstrates experience in the construction of LNG Regas Vessels (LNGRV), with a total number of 7 constructed and operating through Excelerate, in a range of 138,000m3 to 151,000m3 storage capacity.**”⁵³ (OCG’s Emphasis)
 - iv. The referenced Appendix B, further stated that “*Exmar and its partner Excelerate commissioned and continued to operate the first deepwater port Gulf Gateway project in the gulf of Mexico...*”⁵⁴
 - v. CH-IV International utilized information which was obtained from the websites of Excelerate Energy LP and Exmar Marine NV as a part of the evaluation of the proposals. Therefore, this suggests that the Technical Consultants used information which was not submitted by the Exmar Consortium, in its proposal on 2010 February 15, to evaluate the bid.
 - vi. The OCG found that CH-IV International evaluated the strength of the Exmar Consortium with respect to the partnership between Exmar Marine NV and Excelerate Energy LP.
50. It is instructive to note that CH-IV International, in assessing the specific experience and capabilities of the Exmar Marine NV, in relation to the assignment, did not undertake an independent assessment of same with respect to its capabilities outside of the partnership with Excelerate Energy LP. Therefore, the OCG is unable to state definitively whether Exmar Marine NV, on its own, is capable of performing the required tasks for the ‘FSRU LNG Project’, given that a substantial portion of its experience has been attributed to its partnership with Excelerate Energy LP.

The OCG further found the following:

- i. Mr. Stephen Wedderburn did not recommend Excelerate Energy LP as one of the potential companies in the FSRU Industry as having the experience and capability of providing the ‘FSRU LNG Project’.
- ii. Upon the enquires of Mr. Shaun Davison, Excelerate Energy LP, as to the reasons why Excelerate Energy LP was not invited to tender, Mr. Stephen Wedderburn indicated that because Excelerate Energy LP’s initial proposal was submitted late in 2007, the referenced company was not eligible to bid in the current process.

This reason was premised upon the basis that (a) the tender process was restricted to the nine (9) companies which had submitted a bid; (b) the Cabinet and the Jamaican Government had decided upon the nine (9) companies; and (c) that the tender rules were strict in respect of late proposals.

- iii. It is clear from email correspondence, which was dated 2009 December 11, between Mr. Glenford Watson, the Senior Legal Counsel, MEM, Mrs. Hilary Alexander, the Permanent Secretary, MEM, and Mr. Stephen Wedderburn, that Mr. Stephen Wedderburn was the Public Official who was charged with the responsibility of informing the Accounting/Accountable Officers within the PCJ and the MEM of, *inter alia*, the potential bidders within the LNG Industry and the capabilities of same.
- iv. Mr. Stephen Wedderburn, gave, at a minimum, both the Permanent Secretary and the Senior Legal Officer in the MEM, the impression that Excelerate Energy LP and Exmar Marine NV were one (1) entity and that there were no other companies outside of the nine (9) companies which were invited to tender “... *that have FSRU operating experience*”.

⁵³ The final issued “Review of Proposals” which was prepared by CH-IV International which was dated 2010 April 8. Appendix B, Proposal Review Findings – Exmar Consortium.

⁵⁴ The final issued “Review of Proposals” which was prepared by CH-IV International which was dated 2010 April 8. Appendix B, Proposal Review Findings – Exmar Consortium.

51. Based upon the assertions of Mr. Shaun Davison of Excelerate Energy LP, the OCG found that Exmar Marine NV (a) operated the vessels on behalf of Excelerate Energy LP, by providing physical crew; (b) did not design or build any fixed infrastructure facility; (c) does not control operationally or commercially the vessels; and (d) does not have the technology patents.
52. According to Mr. Nigel Logan, Acting Group Managing Director, PCJ, the Legal Consultants, Latham and Watkins, and the Technical Consultants, CH-IV International, were initially engaged prior to 2007 via competitive tenders. However, both entities were re-engaged via the Sole Source Procurement Methodology, specifically for the current project.

The basis upon which both entities were re-selected was (a) familiarity with the project; (b) the previous contracts had not been executed and/or cancelled and the Consultants provided "...limited services"; (c) the entities were re-selected based upon a previous open tender and endorsed by the NCC; and (d) the experience of the firm in developing LNG projects.

53. The OCG found that on 2010 November 1, the NCC endorsed the request of the PCJ to utilize the Sole Source Procurement Methodology to award a contract to Taylor-DeJongh as the Financial Advisors for the LNG Project in the amount of US\$200,000.00.
54. The OCG found that the aggregate value of Consultancy Fees, which have been paid by the GOJ for the period of 2005 December 31 to 2010 September 30, in respect of the LNG Project, was \$149,354,533.95.
55. It is instructive to note that since the re-engagement of CH-IV International, between 2010 April 30 to 2010 September 30, the Consultant has been paid **\$29,123,712.53**.

Mr. Nigel Logan further indicated in his response to the OCG's Follow-up Requisition which was dated 2011 February 15 that "*The second contract dated April 2010 was between PCJ and CH IV and is for US\$387,000 of which US\$425,923.02 has been paid.*"

56. The recommendation for the award of the services contract for the Technical Consultants was first endorsed by the NCC on 2005 August 12.

The OCG found that the requisite approvals were received from the NCC and the Cabinet in 2005 for the award of contract to CH-IV International for the provision of Technical Services in accordance with the GOJ Public Sector Procurement Procedures (2001 May).

57. Notwithstanding the foregoing, approval for the 2005 contract with CH-IV International, the OCG has not been provided with any evidence to suggest that approval was sought from the NCC and the Cabinet for the re-engagement of the Technical Advisors in respect of an undated consultancy services contract.

The OCG found that the PCJ took the decision to re-engage CH-IV International, by utilizing its previous contract to prevent the process of re-tendering. In this regard, the Board of Directors indicated that if the contract was re-tendered then the process would not have been completed until 2010 January 5. Of note, is the fact that this was the original deadline for submission for the bids for the 'FSRU LNG Project'.

Based upon the foregoing, the OCG found that the re-engagement of the Technical Consultants, CH-IV International, was irregular. The OCG's Finding is also premised upon the following:

- A. The 2005 contract between CH-IV International, the PCJ and the National Gas Company (NGC) of Trinidad and Tobago, was in regard to an Interim Governance Arrangement for the LNG Project.

- B. CH-IV International was re-engaged in 2010 April based upon the pre-existing approvals which were obtained for the 2005 contract. The PCJ's justification for same, was that the scope of the initial contract included provisions for CH-IV International to provide technical supervision of the FEED, EPC and Commissioning phases of the project and acceptance of a LNG receiving terminal, storage facilities, re-gasification plant and distribution system.
- C. The Consultants were said to have been re-engaged in 2010 January and have been operating within the terms and conditions of the contract which was signed between the PCJ and CH-IV International since 2005 and that they were not paid the full amount which was approved by the Cabinet in 2005.

However, it is instructive to note that the National Gas Company (NGC) of Trinidad and Tobago was no longer a party to the contract and the scope of works that was required of CH-IV International was modified for the 2010 contract.

- D. The OCG found that a new contract was signed between CH-IV International and the PCJ on 2010 April 8. Attached to the contract was a Review Matrix which increased the scope of works of the Consultant.
- E. The OCG found that the PCJ did not issue an Addendum to the contract and/or seek the approval of the NCC and/or the Cabinet for the variation to the contract, despite the fact that the parties to the contract had been altered.
- F. Further, according to Mr. Nigel Logan, as at 2011 February 15, the PCJ paid CH-IV International, a total of US\$425,923.02, pursuant to the contract which was awarded on 2010 April 8. However, based upon the thresholds as outlined under Sub-Section S-2040, Clause VII and VIII of the GOJ Public Sector Procurement Procedures (2008 November), such a variation to the contract of 2005 would have required the approval of the NCC and the Cabinet.

In this regard, the PCJ would have been in contravention of the referenced Sub-Section of the GOJ Procurement Guidelines.

- 58. Further, the OCG found that a contract was not signed, by the PCJ, until 2010 April 8, after services were performed by the Technical Consultant for the 'FSRU LNG Project'. In this regard, it should be noted that CH-IV International had already begun to evaluate the bids which were received on 2010 February 15.
- 59. The OCG found that representatives from Merrill Lynch, albeit that their proposal had been rejected by the MEM, had multiple discussions and/or meetings with Exmar Marine NV of which Mr. Stephen Wedderburn and Mr. Ian Moore were fully informed.

It is instructive to note that Mr. Conrad Kerr, the CEO of CLNG and a 12.6% shareholder of the company, previously worked with Merrill Lynch as the Global Head of LNG and was part of a team which courted the GOJ with respect to the LNG Project to Jamaica.

- 60. Based upon the assertion of Mr. Conrad Kerr, the OCG has found that Merrill Lynch was not involved in the 'FSRU LNG Project'. However, based upon the assertions of Mr. Ian Moore, the OCG found that representatives of Merrill Lynch, along with EDC LNG (now CLNG), Exmar Marine NV and Promigas, met with Minister James Robertson and the then Permanent Secretary, Ms. Marcia Forbes, to inform them of the intent of the aforementioned companies to conduct a pre-feasibility study to determine the economic and technical viability of developing a private project to import LNG and supply natural gas for use by the bauxite sector. Of note, is the fact that the referenced pre-feasibility study was completed approximately one (1) month prior to the commencement of the tender period for the 'FSRU LNG Project'.

61. The OCG found the expenditure and financing of the LNG Project, on the part of the GOJ, to be as follows:
- i. It has been asserted that the GOJ's expenditure to-date included payments for the planning, conceptualisation and implementation of the project.
 - ii. A total of \$251,408,280.88 was expended from 2003 to 2010.
 - iii. A total of \$43,497,589.88 was expended in 2010.
 - iv. The PetroCaribe Development Fund, by way of a grant, is to finance a total of US\$5.3M for 'pre-development expenses' and implementation of the LNG Project over a two (2) year period.
 - v. The PCJ will be providing US\$1.65M from its "LNG Project Implementation Budget" to finance the 'pre-development expenses' for the LNG Project.
 - vi. The Permanent Secretary, Mrs. Hillary Alexander, MEM, asserted that the World Bank, via a proposed US\$15M loan to the GOJ, will, in part, provide funding for the LNG Project with respect to technical assistance for the development of the legislative and regulatory framework for LNG by the Office of the Utilities Regulation (OUR).
 - vii. The Permanent Secretary further indicated that the Exmar Consortium will be responsible for financing the 'FSRU LNG Project'.
62. Mr. Glenford Watson, in his response to the OCG's Statutory Requisition, which was dated 2011 January 26, stated, inter alia, that "*I am aware that **on November 12, 2010, negotiations were being undertaken between the GOJ and the preferred bidder Exmar Consortium, as to, the terms and condition of an Implementation Agreement** that would explicitly set out the detailed roles and responsibilities of the Exmar Consortium and the GOJ in the implementation of the project...*"⁵⁵ (OCG's Emphasis)
63. The OCG found that the deadline which was set for the signing of the Implementation Agreement was in accordance with the timeline which was given by the Exmar Consortium. The 'Notes on the LNG Negotiating Team Tele Conference with Latham & Watkins...and CH-IV...', which was held on 2010 September 7, indicated that "...The Exmar Consortium by way of letter to the LNG Project Coordinator has indicated that they would not be able to hold the price after the November 15 deadline...**Exmar had secured a shipyard for the FSRU until November 15 and would have to re-negotiate the price with the managers of the shipyard and this may incur additional cost...**" (OCG's Emphasis)
64. By way of Cabinet Decision No. 45/10, which was dated 2010 December 6, in regard to Submission No. 531/MEM-52/10 regarding "Permission to Negotiate an Implementation Agreement with the Preferred Bidder for the Liquefied Natural Gas (LNG) Project", the OCG was informed that "**The Cabinet agreed that the Submission would be withdrawn from the Agenda;** and noted that the draft Implementation Agreement had been finalized and would be referred to the Project Committee established to oversee the direction of the LNG Project, along with the report from the Independent Consultants and the response thereto..." (OCG's Emphasis)
65. The OCG found that certain emails revealed that of the companies with which discussions were being held there were significantly more communications between Mr. Ian Moore and Mr. Stephen Wedderburn, with respect to Exmar Marine NV and what Exmar Marine NV was bringing to the table.

⁵⁵ Response from Mr. Glenford Watson, Senior Legal Counsel, MEM, which was dated 2011 January 26. Response #6.

66. The OCG found that the former Chairman of the PCJ Board of Directors, Mr. Ian Moore, who was appointed on 2007 December 7, is presently a Director and Shareholder, of the company, CLNG, a partner of the Exmar Consortium, the selected '*preferred bidder*' for the 'FSRU LNG Project'. The OCG has also found that Mr. Ian Moore is the Beneficial Majority Shareholder of CLNG.

It is also instructive to note that Mr. Conrad Kerr, former executive of the company, Merrill Lynch, is also a Director of the company, CLNG and a 12.6% shareholder of the company.

67. The OCG conducted a review of the Minutes of the Meetings of the PCJ Board of Directors, for the period during which Mr. Ian Moore was appointed the Chairman. The referenced Minutes revealed that the LNG Project and/or any other component of same were deliberated upon in at least two (2) distinct meetings. These are as follows:

- i. The Minutes of the Regular Meeting of the PCJ Board of Directors, which was held on 2008 May 27, stated, *inter alia*, that "... if the FSRU route was taken then 50% of the project would be paid for by proceeds from the carbon credits and 100% if all the bauxite companies came on board."⁵⁶
- ii. The Minutes of the Regular Meeting of the PCJ Board of Directors, which was held on 2008 June 30, stated, *inter alia*, that "Enquiries were made as to whether the LNG project was being delayed because of a lack of support from the PCJ Board or the Government. The Chairman noted that the Project has the support of the Board but would also need the support of the Ministry of Energy and the Office of the Prime Minister."⁵⁷

Based upon the foregoing, the OCG found that the LNG Project was halted during Mr. Moore's tenure, as the Chairman of the PCJ Board of Directors. There was no evidence found in the Minutes of the PCJ Board of Directors, during Mr. Moore's tenure, that any form of discussion was held in respect of the LNG Project, as an alternative source of energy. As such, the OCG found no evidence to suggest that approvals and/or recommendations were made, by the then PCJ Board of Directors, in regard to the LNG Project.

However, the OCG found evidence in the form of several email correspondence from Mr. Stephen Wedderburn to Mr. Ian Moore, and Mr. Conrad Kerr, amongst others, which indicated that preparations were being made, and information on the LNG Project was being shared, on the project during Mr. Moore's tenure.

Based upon the emails which have been reviewed, the OCG found, *inter alia*, the following:

- i. There is evidence to suggest that Mr. Bart Lavent of Exmar Marine NV, was informing Mr. Stephen Wedderburn of certain strategic steps which should be taken for the LNG project to materialize.
- ii. It is also instructive to note that Mr. Ian Moore, during his tenure as Chairman of the PCJ Board of Directors, was copied on the majority of the emails from Mr. Stephen Wedderburn, in regard to the LNG Project. Hence, the OCG found that during Mr. Moore's tenure, Mr. Stephen Wedderburn informed Mr. Moore, at every step of the way, of the progress of the LNG Project, in which his input was required in most instances.
- iii. Of critical note, is the fact that both Mr. Ian Moore and Mr. Stephen Wedderburn, appeared to have been aggressively working to bring LNG to Jamaica during the time in which Mr. Wedderburn asserted that LNG was 'halted' because the then Minister, Mr. Clive Mullings, was promoting coal.

⁵⁶ Minutes of the Regular Meeting of the PCJ Board of Directors which was held on 2008 May 27. Pg. 8

⁵⁷ Minutes of the Regular Meeting of the PCJ Board of Directors, which was held on 2008 June 30. Pg. 10

- iv. Based upon an email from Mr. Stephen Wedderburn to Mr. Conrad Kerr, which was dated 2008 February 6, the OCG found that Mr. Stephen Wedderburn was instructed to prepare a diagram of the pipeline network throughout the island. The referenced email was copied to Exmar Marine NV, representatives from Merrill Lynch, and Mr. Ian Moore, as the representative from the PCJ. The OCG has seen no evidence to suggest that, unlike Exmar Marine NV, the other potential bidders were made aware of this information.
- v. The OCG also found that Mr. Wedderburn informed Golar LNG of his personal ranking of four (4) of the entities which were involved in the pre-qualification exercise which was undertaken in 2007 by the PCJ and which were subsequently invited to tender in 2009 November. Of note, is the fact that Mr. Wedderburn ranked Exmar Marine NV as the number one (1) company and used Exmar Marine NV and its invested interest to compare the other entities.
- vi. Mr. Bart Lavent of Exmar Marine NV, hosted several meetings with Jamaican Public Officials/Officers, in which discussions were held with respect to Exmar Marine NV's progress and the LNG prospects for Jamaica.

68. The OCG also found that (a) Mr. Stephen Wedderburn sent several emails to Mr. Ian Moore, during his, Mr. Moore's tenure, at the PCJ, informing him of meetings and other forms of communications and that (b) Mr. Ian Moore convened other meetings in regard to the LNG Project.

69. The OCG found that even during the time that Mr. Stephen Wedderburn had demitted office at the PCJ, between 2008 September to 2009 July, he was still promoting LNG as the preferred energy choice for Jamaica.

The OCG found that Mr. Wedderburn sent an email to Mr. Ahmad Zia Mian, Director General, OUR, which was dated 2009 March 26, in which he indicated, *inter alia*, that **"If you are able to talk with the Prime Minister, please encourage him not to go down the coal path...I have contacts who can initiate serious LNG supply meetings with existing suppliers, but they have to be sure that the Government is willing to move forward and will not just waste their time as has happened in the past."**

"I had mentioned to you that I am in Colombia. The reason I am here is that I am providing assistance to a project to liquefy gas here. We expect to have an agreement signed next week to proceed with the FEED..."

*Again, if you get the chance please stress to the Prime Minister that there are real options for gas. However, **if he were to depend on Minister Mullings to procure gas for Jamaica it will never happen..."**⁵⁸ (OCG's Emphasis)*

70. It is instructive to note, that during the time that Mr. Wedderburn was not employed to the PCJ, he was involved in a LNG liquefaction project in Colombia in which Exmar Marine NV was also involved. In this regard, upon being re-engaged by the MEM, Mr. Stephen Wedderburn, by way of an email to Dr. Ruth Potopsingh, the then Group Managing Director, PCJ, which was dated 2009 September 6, disclosed that **"...I have been involved in a project to develop floating LNG liquefaction in Colombia. Exmar is also involved in this project, but I do not have any commercial relationship with Exmar. Nevertheless, if the project is successful both Exmar and I will benefit. My involvement in the project was on a success fee basis and even where I have ceased active involvement in the project, I will still have a financial interest..."**

⁵⁸ Email from from Mr. Stephen Wedderburn to Mr. Zia Mian, which was dated 2009 March 26.

Further, Mr. Zia Mian, in his response to the OCG's Statutory Requisition of 2010 September 10, which was dated 2010 October 1, stated that "...Mr. Wedderburn was brought on board to spearhead the project. **At a meeting at Jamaica House, the Minister, and Messrs. Wedderburn and Moore strongly recommended that a negotiated deal with Exmar could deliver the LNG to Jamaica on a fast track basis...**"⁵⁹ (OCG's Emphasis)

71. The OCG found that Mr. Stephen Wedderburn was integrally involved in the drafting of the RFP and was the primary point of contact with the potential bidders during the tender process for the 'FSRU LNG Project'.
72. The OCG found that Mr. Stephen Wedderburn played an integral role in the re-engagement of the Technical Consultants, CH-IV International.

In addition, the OCG found that Mr. Stephen Wedderburn recommended and guided the Technical Consultants, CH-IV International and Clean Skies LLC, with regard to the pricing of their quotation whilst informing the Consultants of the deliberations of the PCJ Board of Directors. As such, Mr. Wedderburn, by way of an email, which was dated 2009 December 20, advised Mr. Arthur Ransome, *inter alia*, as follows:

"I just wanted to let you know that things are progressing in terms of moving to finalize the re-engagement of CH-IV..."

...There is some concern that some elements of your quotation are too high and the main issue now is to establish that your quotation represents value for money. There is also some concern in the PCJ Board to relate the current quotation back to the quotations you made in 2005 to ensure that the current quotations are reasonable..."

Of note, is that several of the emails, between Mr. Stephen Wedderburn and the referenced companies, occurred subsequent to the issuance of the RFP and prior to the signing of a contract with CH-IV International in 2010 April. It is also instructive to note that the PCJ Board of Directors held discussions with respect to the re-engagement of CH-IV on 2009 December 22 and the foregoing emails from Mr. Stephen Wedderburn, preceded that date.

73. The OCG found that based upon the assertion of Mr. Authur Ransome, Vice President and General Manager, CH-IV International, the PCJ wanted to use Clean Skies LLC to provide commercial services for the LNG Project. However, due to poor planning on the part of the PCJ, there was limited time to allow for the proper use of the procurement guidelines in the contracting of Clean Skies LLC and, as such, the OCG has found that it was asserted that Mr. Stephen Wedderburn recommended that Clean Skies LLC, which is owned by Mr. Joseph Fossella, enter into a sub-contract with CH-IV International, given that there was a pre-existing contract between CH-IV International and the PCJ from 2005.
74. It is instructive to note that the sub-contracting of Clean Skies LLC was allegedly done pursuant to a recommendation which was made by Mr. Stephen Wedderburn. The referenced recommendation was made with the intention to circumvent the procurement procedures. In this regard, Mr. Arthur Ransome, CH-IV International, in an email which was dated 2011 January 17, indicated, *inter alia*, that "*PCJ mentioned to us that although it wanted to use the services of Clean Skies to provide commercial services its procurement guidelines prevented it from directly hiring them. However, since CH-IV had an existing contract with PCJ...it was suggested that we consider hiring Clean Skies on a subcontract basis.*"
75. The OCG found that one of the Technical Consultants, Mr. Joseph Fossella, is the owner of the company, Clean Skies LLC. Mr. Joseph Fossella is also the former employee of Black & Veatch, a company with which Exmar Marine NV has an alliance and who was a member of the 'negotiation team' for Black & Veatch, prior to his retirement.

⁵⁹ Response from Mr. Zia Mian, which was dated 2010 October 1. Response to Question #1.

76. It is instructive to note that by way of an email, which was dated 2008 November 5, Mr. Stephen Wedderburn informed Mr. Ian Moore, *inter alia*, that “*For information please see press release from Exmar indicating that they are pursuing a floating liquefaction deal in partnership with Excelerate and Black & Veatch...**I am pleased to have played a role in introducing Exmar and Black & Veatch to each other.***” (OCG’s Emphasis)
77. Mr. Stephen Wedderburn, LNG Project Coordinator, PCJ, disclosed his interest in a project in Colombia in which Exmar Marine NV was a party. However, the OCG has found no evidence to suggest that Mr. Wedderburn disclosed his relationship with Mr. Joseph Fossella, a sub-contractor of CH-IV International, who was actively involved in the Evaluation of the Bids for the ‘FSRU LNG Project’.
78. Based upon the foregoing, the OCG has found the following:
- i. That Mr. Stephen Wedderburn had discussions with both Mr. Joseph Fossella and Mr. Patrick LaStrapes of Clean Skies LLC in 2009 November, around the time of the commencement of the tender period for the ‘FSRU LNG Project’, to provide commercial services on the said project.
 - ii. Mr. Joseph Fossella was a part of the LNG Technical Evaluation Team which had the core responsibility to assist with the Evaluation of the Bids.
 - iii. Mr. Stephen Wedderburn explicitly stated that he played a role in introducing Exmar Marine NV and Black & Veatch to each other.
 - iv. Mr. Stephen Wedderburn recommended that CH-IV International sub-contract Mr. Joseph Fossella’s company, Clean Skies LLC, to work on the ‘FSRU LNG Project’.
79. Based upon the information which has been provided to the OCG, the OCG found that there were significant collaborative efforts between Mr. Stephen Wedderburn and Mr. Ian Moore during his tenure as Chairman of the PCJ Board of Directors. In this regard, the OCG found several pieces of correspondence from which it can be inferred that both Mr. Wedderburn and Mr. Ian Moore were actively pursuing LNG as an energy option and, in so doing, attempted to divert from the GOJ policy agenda of the then Minister.
- Further, the OCG found that prior to the bidding process in 2009 November, Mr. Stephen Wedderburn and Mr. Ian Moore, in their attempts to divert from the policy agenda towards LNG, shared more information with Exmar Marine NV, than any of the other nine (9) potential bidders.
- In point of fact, in one correspondence the OCG found that Exmar Marine NV was identified by Mr. Stephen Wedderburn as his first choice based upon his assessment prior to the commencement of the tender process in 2009 November.
80. The OCG found in an email which was dated 2008 January 23, that Mr. Stephen Wedderburn informed Mr. Stephen Hanan, Mr. Conrad Kerr and Mr. Ian Moore, *inter alia*, that “...**To clarify the role of Exmar, PCJ wants the Exmar proposal to be treated as the base case for the implementation of the LNG Project in Jamaica** and the proposal being developed for the Prime Minister should reflect this...” (OCG’s Emphasis)

81. In another email, which was dated 2008 February 1, Mr. Stephen Wedderburn informed Mr. Ian Moore, *inter alia*, that **"I do believe that Exmar stands out by way of the significant development work it has done in coming up with customized solutions for Jamaica and by the initiatives it has undertaken to present a turnkey solution that takes into account all the infrastructure...There are therefore solid reasons why Exmar is a clear frontrunner. However, because other companies have expressed interest, if we make an announcement that we have selected Exmar there are likely to be complaints by these other companies that they were not given a fair chance to compete with Exmar on an equal footing...However, it is safe to say that Exmar would have been ranked number one...Should I invite these companies to put proposals forward with respect to their technical solution, cost and time of implementation within the next month, or should we just let sleeping dogs lie?"**⁶⁰ (OCG's Emphasis)

It is also instructive to note that Exmar Marine NV worked behind the scenes developing their technical and commercial proposals prior to the RFP being issued in 2009 November.

In addition to the foregoing emails, the OCG also found the following:

- i. That the LNG project was officially inactive during Mr. Ian Moore's tenure as Chairman of the PCJ Board of Director as the then Minister was pursuing another agenda. However, while the official policy agenda was coal, Mr. Stephen Wedderburn and Mr. Ian Moore were actively pursuing LNG opportunities behind the scenes.
 - ii. That Mr. Stephen Wedderburn had explicitly identified his assessment of the LNG providers in respect of which he has consistently ranked Exmar Marine NV as his number one choice.
82. The OCG received an anonymous allegation, by way of an email, which was dated 2010 December 11, which stated the following:

*"if you really want to find the link between moore and robertson, go back fifteen years and investigate a call bypass business – precision enterprises – that they were involved and check out an account held by moore at wachovia that is used for political funding."*⁶¹

Consequently, by way of written Statutory Requisitions, which were dated 2010 December 16, the OCG required the Hon. James Robertson, Minister of Energy and Mining, and Mr. Ian Moore, former Chairman of the PCJ Board of Directors, to respond to the aforementioned allegations.

In the case of Mr. Ian Moore, the OCG required Mr. Moore to disclose if he and/or any entity with which he was/is associated had/has a Wachovia Bank Account.

Mr. Moore complied with the OCG's request and furnished the OCG with the relevant Bank Statements for the period of 1999 November through to 2010 December.

It is instructive to note that the sworn responses, and documentary evidence, which were provided by Minister James Robertson and Mr. Ian Moore, respectively, did not provide the OCG with sufficient evidence which would lend credence to the allegations which were made against Minister James Robertson and Mr. Ian Moore.

83. The OCG found that an independent assessment of the 'FSRU LNG Project' was undertaken by a Mr. Donald Hertzmark and a Mr. Haydn Furlonge of DMP Resources. The referenced report was dated 2010 November 3.

⁶⁰ Email from Mr. Stephen Wedderburn which was dated 2008 February 1, to Mr. Ian Moore.

84. In its reports, DMP Resources indicated, *inter alia*, as follows:

- i. *A second issue concerns the absence of regulation for the entire Project, but especially for construction and economic aspects. **The consultants recommend that the GoJ task its regulator with presenting a proposed framework to the Government by early-mid-2011...***
- ii. *Uncertainty about final design parameters and gas demand prevent a detailed engineering design for the Project. **The consultants recommend that a focused economic and financial feasibility study be completed quickly leading to a final design specification for the FSRU and pipeline system.***
 - ***This study should ultimately lead to a more accurate cost estimate, which would feed into a more detailed and useful economic evaluation of the Project.***
 - ***Further, the consultants recommend that the technical advisors be tasked with a due diligence regarding the costs of comparable physical facilities as long as the construction and equipment supply bids are based on the current limited competition.***
- iii. ***Timing issues remain problematic. The consultant believe that the Project is likely to encounter delays in its current form, due in large measure to the uncertainties created by the absence of a legal structure for the gas industry in Jamaica and by continuing uncertainties over participation by Jamalco...**Consequently, there is less financial risk if the power plants are completed earlier than the gas plant than there is from the obverse. **Realistically, the new power plants are not likely to be ready to receive gas until at least mid-2014, more than 40 months from now. This is sufficient time to remedy the defects in the current process noted in this report and the consultants recommend that this extra time be employed to effect the remedies suggested for the procurement, design and regulatory sides of the Project.***
- iv. ***The current active proposal for the SPV creates serious conflict-of-interest issues and could well retard the spread of gas use to other companies in the country and create negative perceptions of the degree of transparency surrounding this transaction. At the same time the consultants believe that launching an entirely new round of bidding would create negative perceptions and delays that could potentially doom the Project. Therefore, it will indeed be necessary to have the support of Jamalco and "Power Co" as launch customers. However the current process with regard to the Implementation Agreement and establishment of the SPV is deeply flawed on grounds of transparency, risks to the GOJ, sizing, technical specifications and absence of an appropriate legal structure. Correspondingly, the consultants recommend that the SPV be subject to the following specific remedies:***
 - ***OUR should create regulations that become part of the setup parameters of the SPV...***
 - ***The studies of demand, sizing, location, cost must be improved significantly between now and mid-2011***
 - ***The Implementation Agreement should be executed only when there is a letter of intent to purchase gas from one or both of the launch customers and a regulatory framework for the legal basis of the gas industry in Jamaica.***

- **The SPV sponsors must be willing to provide Letters of Intent to Purchase Gas that relieve the GOJ of its exposure to gas purchase contracts and to abide by the type of regulation contained in the OUR Framework (early mid-2011). If this is not the case then the Consultants recommend that the current process be scrapped and that a new round of bidding be instituted with a separate owner-operator for the FSRU who will also undertake responsibility to purchase gas. This company would operate as a regulated monopolist and would be subject to open access requirements, as would the companion, independently owned and operated pipeline company.**⁶¹ (OCG's Emphasis)

85. By way of letter which was dated 2010 December 7, Ambassador Douglas Saunders provided the OCG with a copy of a document entitled "*LNG Assessment Report: Assessment Report Comments*", which was prepared by CH-IV International for the Jamaica LNG Task Force. Of note, the referenced report was not dated.

The referenced report stated, *inter alia*, the following:

"The LNG Team has critically reviewed the DMP Report, and its recommendations and is of the opinion that the Report is not sufficiently informed nor captures the vast information developed by the LNG Team. Should this have been possible, it would have facilitated a better understanding of the decision making process, of the rich history of studies and Front-End Engineering work done to date and the importance of adhering to the process and schedule currently underway..."

The Advisory team therefore recommends that the government of Jamaica proceed with the current strategy and plan to acquire a long term, competitive supply of LNG..."⁶² (OCG's Emphasis)

86. It is instructive to note that at a private meeting which was convened on 2010 November 5 at the instance of the Hon. Bruce Golding, the Prime Minister of Jamaica, with the Contractor General, Greg Christie, the Prime Minister provided the Contractor General with a draft copy of the referenced LNG Assessment Report.

In the referenced meeting, the Prime Minister also expressed his concerns with regard to the Findings of the referenced Report. He informed the Contractor General, *inter alia*, that in the upcoming week he would be addressing the issue by removing the project from the current Ministry (MEM) to the Office of the Prime Minister (OPM), which would assume full responsibility for overseeing the entire project.

87. The OCG found that the Prime Minister, in a Cabinet meeting which was held on 2010 November 29, advised the Cabinet that "...he would assume overall direction for the LNG Project, and a Project Coordination Unit would be established in the Office of the Prime Minister. He also said he would convene a preliminary meeting that week with the relevant entities to arrive at a definitive position which incorporated all the factors necessary to move the Project forward..."⁶³

On 2010 December 6, the Cabinet "...agreed that the Submission should be withdrawn from the Agenda; and noted that the draft Implementation Agreement had been finalized and would be referred to the Project Committee established to oversee the direction of the LNG Project, along with the report from the Independent Consultants and the response thereto..."⁶⁴

88. It is instructive to note that the Prime Minister, the Hon. Bruce Golding, submitted Cabinet Submission No. 631/CO 10/2010, which was dated 2010 December 9, in which it was indicated that three (3) new Committees were to be established within the Office of the Prime Minister, namely, (a) Steering Committee, (b) Core Technical Team and (c) Ministerial Committee.

⁶¹ Independent LNG Assessment Final Report which was dated 2010 November 3. A copy is appended.

⁶² LNG Final Assessment Report Comments which were prepared by CH-IV International.

⁶³ Cabinet Decision No. 45/10 submitted to the OCG by the Cabinet Secretary, under the cover of letter dated 2010 December 22.

⁶⁴ Cabinet Decision No. 45/10 submitted to the OCG by the Cabinet Secretary, under the cover of letter dated 2010 December 22.

Further, by way of a News Release from the OPM, which was dated 2010 December 15, and which was entitled “*PM NAMES COMMITTEE AND SETS TARGET FOR LNG PROJECT*” it was reported that “*Cabinet has approved the new arrangements for the Liquefied Natural Gas (LNG) Project for which Prime Minister Bruce Golding has assumed responsibility.*”

89. The OCG further identified a letter that was prepared by the Cabinet Secretary, Ambassador Douglas Saunders, on 2010 December 9, and which was addressed to the NCC, requesting permission to use the Direct Contracting Procurement Methodology to contract Mr. Ernest Megginson as the Project Manager for three (3) months in the amount of US\$105,000.00.

The NCC, by way of a letter, which was dated 2010 December 20, endorsed the recommendation of the Cabinet Secretary, and further stated, *inter alia*, that “*The National Contracts Commission’s approval is subject to the Cabinet Office utilizing the three (3) month period to conduct a tender process aimed at procuring the services of a full Time Project Manager for the LNG Project.*”

90. The Cabinet Secretary, Ambassador Douglas Saunders, also wrote two (2) letters to the NCC on 2011 January 17 requesting permission to utilize the Limited Tender Procurement Methodology to procure the services of (a) LNG Commercial Services and (b) LNG Technical Services.
91. The OCG further found, by way of Notes from the Meeting of the Liquefied Natural Gas (LNG) Core Project Team which was held on 2011 January 13, that “*Mr. Megginson informed the meeting that he has requested that the representatives from CH-IV, namely, Mr. Joseph Fossella and Mr. Pat LaStrapes have been removed [sic] from the project. Discussions were ongoing regarding a replacement...*”
92. The Hon. Bruce Golding, on 2011 April 7, submitted to the Contractor General, a copy of two (2) Legal Opinions, which were dated 2011 March 24 and 29, respectively, and which were reportedly prepared by Attorney-at-Laws, Livingston, Alexander & Levy, with respect to the ‘*procurement procedures for the LNG project*’.

The first Legal Opinion, which was dated 2011 March 24, stated, *inter alia*, the following:

- i. *It is submitted that **Mr. Fossella ought not to have participated in the evaluation of the rival bids so soon after working with Exmar in the alliance up to 2009 because he would not have been able to bring an independent and open mind.***
- ii. *A review of **Stephen Wedderburn’s statements concerning Exmar clearly shows that he ought not to have participated in the evaluation process,** particularly the e-mail of the 6th September 2009 which clearly shows that he had a pecuniary interest in a project with Exmar.*

It is trite law that a person who has the proprietary or pecuniary interest in a matter should not participate in a situation where a decision has to be made concerning a party in which the participants has such an interest.

- iii. *Consequently, it is clear that the decision is tarnished as the tender process could not be considered as transparent, fair or unbiased.*
- iv. *It is manifestly clear therefore that the evaluation done by CH-IV International is incorrect as Excelerate Energy was not a part of the Exmar Consortium...The review having stated the relationship between Exmar and Excelerate, as joint venture partners, clearly shows that Excelerate ought to have been invited to tender. This certainly casts a very serious and grave concern on the tender process for Exmar to have been declared the preferred bidder, when its joint venture partner who the review determined as Exmar’s strength was excluded.*

The only reasonable conclusion that can be drawn is that the Request For Proposal was not sent to Excelerate so as to exclude them.

v. **The tender...is flawed and could not withstand scrutiny under judicial review.**

The second Legal Opinion, which was dated 2011 March 29, stated, *inter alia*, the following:

- i. *...There can be no doubt that his [Mr. Stephen Wedderburn's] views in favour of Exmar as frontrunner and other laudatory comments on Exmar would have some influence on Moore.*
- ii. *It is of paramount importance to appreciate that the Request for Proposals was issued on the 12th day of November 2009, shortly thereafter, Moore had the name of the company changed to "Caribbean LNG (Jamaica) Limited"... Thereafter, even more remarkable that when the Exmar Consortium sent in its proposals, that CLNG was a member of the Exmar Consortium. **It is therefore clearly obvious that the name change bore relationship to the submission by the Exmar Consortium.***
- iii. *...CLNG was a partner in Exmar Consortium. **Comment must also be made that it was a partner in a venture that it could not be making any substantial financial contribution to the capital expenditure thereof.** This raises the question, when was it then necessary to involve CLNG as a partner to the Consortium in an venture of this nature as far as the tender process is concerned. **Certainly, Moore's corporate profile shows that he lacks the expertise necessary to play a pivotal role in any project of this nature.***
- iv. *...It is known that other parties who should have participated were not given the opportunity to do so, as the Request For Proposals [sic] were not given to them...This is clearly as [sic] case of being biased and **was certainly designed to reduce any competition that Exmar may have had particularly from Excelerate who was the leader in the field.**" (OCG's Emphasis)*

The OCG notes that the referenced Legal Opinions, which were obtained from the private Bar, support certain of the OCG's considered Conclusions which have been detailed herein. More specifically, the Legal Opinions have been able to establish a *prima facie* case of improper and irregular conduct on the part of certain present and former Public Officials/Officers and, in consequence, support certain of the OCG's Findings which are detailed herein.

93. The Office of the Cabinet, in its response to the OCG's Statutory Requisition which was dated 2011 2010 April 18, informed the OCG, *inter alia*, that "**...Meeting was held with Ministerial Sub-Committee on April 13, 2011 where the LNG Steering Committee submitted its recommendation for cancelling the former tender for the Financing, Development, Ownership, Operation of an [sic] FSRU LNG Re-gasification Terminal and Natural Gas Transmission System issued by PCJ in November 2008 and re-tender the FSRU and onshore natural gas pipelines in separate RFPs.**"
94. The Office of the Cabinet, by way of its response to the OCG's Statutory Requisition, which was dated 2010 April 18, submitted a copy of a Memo that was prepared by the Solicitor General, Mr. Douglas Leys, which was dated 2011 April 11, and which was captioned "*Opinion by Livingston Alexander & Levy concerning Tender Process for the LNG Project*".

The referenced Memo stated, *inter alia*, that "**...I have reviewed the said opinion and am in substantial agreement with the views posited by the Attorneys...**"

The OCG found that the referenced opinion from the Solicitor General, which is the Attorney for the GOJ, supports and confirms the reasoning and substantive legal issues which were delineated in the Legal Opinions from Livingston, Alexander and Levy, private Attorneys-at-Law.

95. The OCG found that collectively, the Legal Opinions from the Solicitor General and Livingston, Alexander and Levy, Attorneys-at-Law, have unequivocally brought into sharp focus the issue of the lack of fairness and transparency in the tender process for the 'FSRU LNG Project'. Further, the issues of a conflict of interest and the implicit use of 'insider information' on the part of Mr. Ian Moore, the former Chairman of the Board, PCJ, and Mr. Stephen Wedderburn, the LNG Project Coordinator, PCJ, are matters which have compromised and which have brought into disrepute the integrity, legitimacy, fairness and transparency of a poorly planned and executed tender process which was driven, in large, by the technical expertise and questionable multi-faceted and conflicted involvement of Mr. Wedderburn.
96. The OCG received a letter from Mr. Glenford Watson, Senior Legal Officer, MEM, which was dated 2010 November 11, in which he requested the OCG's opinion with respect to whether, "... **it would be permissible for the Government to enter into an Implementation/Direct Agreement with the Project Company and the members of the Project Company (Consortium) as co-signees?** *This Agreement would contain the normal boiler plate provisions expected in a project of this nature. **The intent would be to also hold Exmar and Promigas, developers of the FSRU and pipelines, respectively, directly liable for their respective operations.** This would allow the Government to look to both the Project Company and the individual members of the Consortium for any redress...*" (OCG's Emphasis)

It is instructive to note that the OCG, by way of a letter which was dated 2010 November 16, responded to Mr. Watson's query and stated, *inter alia*, that "**Having regard, among other things, to (a) the matters which are outlined in the OCG's Notice of Enquiry which was dated June 22, 2010, and which was formally conveyed to your Ministry and to the PCJ, and (b) the fact that a major and extensive OCG Investigation is currently under way, it would be highly inappropriate for the OCG to render any advice to you other than for you to summarily and immediately abort the subject process.**" (OCG's Emphasis).

It is critical to note that the referenced letter was copied to the Honourable Prime Minister, the Honourable Minister of Energy and Mining, the MEM Permanent Secretary and the Group Managing Director (Acg.) of the PCJ.

CONCLUSIONS

Based upon the sworn responses which were received from certain Public Officials/Officers within the MEM, the PCJ, the Cabinet Office and other persons of interest, who were affiliated with, and/or involved in, the LNG Project and/or the recommendation for the selection of the '*preferred bidder*' for the 'FSRU LNG Project', which have been reviewed and cross-referenced, the OCG has arrived at the following considered Conclusions:

1. The OCG has concluded that since 2001, the GOJ's energy policy has evolved significantly. The OCG has found that over the period, 2001 to 2011, the GOJ, has pursued the LNG Project at different stages and having regard to various technical considerations.

In this regard, the OCG has found that, prior to 2008, the GOJ undertook a Front End Engineering Design (FEED) study and engaged in significant research with respect to the suitability of LNG, specifically with regard to the development of a land-based facility.

It is instructive to note that Ms. Marcia Forbes, the then Permanent Secretary, MEM, also indicated, to the OCG, that the GOJ had discussions regarding "... **land-based versus off-shore system and the implications, the pros and cons of each concerned me in terms of long-term benefits/threats to Jamaica.**"

However, during the tenure of the then Minister, Mr. Clive Mulling, coal was the preferred choice as an energy source and the LNG Project was officially halted. Hence, the LNG project was formally halted until 2009, when the present Prime Minister, the Hon. Bruce Golding, made an announcement in his Budget Presentation that Jamaica would once again be pursuing LNG.

2. The OCG has found and concluded that between the period of 2005 through to 2006, Mustang Engineering undertook a Front End Engineering Design (FEED) Study, on behalf of the PCJ, in regard to the setting up of a local land-based LNG Project.
3. Based upon the sworn documentary evidence which has been adduced to the OCG, by representatives of the PCJ and the MEM, the OCG has found, and concluded, that there were no formal pre-assessments and/or studies which were undertaken and/or conducted on behalf of the PCJ and/or the MEM for the 'FSRU LNG Project'.
4. The OCG has concluded that both Exmar Marine NV and Merrill Lynch presented proposals to the GOJ with respect to the introduction of LNG in Jamaica. However, the GOJ did not act upon any of the referenced proposals and, instead, sought to pursue the introduction of LNG, to Jamaica, via the competitive route.

As such, a pre-qualification exercise was undertaken by the PCJ in 2007 April, and, consequently, nine (9) prospective bidders responded to an 'Invitation to Pre-Qualify' as LNG providers in 2007 May. However, this process was not completed.

Subsequently, in 2009 November, following upon the GOJ's resumed consideration of LNG as a viable fuel source, the Limited Tender Procurement Methodology was utilized, by the PCJ, to invite the nine (9) entities which had previously responded to the request for pre-qualification in 2007.

5. Based upon the documentary evidence which has been provided to the OCG, the OCG has found and concluded that, over the period of 2001 to 2009, Exmar Marine NV has been actively seeking to introduce LNG in Jamaica.

In point of fact, Exmar Marine NV made unsolicited overtures to the PCJ, in 2007, to develop LNG facilities in Jamaica and held discussions with GOJ officials during the period of time in which there was an ongoing debate regarding the benefits of coal versus LNG and CNG, as alternative energy sources.

Exmar Marine NV also informed the OCG that it had its first meeting with the then Minister of Foreign Affairs and Foreign Trade in Brussels, Mr. Anthony Hylton, in 2006 December and, for the first time, was made aware of the potential interest of Jamaica in the FSRU Technology.

Subsequently, in 2007 March, following upon a presentation by Exmar Marine NV, a 'Mandate' was signed between the GOJ and Exmar Marine NV. The referenced 'Mandate' authorized Exmar Marine NV to act as an agent for and/or on behalf of the GOJ, to assist it in the purchasing of LNG and/or natural gas. In the same year, Exmar Marine NV participated in the 2007 Pre-Qualification exercise which was initiated by the PCJ.

However, after the Pre-Qualification process was halted, Exmar Marine NV stated that it continued *"...unsolicited meetings in respect of sharing ideas on the feasibility of importing LNG and natural gas use in Jamaica..."*

Further, the OCG found that Exmar Marine NV held meetings with representatives of the PCJ at the Gastech Conference on 2008 March 10-13, in Bangkok. Of import, is the fact that the GOJ Representatives who were involved in the referenced Conference included Mr. Ian Moore, the then Chairman of the Board of Directors of the PCJ and current Director of CLNG – the local Jamaica corporate partner in the Exmar Consortium, Mr. Stephen Wedderburn, LNG Project Coordinator, and Mr. Patrick Dallas, Advisor to the then Minister, Mr. Clive Mullings.

6. The OCG has found, and concluded, that, in 2009 June, Exmar Marine NV held a meeting with the Minister of Energy and Mining, the Hon. James Robertson, the then Permanent Secretary, Ms. Marcia Forbes, representatives of Promigas, Merrill Lynch and EDC LNG, now known as CLNG (Jamaica) Ltd., and that “**The goal of the meeting was to advise the Government of the intent to conduct the pre-feasibility studies to determine the economic and technical viability of developing a private project to import LNG and supply natural gas for use by private bauxite sector entities.**”⁶⁵(OCG Emphasis)

The OCG has also concluded, based upon the documentary evidence with which it is seized, that in 2009 July, Exmar Marine NV met with representatives of the MEM and presented “... **the approach that would be taken by the group to demonstrate the feasibility of providing LNG to the bauxite sector.**”⁶⁶

7. The OCG has found and concluded that the company, EDC LNG Limited (which was renamed Caribbean LNG (Jamaica) Limited on 2009 December 8), was incorporated in Jamaica on 2009 June 19.
8. The OCG has also found and concluded that the Directors and the three (3) majority beneficial shareholders of Caribbean LNG (Jamaica) Limited are as follows:
- i. Mr. Ian Moore, former Chairman of the PCJ Board of Directors;
 - ii. Mr. Paul East; and
 - iii. ‘Mr. Al Kerr’, otherwise known as Mr. Conrad Kerr, former Global Head of LNG, Merrill Lynch.
9. Based upon the documentary evidence which has been presented to the OCG, the OCG has found and has been led to conclude the following:
- i. That a MOU was signed between CLNG and Promigas on 2009 July 17.
 - ii. That a MOU was signed between CLNG and Exmar Marine NV on 2009 July 22.
 - iii. That a MOU between Exmar Marine NV, Promigas S. A., and CLNG was signed on 2010 February 15, the same date as the extended deadline for the submission of the bids for the ‘FSRU LNG Project’. The referenced MOU of 2010 February 15, had replaced the two (2) previous MOU’s.
10. The OCG is of the considered opinion that the company, Caribbean LNG (Jamaica) Limited was formed for the sole purpose of the ‘FSRU LNG Project’. This is based upon (a) the nature of the company and the date on which it was formed; (b) the fact that approximately one (1) month after the incorporation of the company, two (2) MOU’s were signed between EDC LNG (the then name of the company) and Promigas and Exmar Marine NV, on 2009 July 17 and 22, respectively, (c) the fact that despite being formed in 2009 June, EDC LNG, on its own apparent initiative, was able to successfully undertake and complete a feasibility study, by 2009 October, in regard to the introduction of FSRU LNG technology to Jamaica, and (d) the fact that a qualification requirement of the RFP, which was issued in 2009 November, was that the potential bidder ought to have the ‘*use of local expertise*’.
11. The OCG has concluded that the GOJ, through the PCJ, utilized the GOJ Public Sector Procurement Procedures (2008 November), in accordance with the Limited Tender Procurement Methodology, to contract a suitable provider for the ‘FSRU LNG Project’.

⁶⁵ Response from Exmar Marine NV, which was dated 2010 December 22. Response #4

⁶⁶ Response from Exmar Marine NV, which was dated 2010 December 22. Response #4

In this regard, the NCC, by way of a letter which was dated 2009 November 5, endorsed the proposal of the MEM to utilize the Limited Tender Procurement Methodology to invite the nine (9) entities, which had submitted applications for Pre-Qualification in 2007 May, to re-submit proposals for the 'FSRU LNG Project'.

12. The OCG found that the MEM and the PCJ received certain approvals from the PCJ Procurement Committee, the PCJ Board of Directors, the NCC and the Cabinet in respect of the 'FSRU LNG Project'.

However, the OCG found that the then PCJ Board of Directors expressed several concerns with respect to the manner in which approvals were being requested for the referenced project. In point of fact, the Minutes of the PCJ Board of Directors which was dated 2009 December 10, indicated that the approval from the Cabinet preceded the approval from the Procurement Committee "...and the Committee could not interfere with Cabinet's decision..."

Further, the Minutes of the Meeting of the PCJ Board of Directors, which was held on 2009 December 22, indicated, *inter alia*, that "...the Board took a decision that if an application was received for extension then the Board would consider it...that has not been done and yet there are letters going out indicating that a decision was taken to grant an extension after consultation with the PCJ and with the Ministry."

The foregoing has led the OCG to conclude that there was indeed irregularity with respect to at least one (1) component of the approval process for the 'FSRU LNG Project'. In point of fact, the OCG has concluded that the very approval process itself was improper due to the fact that the approval of PCJ Board of Directors was circumvented.

13. The OCG has concluded that the MEM and the PCJ breached Sub-section S-3100 of the GOJ Public Sector Procurement Procedures (2008 November) which provides, *inter alia*, that "**All adopted sub-criteria should be specified in the RFP... If points allocated to these sub-criteria are not disclosed in the RFP, the Evaluation Committee should allocate them before proposal submission, to reduce the risk of manipulations during the evaluation process...**"

In this regard, the OCG found that the PCJ and/or the MEM, did not provide the potential bidders with the amended evaluation criteria, as detailed in the 'Review Matrix', which was dated 2010 February 12. It should be noted that the referenced 'Review Matrix' was dated three (3) days before the deadline for the submission of bids on 2010 February 15.

14. The OCG has concluded that the initial oversight structure which was established, within the PCJ, to guide the 'FSRU LNG Project', did not promote the principles of good corporate governance.

In this regard, the OCG found that at least three (3) of the members of the PCJ Board of Directors served on the LNG Task Force, which is not a part of the approved PCJ Corporate Governance structure, and the LNG Evaluation Committee. Further, there were instances in which the PCJ Board of Directors raised concerns with respect to the decision-making process for the 'FSRU LNG Project'.

Further, the OCG has found and concluded that the PCJ was responsible for the implementation of the 'FSRU LNG Project'. However, the parent Ministry, the MEM, had direct responsibility with regard to the overall policy guideline for the project.

The OCG has not seen any evidence to suggest that any of the Accounting and/or Accountable Officers within the MEM and/or the PCJ took effective and decisive steps to ensure good corporate governance in the reporting structure which was established to guide the 'FSRU LNG Project'.

15. The OCG is of the considered opinion, and has concluded, herein, that Mr. Stephen Wedderburn's (a) prior involvement and/or affiliation with Exmar Marine NV and Mr. Joseph Fossella, a representative of CH-IV International and (b) current involvement in guiding the Tender process for the 'FSRU LNG Project', has compromised the integrity of the entire 'FSRU LNG Project'.

The OCG's Conclusion is premised, *inter alia*, upon the following:

- i. Mr. Stephen Wedderburn, in 2009, in his then private and personal capacity, had submitted a proposal to the MEM in which he recommended, *inter alia*, that the formal GOJ procurement procedures be by-passed in order to expedite the LNG project.

The OCG also found another instance in which Mr. Arthur Ransome of CH-IV International indicated that, based upon the recommendation of Mr. Stephen Wedderburn, CH-IV International subcontracted Mr. Joseph Fossella's company, Clean Skies, in order to by-pass the stringencies of the GOJ's procurement process.

- ii. Mr. Stephen Wedderburn, in several pieces of written correspondence, has consistently identified Exmar Marine NV as a company with which the GOJ should negotiate in regard to the LNG Project. In point of fact, Mr. Wedderburn, on 2008 May 16, ranked several of the prospective LNG providers and placed Exmar Marine NV as the number one contender. Such a ranking was undertaken by Mr. Wedderburn prior to an actual tender process and is, without question, indicative of a demonstrated bias towards Exmar Marine NV.
- iii. Questions are also raised with respect to Mr. Stephen Wedderburn's relationship with Mr. Joseph Fossella who was instrumental in the evaluation of the bids for the 'FSRU LNG Project'. Mr. Fossella is a former employee of Black & Veatch and the proprietor of Clean Skies LLC. Further, the OCG has found, based upon the documentary evidence, that Mr. Wedderburn has taken credit for introducing Exmar Marine NV to Black & Veatch.

Incidentally, the OCG has also found and concluded that Mr. Fossella was a part of the 'negotiating team' for and on behalf of Black & Veatch, which led to the formation of an alliance between Exmar Marine NV and Black & Veatch.

- iv. Prior to the PCJ's Board of Directors deliberations on 2009 December 22, for the re-engagement of CH-IV International, Mr. Stephen Wedderburn had exchanged several pieces of correspondence with representatives of CH-IV International and Clean Skies and passed information to CH-IV International with respect to the PCJ Board of Directors' discussion in regard to the requirements for the technical services for the 'FSRU LNG Project'.
- v. Having regard to the foregoing, it is instructive to note that Mr. Stephen Wedderburn disclosed to the PCJ his pecuniary interest in a project in which Exmar Marine NV was involved. However, the OCG has found no evidence to suggest that Mr. Stephen Wedderburn disclosed his relationship with Mr. Joseph Fossella, a sub-contractor of CH-IV International, who was actively involved in the Evaluation of the Bids for the 'FSRU LNG Project'.

Based upon the foregoing, the OCG has concluded that Mr. Stephen Wedderburn's actions were professionally unethical, tantamount to a flagrant conflict of interest and, in consequence, breached Sub-Section S-1040 of the Revised GOJ Public Sector Procurement Procedures (2008 November).

The OCG's conclusions and concerns are further compounded by the fact that Mr. Stephen Wedderburn, in his sworn response to the OCG, asserted that "*As LNG Project Coordinator I am responsible for overseeing the day-to-day activities of the LNG Project and acting as the focal point for communications in respect of the project. In respect of procurement activities this includes drafting RFPs and issuing these RFPs once they have been approved, handling bidders' queries and drafting clarification responses.*"

The foregoing puts it beyond doubt that, due to Mr. Stephen Wedderburn's prior associations and demonstrated bias, and the critical role which he has played in the 'FSRU LNG Project', the entire integrity of the tender process has been compromised, brought into disrepute and is tainted by a conflict of interest and a gross lack of objectivity which has been evidenced, *inter alia*, by certain email correspondence which were either written by or sent to Mr. Stephen Wedderburn.

16. The OCG has concluded that Exmar Marine NV had a distinct advantage over the other potential bidders for the 'FSRU LNG Project' as a result of the extensive work which it undertook with respect to introducing LNG to Jamaica since 2006.

In point of fact, prior to the commencement of the tender period in 2009 November, Exmar Marine NV had meetings with EDC LNG (now CLNG) and Promigas (now members of the Exmar Consortium), in which it was disclosed that they were undertaking a pre-feasibility study to “...**determine the economic and technical viability of developing a private project to import LNG and supply natural gas for use by private bauxite sector entities.**”⁶⁷ (OCG Emphasis)

It must be reiterated that EDC LNG (now CLNG) is the company which was formed by Mr. Ian Moore, former PCJ Board Chairman, and other interested parties in 2009 June.

Further, and having regard to the fact that Exmar Marine NV was also privy to information which was not made available to the other bidders and was afforded the privilege of having an ongoing working relationship with representatives of the PCJ, in the persons of Mr. Stephen Wedderburn and Mr. Ian Moore, the involvement of Exmar Marine NV in the tender process was highly irregular and unfair to the other bidders which were involved in the process.

Consequently, the foregoing initiative would have given the Exmar Consortium a distinct, and hence, irregular, improper and unfair advantage in the tender process.

17. The OCG has concluded that the overall tender process for the 'FSRU LNG Project' has been compromised having regard, *inter alia*, to the following:

- i. Mr. Ian Moore, during his tenure as the PCJ Board Chairman, was, at a minimum, (a) privy to information with respect to the possibilities of introducing LNG to Jamaica; (b) privy to discussions which Mr. Stephen Wedderburn had with Mr. Bart Lavent of Exmar Marine NV; (c) found to have requested information from Mr. Stephen Wedderburn regarding, *inter alia*, the feasibility of LNG to Jamaica; and (d) attended several meetings and had numerous discussions with potential bidders.
- ii. Subsequently, after Mr. Ian Moore's tenure ended as the Chairman of the PCJ Board of Directors in 2008 November, he established the company, EDC LNG (now CLNG), approximately seven (7) months after. EDC LNG (now CLNG) subsequently formed a business partnership with the said Exmar Marine NV, which was found to have been lobbying for the introduction of LNG to Jamaica from 2006. The CEO of EDC LNG (now CLNG), Mr. Conrad Kerr, happens to be the former Global Head of LNG for Merrill Lynch, a company that (a) proposed to joint venture with the GOJ for the introduction of LNG to Jamaica, albeit being rejected; and (b) had had several meetings and discussions with Mr. Bart Lavent of Exmar Marine NV, in respect of which both Mr. Stephen Wedderburn and Mr. Moore were informed.
- iii. Mr. Stephen Wedderburn was also found to have played a key role in establishing (a) the alliance between Exmar Marine NV and Black & Veatch and (b) the sub-contract between Mr. Joseph Fossella's company, Clean Skies LLC, and CH-IV International.

Of note, is the fact that Mr. Joseph Fossella was the former Vice President, Business Development for Black & Veatch and had also worked with the company, as a Consultant, up to April 18, 2009. The OCG has also found that Mr. Fossella played an integral role in the evaluation of the bids for the 'FSRU LNG Project'. Mr. Fossella was further found to have “...*started the LNG Liquefaction Alliance Project between Black & Veatch, Excelerate and Exmar, and worked on the project for six or seven months up to his retirement.*”

⁶⁷ Response from Exmar Marine NV, which was dated 2010 December 22. Response #4

- iv. Mr. Stephen Wedderburn was also found to have played a key role in establishing (a) the alliance between Exmar Marine NV and Black & Veatch and (b) the sub-contract between Mr. Joseph Fossella's company, Clean Skies LLC, and CH-IV International. Mr. Fossella was further found to have "...started the LNG Liquefaction Alliance Project between Black & Veatch, Excelerate and Exmar, and worked on the project for six or seven months up to his retirement."
- v. Exmar Marine NV, having been identified as trying to introduce LNG to Jamaica since 2006, was found to have been considerably more favoured over the other bidders. Further, the Exmar Consortium was found to have been at an advantage with respect to the preparation of a proposal, as Exmar Marine NV's previous proposal was used as a benchmark for the 'FSRU LNG Project'. The OCG's conclusion is buttressed by the fact that the Exmar Consortium was the only bidder that did not request an extension of the submission deadline.

18. The OCG has concluded that there are several questions which have been raised with respect to the Exmar Consortium's capabilities to fulfill the requirements for the 'FSRU LNG Project', specifically with respect to its abilities to (a) design and build any fixed infrastructure facilities; and (b) to commercially operate the vessels.

The OCG's foregoing conclusion is premised upon the fact that Exmar Marine NV has substantially partnered with Excelerate Energy LP on projects of a similar nature. In this regard, Mr. Shaun Davison of Excelerate Energy LP, asserted that Exmar Marine NV (a) operated the vessels, on behalf of Excelerate Energy LP, by providing physical crew; (b) did not design or build any fixed infrastructure facility; (c) does not control operationally or commercially the vessels; and (d) does not have the technology patents.

Further, the OCG found that CH-IV International evaluated the strength of the Exmar Consortium with respect to the partnership between Exmar Marine NV and Excelerate Energy LP. However, of import is the fact that Excelerate Energy LP is not a part of the Exmar Consortium.

Also, and quite importantly, is the fact that CH-IV International, in assessing the specific experience and capabilities of the Exmar Consortium, in relation to the assignment, did not undertake an independent assessment of Exmar Marine NV's capabilities outside of its partnership with Excelerate Energy LP.

Therefore, the OCG is unable to state definitively whether Exmar Marine NV, on its own, is capable of performing the required tasks for the 'FSRU LNG Project', given that a substantial portion of its experience has been in partnership with Excelerate Energy LP.

19. The OCG has concluded that the evaluation process, which led to the recommendation to award the contract to the Exmar Consortium, was flawed. This is premised, *inter alia*, upon the following:
- i. The Technical Consultants, CH-IV International, in assessing the proposal from the Exmar Consortium, utilized information which was not presented in the Consortium's bid. In this regard, CH-IV indicated in its report that "**...information obtained from their websites demonstrate clearly the nature of the joint venture between Exmar and Excelerate in terms of development, construction, management and operation of the LNGRV fleet.**"
 - ii. The Technical Consultants, CH-IV International, evaluated the strength of the Exmar Consortium with respect to the partnership between Exmar Marine NV and Excelerate Energy LP. However, Excelerate Energy LP is not a part of the Exmar Consortium.
 - iii. The Technical Consultants, CH-IV International, in assessing the specific experience and capabilities of the Exmar Consortium, in relation to the assignment, did not undertake an independent assessment of the Exmar Marine NV's capabilities outside of its partnership with Excelerate Energy LP.

Consequently, the OCG is unable to substantiate the recommendation which was made to award the contract to the Exmar Consortium based upon the flaws which have been identified above.

20. Notwithstanding the initiative of Exmar Marine NV, during 2008, there was significant sharing of information between Exmar Marine NV, Mr. Stephen Wedderburn, Mr. Conrad Kerr and Mr. Ian Moore with respect to Exmar Marine NV's lobbying for the introduction of LNG in Jamaica.

During the tenure of Mr. Ian Moore as the Chair of the PCJ Board of Directors (2007 December to 2008 November), the LNG Project was purportedly inactive. However, the documentary evidence which has been provided to the OCG suggests that Mr. Ian Moore and Mr. Stephen Wedderburn spearheaded an initiative to steer the GOJ's energy policy away from coal to LNG.

Consequently, the OCG found that a relationship between Mr. Bart Lavent of Exmar Marine NV, Mr. Stephen Wedderburn, Mr. Conrad Kerr and Mr. Ian Moore developed, wherein the named parties collaborated in an effort to promote LNG.

Having regard to the foregoing, the OCG is of the considered opinion that Mr. Stephen Wedderburn's involvement in the LNG project (a) created a conflict of interest situation specifically with respect to the roles and responsibilities which were assigned to him during the tender process and (b) raised questions of impropriety and irregularity. The OCG's conclusion is also premised upon the following:

- i. Mr. Wedderburn was instrumental in developing the RFP which was issued to the prospective bidders on 2009 November 12 and 13. It should be noted that the RFP was drafted in the absence of a comprehensive project plan for the 'FSRU LNG Project'. In this regard, Mr. Wedderburn, in the Meeting of the PCJ Board of Directors, which was held on 2009 December 10, indicated that "...the team did not really have a master plan, so it is looking for the proposals to come and then dissect from there adding that he was waiting on the proposals to guide him in terms of plans for the project..."
- ii. Further, the RFP which was prepared by Mr. Stephen Wedderburn, and the LNG Task Force, amongst others, was alleged to have been rushed for same to be issued by 2009 November. In this regard, it was reported by Mr. Nigel Logan, the Acting Group Managing Director, PCJ, that the RFP "...was sent to the members of the Procurement Committee by email...for the Committee to approve, for it to be sent out that same day by midnight... **the Procurement Committee of course would not have been able to meet at such short notice and essentially did not have a chance to read over the RFP, before it went out...**"

Having regard to the foregoing, the OCG found that the RFP was not duly approved by the PCJ Procurement Committee prior to it being issued.

- iii. It was reported that Mr. Stephen Wedderburn, who was not supposed to have been involved in the process for the evaluation of the bids, was present at several of the meetings of the LNG Technical Evaluation Committee in which the Chairman, Dr. Audley Darmand, indicated that Mr. Wedderburn's presence was necessary as he was required to develop the 'instrument of measure'.

Of note, Mr. Stephen Wedderburn was fully aware that his involvement in the evaluation process would have been unethical as he stated in an email to Dr. Ruth Potopsingh, which was dated 2009 September 6, prior to his official re-engagement at the PCJ, *inter alia*, that "... it has already been decided that I would not be involved in the evaluation of any LNG FSRU proposals for Jamaica. I therefore hope that people are not creating a red herring out of this matter. I also note that my involvement in the Colombia project was widely known by officials of the Ministry, PCJ and JBI long before I was approached to assist with the Jamaican project..."

- iv. By way of an email which was dated 2008 January 23, Mr. Stephen Wedderburn also informed Mr. Ian Moore and Mr. Conrad Kerr, amongst others, that “...*PCJ wants the Exmar proposal to be treated as the base case for the implementation of the LNG project in Jamaica...*”

21. The OCG has concluded that Merrill Lynch had approached the GOJ in 2007 proposing a willingness to be a joint venture partner in developing the LNG project. However, the proposal was rejected by the GOJ.

The OCG further found that representatives from Merrill Lynch, namely, Mr. Conrad Kerr, then Global Head of LNG, Mr. Stephen Hanan and Mr. Andrew Gray (Chief Operating Officer – Latin America & the Caribbean), communicated with Mr. Stephen Wedderburn, during the period. There were several pieces of email correspondence which were identified, by the OCG, which indicated that Merrill Lynch had discussions and meetings with Mr. Bart Lavent, Director - LNG, Exmar Marine NV, with respect to the LNG Project in Jamaica.

In at least one instance, the OCG found that information was being shared on the “...*existing and potential future LNG demand at the various prospective end-users in Jamaica*”, between Mr. Stephen Wedderburn, Mr. Conrad Kerr, and Mr. Bart Lavent, amongst the other referenced representatives of Merrill Lynch.

Having regard to the foregoing, the OCG found that information was being shared between both Mr. Conrad Kerr and Mr. Ian Moore, who are now Directors and Shareholders of CLNG, a partner company of the Exmar Consortium, and Mr. Stephen Wedderburn, within the period of 2007 to 2008. Further, the said information was being shared with Mr. Bart Lavent of Exmar Marine NV.

The OCG is of the considered opinion that the apparent working relationship which existed between the named individuals, which involved the sharing of information regarding LNG, and the subsequent establishment of a corporate entity, CLNG, in 2009, by Mr. Conrad Kerr and Mr. Ian Moore, which is a principal member of the consortium which submitted a bid for the ‘FSRU LNG Project’, has compromised the entire LNG Project.

It is abundantly clear from the documentary evidence that both Mr. Ian Moore and Mr. Conrad Kerr, who have now partnered with the preferred bidder, the Exmar Consortium, via the formation of CLNG, were, in their then respective substantive capacities, involved in some form of information trading with a representative of Exmar Marine NV, a company which has been lobbying for the introduction of LNG to Jamaica from as early as 2006.

The OCG is of the considered opinion that the collective fact circumstances surrounding the events, meetings, networking, and subsequent business ventures which have developed between the named individuals, rises above mere coincidence and closely resembles that of a contrived and collusive collaborative effort which was driven by their knowledge of Jamaica’s prospective requirements for LNG based upon information which was previously garnered by the named persons in their then respective employment capacities.

22. The OCG identified an email from Mr. Stephen Wedderburn, which was dated 2008 January 23, that was addressed to Mr. Stephen Hanan of Merrill Lynch, and which was copied to Mr. Ian Moore and other representatives from Merrill Lynch, in which Mr. Wedderburn stated, *inter alia*, that “...**PCJ wants the Exmar proposal to be treated as the base case for the implementation of the LNG Project in Jamaica and the proposal being developed for the Prime Minister should reflect this...**”

The foregoing statement made by Mr. Stephen Wedderburn suggests that the ‘implementation’ of the LNG Project to Jamaica was tailored in accordance with a proposal of Exmar Marine NV.

The OCG further found, by way of an email which was dated 2008 January 9, from Mr. Stephen Wedderburn to Mr. Ian Moore and Mr. Conrad Kerr, amongst other, that the Exmar Marine NV had given a presentation on “...*an adjusted proposal from Exmar...*” which was attached to the referenced email.

Having regard to the foregoing, the OCG is of the view that once the referenced proposal was used as a base-case for the implementation of the LNG Project, by whatever means, the entire 'FSRU LNG Project' would have been compromised and skewed in favour of Exmar Marine NV and, consequently irregular, improper and unfair to the other bidders.

23. The OCG has concluded that the Accounting and Accountable Officers within the MEM and the PCJ, whilst having knowledge of Mr. Wedderburn's prior affiliation with Exmar Marine NV, allowed Mr. Stephen Wedderburn to (a) participate in the process which preceded the evaluation of the bids, (b) serve on the decision-making Committees/Task Forces for the 'FSRU LNG Project' and (c) communicate with the potential bidders during the tender process with respect to the 'FSRU LNG Project'.

The OCG has, therefore, concluded that the Accounting and Accountable Officers of the MEM and the PCJ were complicit in their duties as it regards mitigating and/or preventing the conflict of interest situation in which Mr. Stephen Wedderburn has become embroiled.

24. The OCG has concluded that the re-engagement of CH-IV International was highly irregular, improper and breached the GOJ Public Sector Procurement Procedures.

This is premised upon the fact that (a) the NGC of Trinidad and Tobago was also a party to the 2005 contract with the PCJ and CH-IV International; and (b) the scope of work which was required by the technical consultant for the 'FSRU LNG Project' was different from the scope of work which was detailed in the 2005 contract.

Consequently, the new contract which was signed with CH-IV International, in 2010 April, included the development and utilization of a 'Review Matrix' which effectively increased the consultant's scope of works.

Having regard to the changes to the parties in the contract and the increased scope of works, the OCG is of the considered opinion that the PCJ should have initiated a new tender process for the Technical Advisors. However, having failed to undertake this new tender process, the PCJ should have, at a minimum, sought the approval of the NCC and the Cabinet with respect to the variation of the contract pursuant to Sub-section S-2040 of the GOJ Public Sector Procurement Procedures.

25. The OCG has, therefore, concluded that the re-engagement of the Technical Consultants, CH-IV International, was done in contravention of Section S-2040 of the GOJ Public Sector Procurement Procedures (2008, November).
26. The OCG has concluded that Mr. Ian Moore, on one of his official trips in March 2008, held discussions with Exmar Marine NV with respect to the introduction of LNG in Jamaica.

The OCG, having considered the information which was provided to it, herein concludes that a relationship seems to have been fostered between representatives of Exmar Marine NV, Mr. Stephen Wedderburn and Mr. Ian Moore during the period 2007 December to 2008 November, wherein, all the named parties were working together and sharing ideas on the feasibility of LNG and natural gas in Jamaica. This relationship is demonstrated by the numerous email correspondence which continued to be exchanged up to the time at which Mr. Ian Moore demitted office from the PCJ, in 2008 November, as the company's chair.

27. With respect to the role, involvement and/or affiliation of the former Chairman of the PCJ Board of Directors, Mr. Ian Moore, in the overall LNG project, the OCG has made the following determinations:
- i. During Mr. Ian Moore's tenure he actively sought to promote LNG and was in communication with Mr. Stephen Wedderburn and Mr. Bart Lavent of Exmar Marine NV.

- ii. Mr. Ian Moore's active lobbying for LNG involved the attendance of several meetings with LNG stakeholders such as Golar LNG, Merrill Lynch and Exmar Marine NV.
- iii. Mr. Ian Moore's active lobbying for LNG occurred at a time when the LNG project was officially halted as the then Minister, Mr. Clive Mullings, was pursuing coal as the preferred fuel choice for Jamaica.
- iv. Mr. Ian Moore, as the then Chairman of the PCJ Board of Directors, working in conjunction with Mr. Stephen Wedderburn, was sufficiently provided with a wealth of information regarding LNG and the prospects for LNG in Jamaica.
- v. During Mr. Ian Moore's tenure, Exmar Marine NV continued its courting of the GOJ with respect to the introduction of LNG in Jamaica.

Consequently, the OCG has concluded that Mr. Ian Moore, during his tenure at the PCJ (2007 December to 2008 November), (a) worked with Mr. Stephen Wedderburn to promote LNG in Jamaica; (b) gained a wealth of knowledge on LNG and was exposed and/or had access to the propriety information which the GOJ had in its custody with respect to LNG; (c) came into contact with representatives of Exmar Marine NV and Mr. Conrad Kerr, formerly of Merrill Lynch; and (d) participated in at least one (1) GOJ funded trip in which he held discussions with representatives of Exmar Marine NV with respect to introducing LNG in Jamaica.

28. Having regard to (a) Mr. Moore's lobbying for LNG during his tenure as Chairman of the PCJ Board of Director, and (b) the apparent mutual working relationship between Mr. Bart Lavent of Exmar Marine NV, Mr. Stephen Wedderburn and Mr. Ian Moore, several questions of impropriety and irregularity with respect to bidding process are raised.

This is premised, *inter alia*, upon the following:

- i. Approximately seven (7) months after demitting office at the PCJ in 2008 November, Mr. Ian Moore became the Majority Beneficial Shareholder of EDC LNG (now CLNG) on 2009 June 19.
- ii. The OCG found that the company Caribbean LNG (B.V.I.) Limited, the primary Shareholder of CLNG (Jamaica) Limited, was incorporated on 2009 December 22, approximately one (1) month after the issuance of the RFP for the 'FSRU LNG Project'.
- iii. The sole Shareholders of the company, Caribbean LNG (B.V.I.) Limited, are Mr. Ian Moore and Mr. Paul East.
- iv. CLNG and Promigas, another party to the Exmar Consortium, signed a MOU on 2009 July 17.
- v. CLNG and Exmar Marine NV signed a MOU on 2009 July 22.
- vi. Exmar Marine NV, Promigas and CLNG, signed a MOU replacing all other MOUs on 2010 February 15, the same day which was the deadline for the submission of the bids for the 'FSRU LNG Project'.
- vii. In 2009 June, Exmar Marine NV indicated that a meeting was held with Mr. James Robertson and the then Permanent Secretary, Ms. Marcia Forbes and EDC LNG (now CLNG) to advise the GOJ of its intent to conduct a pre-feasibility study to determine the economic and technical viability of a private project to import LNG and supply natural gas.

It is instructive to note that Mr. Ian Moore, in his response to the OCG's Requisition of 2010 December 3, indicated that EDC LNG (now CLNG) engaged an engineering firm called Bechtel Oil and Gas in 2009 July to conduct the pre-feasibility study.

- viii. EDC LNG (now CLNG) completed a pre-feasibility study in 2009 October on its own volition which was one (1) month prior to the issuance of the RFP in 2009 November.
 - ix. Coincidentally, Exmar Marine NV was the only company which did not request an extension of time for submitting its bid.
 - x. By way of an email which was dated 2008 January 23, Mr. Stephen Wedderburn informed Mr. Ian Moore and Mr. Conrad Kerr, amongst others, that "...PCJ wants the Exmar proposal to be treated as the base case for the implementation of the LNG project in Jamaica..."
 - xi. Mr. Stephen Wedderburn, in a meeting at the PCJ Board of Directors, which was held 2009 December 10, indicated that the Team did not have a master plan for the project and, as such, was looking for the proposals which would be received in response to the RFP to guide the plan for the project.
 - xii. Mr. Conrad Kerr, a director and shareholder of CLNG, who was also in communication with Mr. Ian Moore, during his tenure as Chairman of the PCJ Board of Directors, and Mr. Bart Lavent of Exmar Marine NV, was an executive employee of Merrill Lynch at the time that Merrill Lynch had submitted a proposal to the GOJ with respect to LNG, albeit that Merrill Lynch's proposal was rejected by the PCJ.
29. Mr. Ian Moore, in his capacity as a Director and Majority Beneficial Shareholder of CLNG, indicated in his sworn response to OCG' Statutory Requisition, which was dated 2010 December 3, that "**There was no approved and/or active LNG Project during my tenure at the PCJ.** The entire period of my tenure was consumed by an ongoing debate between the merits of coal and LNG as an energy source."

Mr. Moore further indicated to the OCG that "*The PCJ Board of Directors, as a whole, received recommendations from the Petroleum Corporation of Jamaica (PCJ) Procurement Committee for review and endorsement by the Board, as appropriate, and on-ward recommendation to the Ministry of Mining and Energy (MEM) PC.*"

Upon a review of the Minutes of the PCJ Board of Directors, during Mr. Ian Moore's tenure, the OCG found that the LNG Project was only mentioned in the formal Minutes of the PCJ's Board of Directors on two (2) occasions.

However, and despite the sworn assertions of Mr. Ian Moore, the OCG has seen evidence of several pieces of email correspondence, in 2008, which revealed that Mr. Ian Moore, during his tenure, was in frequent communication and attended several meetings, with Mr. Stephen Wedderburn, then Group Technical Director, PCJ, Mr. Conrad Kerr, then Global Head of LNG, and other representatives of Merrill Lynch, Mr. Bart Lavent of Exmar Marine NV, and other individuals, with respect to lobbying for LNG in Jamaica.

In at least one instance, Mr. Stephen Wedderburn was identified as requesting information, for and on behalf of Mr. Ian Moore, regarding the "*Floating Energy Solution concept*" and, amongst other things, enquiring how long it would take for same to be delivered.

The OCG also found evidence to indicate that Mr. Stephen Wedderburn advised and updated Mr. Ian Moore in regard to developments and issues which concerned LNG, and in particular, provided Mr. Ian Moore with information which was continuously being shared between Mr. Bart Lavent of Exmar Marine NV and himself (Mr. Stephen Wedderburn).

In addition, the OCG was also provided with information from Mr. Nigel Logan, Acting Group Managing Director, PCJ, which indicated that the PCJ incurred expenses in the sum of \$24,430,345.82 and \$1,829,198.42 in the years 2007 and 2008, respectively, in regard to the LNG Project.

Irrespective of Mr. Ian Moore's statement that "**There was no approved and/or active LNG Project during my tenure at the PCJ**", the fact circumstances and documentation which have been provided to the OCG sharply contradict such an assertion. It is the OCG's considered opinion that (a) since email correspondence was being exchanged between Mr. Ian Moore, Mr. Stephen Wedderburn and Mr. Bart Lavent of Exmar Marine NV, regarding the feasibility of LNG in Jamaica, (b) the PCJ was expending money during the tenure of Mr. Ian Moore, and (c) since Mr. Ian Moore was in fact copied on certain emails, he would have been privy to ongoing considerations and discussions. In this regard, Mr. Moore's assertions raise serious questions regarding the credibility of such a response and whether the LNG was in fact inactive as has been suggested.

30. For the period of 2003 to 2010, the PCJ expended a total of \$251,408,280.88 with respect to the LNG Project.

It is instructive to note that of this amount, an aggregated value of \$16,345,677.61 was expended on 'Travel Expenses (Foreign)' and \$212,353,624.67 was spent on 'Consultancy Fees (Foreign)'.

Further, of the \$212,353,624.67 which was expended on 'Consultancy Fees (Foreign)' Mustang Engineering was paid \$96,608,451.25 between the period of 2005 to 2007. It is instructive to note that the FEED Study which was undertaken by Mustang Engineering was for a 'land-based facility' and not the 'FSRU LNG Project'.

Pursuant to the 2010 April 8 contract between PCJ and CH-IV International, Mr. Nigel Logan, Acting Group Managing Director, PCJ, in his response to the OCG's Statutory Requisition, which was dated 2011 February 15, indicated, *inter alia*, that the contract "... is for US\$387,000 of which **US\$425,923.02** has been paid."

31. Given the fact that during Mr. Ian Moore's tenure the official GOJ Energy Policy was geared towards coal, and Mr. Ian Moore's sworn assertion that "**There was no approved and/or active LNG Project during my tenure at the PCJ**", the OCG is unable to determine (a) on whose behalf Mr. Stephen Wedderburn and Mr. Ian Moore were working in all instances; and (b) under whose Authority both gentlemen were sharing information and/or correspondence with, *inter alia*, Mr. Conrad Kerr and Mr. Bart Lavent of Exmar Marine NV.

Consequently, the OCG is unable to determine under whose authority and for whose benefit Mr. Stephen Wedderburn and Mr. Ian Moore were acting given (a) that several of the referenced correspondence were not shared with any other Accounting and/or Accountable Officers of the PCJ and/or the MEM, (b) the curious and seeming conspiratory circumstances surrounding the Exmar Consortium's exposure to information, (c) the timing and formation of CLNG and (d) the fact that CLNG, in conjunction with Exmar Marine NV, were sufficiently poised to have completed a feasibility study one month prior to the issuance of the RFP by the PCJ.

However, the OCG found at least one (1) instance in which both Mr. Ian Moore and Mr. Stephen Wedderburn, while on an official GOJ trip, met with representatives of Exmar Marine NV and shared information with respect to the promotion of LNG.

32. Having regard to any questions in respect of (a) insider information trading; (b) bid rigging and/or (c) corruption, the OCG has made, *inter alia*, the following determinations:
- i. As previously highlighted, Exmar Marine NV was placed at a distinct advantage based upon (a) its 2007 Mandate with the GOJ; (b) the prior sharing of information with Mr. Stephen Wedderburn and Mr. Ian Moore between 2007 and 2008; (c) work which was undertaken in 2007; and (d) the pre-feasibility study which was undertaken in 2009 October.

- ii. During Mr. Ian Moore's tenure (2007 December – 2008 November) there were several pieces of email correspondence between Mr. Bart Lavent of Exmar Marine NV, Mr. Stephen Wedderburn, Mr. Ian Moore, and Mr. Conrad Kerr then of Merrill Lynch. In the referenced correspondence, all parties were privy to information on LNG and it appears that they were collectively working to introduce LNG in Jamaica.
- iii. Two (2) of the parties who were privy to the above referenced correspondence, namely, Mr. Ian Moore and Mr. Conrad Kerr, subsequently formed a company, EDC LNG (now CLNG) in 2009 June.
- iv. The referenced company was formed approximately seven (7) months after Mr. Ian Moore demitted office.
- v. Mr. Ian Moore, as the then Chairman of the PCJ Board of Directors would have been privy to all the information with respect to LNG which was in the possession of the PCJ.
- vi. Mr. Stephen Wedderburn, who was in prior communication with Exmar Marine NV and who, by all accounts, had a working relationship of some sort with Exmar Marine NV (a) was a key person responsible for the drafting of the RFP; (b) in communication with the bidders throughout the tender period; (c) was assisting the Evaluation Committee to develop the '*instrument of measure*'; (d) had communicated on more than one occasion that Exmar Marine NV was his number one ranked company in the FSRU industry; and (e) had on several occasions recommended that the formal procurement process be undermined and/or bypassed in the name of expediency.

Based upon the foregoing determinations, the OCG is of the considered view that the referenced matter is one which presents adequate evidence which would demand that further investigations and consultations be undertaken by the State's law enforcement and criminal prosecutorial agencies with the objective of determining whether Mr. Ian Moore, Mr. Stephen Wedderburn and/or Mr. Conrad Kerr, and/or any other Public Official/Officer or person, conspired or attempted to use insider information and/or proprietary information to enure a benefit to themselves and/or to any person or entity with which they were/are associated and/or in which they had or may have a pecuniary interest.

REFERRALS

The OCG, in the conduct of its Investigation, is required to be guided by Section 21 of the Contractor-General Act.

Section 21 of the Contractor-General Act provides as follows:

"If a Contractor-General finds, during the course of his Investigations or on the conclusion thereof that there is evidence of a breach of duty or misconduct or criminal offence on the part of an officer or member of a public body, he shall refer the matter to the person or persons competent to take such disciplinary or other proceeding as may be appropriate against that officer or member and in all such cases shall lay a special report before Parliament." (OCG's Emphasis)

1. Pursuant to the mandatory statutory obligations which are imposed upon a Contractor General by Section 21 of the Contractor General Act, the OCG is hereby formally referring a copy of this Report to the Learned Director of Public Prosecutions, the Auditor General and the Financial Secretary in the MOFPS, for them to determine and to advise what steps may be taken to hold to account the Accounting and/or the Accountable Officers within the MEM and the PCJ, with respect to certain irregularities and improprieties, in the planning, conceptualization and implementation of the 'FSRU LNG Project', which were identified by the OCG during the course of its Investigation.

This Referral is being made having regard to the identified breaches of the Revised GOJ Public Sector Procurement Procedures Handbook (2008 November) and, in consequence, the breaches of the attendant Public Sector Regulations which were promulgated in 2008 December, which resulted from the referenced irregularities and improprieties.

The Referral is being made on the basis that there is sufficient *prima facie* evidence which is contained herein and, more particularly and importantly, in the sworn statements that were furnished to the OCG by the relevant Respondents, to suggest, *inter alia*:

- a. That the entire tender process for the 'FSRU LNG Project' has been compromised, brought into disrepute and tainted by a conflict of interest and a gross lack of objectivity and impartiality due to (i) Mr. Stephen Wedderburn's prior associations with certain named contractors, (ii) Mr. Wedderburn's demonstrated bias towards Exmar Marine NV, and (iii) the critical role which was played by Mr. Wedderburn in the 'FSRU LNG Project', as has been evidenced by, *inter alia*, certain email correspondence which was either written by and/or sent to Mr. Stephen Wedderburn.

Having regard to the foregoing, the OCG is also of the considered opinion that Mr. Stephen Wedderburn's actions were professionally unethical and constituted a conflict of interest and, in consequence, constituted a breach of Sub-Section S-1040 of the Revised GOJ Public Sector Procurement Procedures (2008 November).

Sub-Section S-1040 of the Revised GOJ Public Sector Procurement Procedures (2008 November) provides, *inter alia*, as follows:

"CONFLICT OF INTEREST

All personnel involved in handling a procurement process are expected to observe the GOJ Code of Conduct for Civil Servants outlined in the Staff Orders and to be free of interests or relationships that are actually or potentially detrimental to the best interests of GOJ and shall not engage or participate in any transaction involving a company, its affiliates, divisions or subsidiaries in which they have even minor interests.

Any GOJ personnel involved in a procurement process that has assumed, or is about to assume, a financial or other outside business relationship that might involve a conflict of interest, must immediately inform their supervisors in writing of the circumstances involved. This information is to be reviewed at an appropriate level for a decision whether a conflict of interest is present, and if so, what course of action will be taken."

- b. That the re-engagement of the Technical Advisors, CH-IV International, in 2010 April, was undertaken, without the stipulated approvals, in contravention of Sub-section S-2040 of the Revised GOJ Public Sector Procurement Procedures Handbook (2008 November) and, in consequence, in contravention of the attendant Public Sector Regulations which were promulgated in 2008 December.

Sub-Section S-2040 of the Revised GOJ Public Sector Procurement Procedures (2008 November) provides, *inter alia*, as follows:

"EXPENDITURE AUTHORITIES

The expenditure authorities required before a Procuring Entity may enter into a contract are currently as follows:

Threshold	Authority
J\$10,000,000 and below	The Accounting Officer/Head of Entity shall approve subject to procedures included herein.
Above J\$10,000,000 –	The Accounting Officer/Head of Entity shall J\$30,000,000 endorse on the recommendation of the NCC.
Above J\$30,000,000	Cabinet, on the recommendation of the NCC and the Accounting Officer/Head of Entity shall approve.

The threshold values above relate to gross amount payable to contractors. These figures will be revised from time to time as approved by Cabinet.”

- c. That in respect of a document which was entitled “*Framework for Review and Evaluation of Proposals*”, which was dated 2010 February 12 and the subsequent use of a “*Review Matrix*” to evaluate the proposals which were received for the ‘FSRU LNG Project’, the OCG was not provided with, nor has it seen, any evidence to suggest that the referenced ‘Review Matrix’, which was designed by the Consultants, CH-IV International, for and on behalf of the PCJ, was issued to the potential bidders, via an Addendum or otherwise, prior to the submission deadline.

The non-disclosure of same, to the bidders, is in contravention of Sub-Section No. S-3100 of the GOJ Public Sector Procurement Procedures (2008 November), which provides that:

“All adopted sub-criteria should be specified in the RFP... If points allocated to these sub-criteria are not disclosed in the RFP, the Evaluation Committee should allocate them before proposal submission, to reduce the risk of manipulations during the evaluation process...” Consequently, the OCG found the foregoing to be irregular and in breach of the GOJ’s Public Sector Procurement Guidelines and Regulations.

- d. That the OCG has found no evidence to suggest that Mr. Stephen Wedderburn disclosed his relationship with Mr. Joseph Fossella, a sub-contractor of CH-IV International, who was actively involved in the Evaluation of the Bids for the ‘FSRU LNG Project’.

It is important to note that Section 36 (1) of the Public Sector Procurement Regulations (2008 December) imposes a duty upon “**...any public officer directly or indirectly involved with the procurement process and particularly in the preparation of bidding documents, evaluation, contract negotiations and contract management and payments to-(a) declare to the head of his entity or chairman of the entity's procurement committee any potential conflict of interest in relation to a proposed Government contract;(b) declare to the head or chairman, any relationship with a bidder, supplier, contractor or consultant and refrain from taking part in either the decision making process or the implementation of any prospective Government contract where such a relationship exists.** (OCG Emphasis)

The OCG, is of the considered opinion, that it is within the purview of the Director of Public Prosecutions, the Auditor General and the Financial Secretary, in the Ministry of Finance and the Public Service (MOFPS), to determine and to advise what appropriate and/or applicable actions may be taken or initiated against the representatives of the MEM and the PCJ, having regard to all of the circumstances of the case.

In the foregoing regard, it is of critical import to note the following sections of the Public Sector Procurement Regulations:

39. A person who-(a) contravenes any provision of these Regulations;(b) aids, abets, counsels or procures the contravention of any such provision;(c) is knowingly involved in or is a party to any such contravention;(d) conspires with any other person to contravene any such provision, is liable in damages for any loss caused to any other person by such conduct. Civil liability.

40. A person who-(a) contravenes these Regulations; or (b) aids, abets or otherwise knowingly facilitates or is an accessory to the contravention of these Regulations, commit an offence and is liable, on summary conviction in a Resident Magistrate's Court, to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding three months or to both such fine and Offences and penalties.

2. Pursuant to the mandatory statutory obligations which are imposed upon a Contractor General by Section 21 of the Contractor General Act, the OCG is hereby formally referring a copy of this Report to the Commissioner of Police and the Learned DPP for them to undertake such further investigations, as they may deem to be appropriate, into the actions of Mr. Ian Moore, Mr. Stephen Wedderburn and Mr. Conrad Kerr with respect to the multiple irregularities and improprieties which have been identified by the OCG during the course of its Investigation and which have been documented herein.

In particular, the matter is being referred to the Commissioner of Police and the DPP for them to determine whether Mr. Ian Moore and/or Mr. Stephen Wedderburn used their respective Public Offices in a conspiratory, fraudulent, corrupt, clandestine and/or surreptitious manner to enure a future illicit benefit for themselves, Caribbean LNG (Jamaica) Limited and/or the Exmar Consortium through, *inter alia*, the irregular utilization of proprietary insider information and/or through the exhibition of a bias or preferential treatment towards Exmar Marine NV, in the referenced tender process for the 'FSRU LNG Project'.

The investigations should, among other things, specifically seek to determine whether there was a conspiracy or agreement between Mr. Ian Moore and/or Mr. Stephen Wedderburn and/or any or all of the named persons to facilitate, *inter alia*, what could be the possible commission, on the part of any and/or all of them, of an act or acts of corruption, contrary to Section 14 of the Corruption Prevention Act, or to otherwise determine if Mr. Ian Moore and/or Mr. Stephen Wedderburn and/or any or all of the named persons may have committed or aided and abetted an act or acts of corruption or other criminal offence.

3. Pursuant to the mandatory statutory obligations which are imposed upon a Contractor General by Section 21 of the Contractor General Act, the OCG is hereby formally referring a copy of this Report to the Learned Director of Public Prosecutions (DPP) for such further action as she may deem to be appropriate on the basis that the OCG has found that there is sufficient evidence which is contained herein and, more particularly and importantly, in the sworn statements that were furnished to the OCG by the relevant Respondents, to suggest that the PCJ and, more precisely, its lawful Accounting Officer, Mrs. Hillary Alexander, aided and abetted by Mr. Stephen Wedderburn, caused a Government contract to be irregularly, improperly and unlawfully awarded to CH-IV International, in contravention of the approval requirements of the RPPH and, consequently, in contravention of the Public Sector Procurement Regulations which make such breaches a criminal offence.

It is instructive to note that the Public Sector Procurement Regulations were promulgated with the approval of the Cabinet of the Government of Jamaica, effective 2008 December, with the intent of giving legal force to, and imposing criminal sanctions for, breaches of the GOJ's Procurement Rules.

The OCG has found that the 2010 April contract which was awarded to CH-IV International, by the PCJ, was awarded in breach of Subsection S-2040 of the RPPH. These are the applicable provisions which govern the approval requirements which were applicable to the award of a contract to CH-IV International. Further, the OCG has found that CH-IV had already begun to evaluate bids for the 'FSRU LNG Project' prior to the signing of a formal contract on 2010 April 8.

The evidence which was provided to the OCG indicates that the PCJ failed to secure the necessary prior approvals of the NCC which would have been required for the increase in the scope of works which the Technical Consultants were re-engaged to provide.

Section 7 of the Public Sector Procurement Regulations provides as follows:

“7. Tender Proceedings for prospective government contracts shall be conducted according to the procedures outlined in the Handbook, as amended from time to time, and more particularly for the purposes of these Regulations the procedures as regards-

- (a) invitations to tender;*
- (b) qualification of suppliers;*
- (c) requirements for the publicising of bid Opportunities and Contracts;*
- (d) receipt and opening of bids;*
- (e) bid validity; and*
- (f) bid evaluation”*

Section 40 of the Public Sector Procurement Regulations provides as follows:

“40. A person who-

- (a) contravenes these Regulations; or*
- (b) aids, abets or otherwise knowingly facilitates or is an accessory to the contravention of these Regulations, commit an offence and is liable, on summary conviction in a Resident Magistrate's Court, to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding three months or to both such fine...”*

4. Pursuant to the mandatory statutory obligations which are imposed upon a Contractor General by Section 21 of the Contractor General Act, the OCG is hereby formally referring a copy of this Report to the Attorney General, for her to determine whether the members of the PCJ Board of Directors and/or the respective Accountable Officers within the MEM and/or the PCJ, were complicit in their statutory obligations by allowing Mr. Stephen Wedderburn to be integrally involved in the tender process for the ‘FSRU LNG Project’ despite his prior disclosure of having had commercial dealings with Exmar Marine NV.

The OCG has found that there is evidence which is recorded herein and, more particularly and importantly, in the sworn statements that were furnished to the OCG by the relevant Respondents, which would suggest that there was, *inter alia*, a breach of duty on the part of the then PCJ Board of Directors, in contravention, *inter alia*, of Sections 17(1) (a) and (b) and 6 of the Public Bodies Management and Accountability Act.

It is instructive to record that Sections 6 and 17 of the Public Bodies Management and Accountability Act impose certain specific responsibilities upon the Board of Directors of Public Bodies as well as Board Members themselves.

Had these and other responsibilities been fully discharged in the instant matter, the affairs of the PCJ and, in particular, the tender process for the ‘FSRU LNG Project’, would not have been shrouded in the appearance of unethical and/or improper practices.

It is particularly important to record that Boards of Directors of Public Bodies are appointed, *inter alia*, to efficiently and effectively manage the affairs of Public Bodies and to ensure the accountability of all individuals who manage and administer the affairs and resources of the said Public Bodies.

Section 6 of the Public Bodies Management and Accountability Act provides, *inter alia*, as follows:

“6. Every board shall-

- (a) *take such steps as are necessary-*
 - (i) *for the efficient and effective management of the Public Body;*
 - (ii) *to ensure the accountability of all persons who manage the resources of the Public Body;*
- (b) *develop adequate information, control, evaluation and reporting systems within the body;*
- (c) *develop specific and measurable objectives and performance targets for that body;*
- (d) *advise the responsible Minister on matters of general policy relating to the management of the body”.*

Section 17 (1) of the Public Bodies Management and Accountability Act provides, *inter alia*, as follows:

17- (1) *“Every director and officer of a Public Body shall, in the exercise of his powers and the performance of his duties-*

- (a) *act honestly and in good faith in the best interests of the Public Body; and*
- (b) *exercise the care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances including, but not limited to the general knowledge, skill and experience of the director or officer.*

Section 25 of the Public Bodies Management and Accountability Act provides, *inter alia*, as follows:

25. (1) *If the Court is satisfied on an application by the Attorney-General that any person has contravened any of the provisions of-*

- (a) *section 4 (acquisition of shares and payment of dividends);*
- (b) *section 5 (exercise of borrowing powers);*
- (c) *section 6 (corporate governance);*
- (d) *section 14 (general duties of auditors);*
- (e) *section 15 (failure to furnish information to auditor);*
- (f) *section 20 (levels of emoluments);*
- (g) *section 21 (restriction on formation of new companies),*

the Court may exercise any of the powers referred to in subsection (2).

(2) *The Court may-*

- (a) *order the person concerned to pay to the Crown such pecuniary penalty not exceeding one million dollars; or*
- (b) *grant an injunction restraining that person from engaging in conduct described in subsection (1).*

(3) *In exercising its powers under this section the Court shall have regard to*

- a) *the nature and extent of the default;*
- (b) *the nature and extent of any loss suffered by any person as a result of the default;*
- (c) *the circumstances of the default;*
- (d) *any previous determination against the person concerned.*

(4) *If in the opinion of the Attorney General there is a contravention of section 7, 8 or 9, he may make an application to the Court and the provisions of subsections (1), (2) and (3) shall apply in relation thereto.*

RECOMMENDATIONS

Section 20 (1) of the Contractor-General Act mandates that “*after conducting an Investigation under this Act, a Contractor-General shall, in writing, inform the principal officer of the public body concerned and the Minister having responsibility therefore of the result of that Investigation and make such Recommendations as he considers necessary in respect of the matter which was investigated.*” (OCG Emphasis)

In light of the foregoing, and having regard to the Findings and Conclusions that are detailed herein, the OCG now makes the following considered Recommendations:

1. The OCG must strongly recommend that the current tender process for the 'FSRU LNG Project' be immediately and summarily aborted and a new OCG supervised and scrutinized process be undertaken by the PCJ and the MEM.

The foregoing Recommendation is one which is buttressed by the OCG's unearthing of overwhelming and incontrovertible evidence which is indicative, *inter alia*, of a lack of transparency, the absence of fairness, and a glaring demonstration of impropriety and irregularity in the circumstances which surrounded the bidding process for the referenced FSRU LNG Project. The OCG's Recommendation is also founded upon the conflict of interest issues, and the documented bias and preferential treatment, which were displayed by Mr. Stephen Wedderburn in favour of the '*preferred bidder*', Exmar Marine NV – a company with which Mr. Wedderburn had himself declared that he had a previous working relationship, as well as a pecuniary interest which was predicated upon the success of an Exmar Marine NV related project which was to be executed in Colombia.

2. The OCG must recommend that Accounting and/or Accountable Officers should scrupulously adhere to the GOJ Procurement Guidelines and Regulations in the award of contracts.

Further, the OCG must also highlight and recommend that in instances in which approval for the award of a Government contract is being granted by an Accounting and/or Accountable Officer, any such approval must be given within the parameters of the established GOJ procurement and accounting procedures.

3. The OCG recommends that in instances in which a Public Body has identified that there is a breach of the procurement procedures, the responsible agency should seek to remedy the said breach in an expeditious and effective manner, as opposed to continuing with the implementation of the project in violation of applicable GOJ Public Sector Procurement Procedures, the Regulations and other governing laws.
4. The OCG also feels compelled to strongly recommend that the Cabinet should move with expedition to develop and to implement a comprehensive and over-riding policy to be applicable to all Public Body Boards, to govern, restrict or prohibit, for a specified time, as the case may be, the award of Government contracts (or the divestment of publicly owned assets) by a Public Body, to former members of its Board of Directors, or to any entity in which a former Board member may have a pecuniary interest.
5. Transparency, the appearance of fairness and the need to avoid the possibility of a conflict of interest, in the public procurement process, require that there should be, among other things, a distinct separation of the Public Officials and Officers who sit and vote on a Public Body's established Procurement Committee with respect to a particular procurement, and the Officials and Officers who grant final approval for the procurement.

Consequently, the OCG recommends that these considerations should be borne in mind when appointing persons to the PCJ's Board of Directors, the PCJ's Evaluation Committee, the PCJ's Procurement Committee and any other established PCJ Committee, so as to ensure that the highest possible degree of integrity and objectivity in the execution of the respective functions of the said Committees is attained.

6. The OCG is compelled to remind Public Officials who are involved in the procurement process that they are required to uphold the highest standards of ethical conduct, and to observe the GOJ's Code of Conduct for Civil Servants which is outlined in the Staff Orders. Above all, Public Officials should, at all times, remain free of interest in relationships that could be potentially detrimental to the best interests of the GOJ.

Consequently, Public Officials should not participate and/or engage in any GOJ process which is related to a transaction which is to be executed between the GOJ and a company or entity, or its associated affiliates, divisions or subsidiaries, in which the Public Official has an interest.

Further, Public Body individuals who are involved in the procurement process should disclose any personal or other relationships and interests which they may have with a bidder, supplier, contractor and/or consultant. Pursuant to Section 4, Volume 1, of the Revised GOJ Public Sector Procedures (2010 October), such Public Body individuals should not take part in either the decision-making process, or the implementation of any contract, where any such relationship or interest exist.

7. Heads of Ministries, Departments and Agencies who are aware that a Public Officer is in a conflict of interest situation are strongly recommended to take the necessary action, in accordance with applicable administrative procedures, to remove such an officer from the conflicted situation. Such action will ensure legitimacy and good governance in the administration and management of the GOJ's procurement process and the GOJ's affairs.
8. The OCG believes that it is timely to remind all Public Officials/Officers, who abuse their office and authority for personal gain and/or for the benefit of others, that there are circumstances in which such conduct is likely to rise to the level of a criminal act of corruption. The provisions that are contained in Section 14 (1) (b) of the Corruption Prevention Act are instructive in this regard. They provide simply that *"A public servant commits an act of corruption if he, in the performance of his public functions, does any act or omits to do any act for the purpose of obtaining any illicit benefit for himself or any other person"*.

An act of corruption is punishable upon summary conviction in a Resident Magistrate's Court, in the case of a first offence, to a fine not exceeding one million dollars or to imprisonment for a term not exceeding two years, or to both such fine and imprisonment; and in the case of a second or subsequent offence, to a fine not exceeding three million dollars or to imprisonment for a term not exceeding three years, or to both such fine and imprisonment;

Upon conviction in a Circuit Court, an act of corruption is punishable, in the case of a first offence, to a fine not exceeding five million dollars or to imprisonment for a term not exceeding five years, or to both such fine and imprisonment; and in the case of a second or subsequent offence, to a fine not exceeding ten million dollars, or to imprisonment for a term not exceeding ten years or to both such fine and imprisonment.

9. The OCG wishes to strongly reiterate a recommendation that it has previously made that the GOJ should implement and adopt an anti-corruption measure to impose the following mandatory requirements as a part of the its contracting and procurement processes:
 - i. All Private Entities that are desirous of bidding or tendering on Government contracts which exceed \$275,000 in value and/or who are part of a 'Consortium' which is bidding on a Government contract should be required to disclose sworn particulars of all of its beneficial owners.
 - ii. A "**Private Entity**" should be deemed to be an entity which is not a publicly listed company or corporation but which is a privately owned or held sole-tradership, partnership, cooperative, company, corporation, trust, business association or other entity.
 - iii. The particulars which should be required to be disclosed should include:
 - a) The name(s) of the beneficial owner(s) of the Private Entity;
 - b) The title(s) of the beneficial owner(s);
 - c) The current nationality(ies), address(es) and telephone number(s) of the beneficial owner(s);
 - d) The nature, share or percentage of the owner's beneficial interest in the Private Entity;
 - e) The date(s) on which the beneficial interest in the Private Entity was acquired.

- iv. The Disclosure requirement should be a standard component and 'Responsiveness Criterion' for all GOJ Tender Documents, Requests for Proposals and Invitations to Tender, such that any Tender or Bid which is unsupported by the Disclosure will be rendered non-responsive and invalid and, thus, null and void.
 - v. The particulars of beneficial owners should be required to be declared and certified before a Justice of the Peace or a Notary Public, to be complete, accurate and truthful. If a false statement or declaration is made in any Disclosure Form, the maker thereof should be deemed to have committed a criminal offence.
10. Finally, it is recommended that the Ministry of Finance and the Public Service should issue a Circular to all Public Bodies, Departments and Agencies of Government, to advise that a Contractor General, pursuant to Section 4 of the Contractor General Act, has lawful jurisdiction over the award and implementation of **all** government contracts, to ensure merit, impartiality, propriety and regularity in the said award, irrespective of whether any such contracts have been exempted, by the Government, from the purview of its procurement guidelines.

SPECIAL NOTE AND RECOMMENDATION

The OCG, in the conduct of the referenced Statutory Investigation, has been faced with what is best described as a seemingly debilitating and potentially costly obstacle in the execution of its statutory mandate to "**ensure**", *inter alia*, that Government contracts are awarded impartially and on merit, and in circumstances which do not involve impropriety or irregularity.

In the discharge of its statutory mandate, the OCG, in 2010 June, had highlighted certain inherently critical and fundamentally flawed occurrences in the formal tender process for the 'FSRU LNG Project' which was being undertaken by the PCJ/MEM.

The OCG's concerns and suspicions were articulated in its Formal Letters of Enquiry which were addressed to the Accounting and Accountable Officers of the MEM and the PCJ, and which were dated 2010 June 22, regarding the 'FSRU LNG Project'.

However, and despite the OCG's documented concerns that the good governance tenets of public contracting, which have been imposed by Parliament upon Public Bodies and Public Officers, were being violated, a seemingly cavalier and arbitrary decision was nevertheless taken by the current GOJ Administration to proceed with the tender process for the 'FSRU LNG Project', without any due consideration whatsoever being given to the stated OCG concerns.

Indeed, it is instructive to note that, on 2010 July 1, an article was published on the Radio Jamaica website which was entitled "*LNG deal with Exmar stands – Golding*". The referenced media article indicated as follows:

"The Prime Minister has declared that the government will not stop the push for a cheaper energy alternative to oil.

This is despite the Contractor General's probe of the award of the contract to the Exmar Consortium to supply Liquid Natural Gas (LNG) to Jamaica.

"Greg Christie (Contractor General), God bless him, says he wants to scrutinize the whole transaction to see how we got to where we got to and I say yes, we welcome that.

But in the meanwhile, we need to get cheaper energy to the productive sector, so you go on looking at it but we're going to continue negotiating because we want to get this in place as quickly as possible," Mr. Golding said."

Further, on 2010 July 2, an article was published in the Jamaica Gleaner, which was entitled “LNG financing, supplies unsettled”. The referenced media article indicated, *inter alia*, as follows:

“The consortium will absorb all the financial risk, with no backing from Jamaica, neither in the form of capital or loan guarantees, Energy Minister James Robertson affirmed.

Jamaica, however, has put \$1 billion into the LNG plan, some of it funding from multilateral sources, according to Robertson and acting managing director of the Petroleum Corporation (PCJ) of Jamaica Nigel Logan.

*Robertson, who along with the consortium members, met Tuesday with **Gleaner** editors, said the project is unlikely to enter its mobilisation phase before January 2011, but that the supply contracts should be tied down by year end.*

The contractor general's probe of the procurement process, including the role of former PCJ chairman Ian Moore - a director of CLNG - in the selection of the Exmar consortium, will not slow the negotiations nor the project, Robertson said.”

For the avoidance of doubt, it must be recalled, and emphasized, that the OCG is an Independent, Quasi-Judicial Anti-Corruption Commission of the Parliament of Jamaica, which was established by law, for the purposes of ‘ensuring’, among other things, probity, competition, transparency, accountability, and value for money in the award of Government of Jamaica contracts and, to that end, is empowered to monitor and to investigate the award of Government contracts.

However, it is well known that the OCG has no powers under the law to enforce its own recommendations, or to bring to a halt a Government procurement or contracting process which it has good reason to believe is exhibiting signs of corruption, impropriety or irregularity.

The inescapable question which must be forcefully asked, therefore, is what good purpose is served by maintaining, in place, a Commission of the Contractor General, at a cost to the Jamaican taxpayer which is currently in excess of \$180 million per annum, if the considered concerns, recommendations, injunctions and/or findings of the OCG can be summarily and arbitrarily ignored by the Executive arm of the State, the very authority which the OCG was established to monitor and to investigate?

Is it that the OCG was intended by the Executive and Legislative arms of the Jamaican State to be a toothless bulldog?

Or is it that Parliament, in enacting the Contractor General Act, and by requiring a Contractor General to swear to a solemn Oath to “ensure” that Government contracts are awarded ‘impartially and on merit and in circumstances that do not involve impropriety or irregularity’, was being insincere in its injunction by virtue of the simple fact that it has refused and/or has failed to date to give to the Contractor General the very tools and powers which he obviously requires to enable him to effectively discharge and to enforce his mandate?

It is respectfully submitted that these are very serious and critical questions in respect of which the taxpayers of Jamaica must demand, and should be provided with, credible and responsible answers, not only from the incumbent Administration, but also from the State.

It is against this background, and having regard to the substantive Findings which are embodied in this Report of Investigation, as well as in light of the considered Conclusions and Recommendations that are detailed herein, that the OCG now feels compelled to once again reiterate its Recommendation that the powers with which it is imbued, under the Contractor General Act, be significantly strengthened to, among other things, empower a Contractor General to bring to a halt a Government procurement, contract award or asset divestment process which is, in the OCG’s considered view, exhibiting patent signs of impropriety, irregularity or corruption.

There is nothing which is untoward or exceptional about the OCG's recommendation that the Contractor General Act should be amended and strengthened for the purposes of giving the Commission the power to halt a Government contracting activity, pending the outcome of an Investigation, nor is the OCG's posture one which should be considered as being ill-conceived.

Indeed, a similar power, for a national procurement regulatory commission, has been proposed for consideration by the Trinidad and Tobago Legislature, in the *"Draft Legislative Proposal for an Act to be called Public Procurement and Disposal of Public Property Act, 2010"*.

Section 13 (4) of the referenced Draft Bill provides that *"The Commission upon hearing the parties to a transaction may direct the suspension of the procurement process pertaining to a transaction pending the outcome of an investigation and in so doing shall provide reasons."*

Consistent with the foregoing draft provision, it is widely known that the OCG, in Jamaica, upon or before the initiation of a major Investigation, will publicly provide detailed and cogent reasons for the recommendations which it makes to the Government to halt an irregular procurement. Such disclosures are deliberately made by the OCG, out of an abundance of caution, to ensure, among other things, that its reasons for initiating an Investigation are not only well founded, but can withstand public scrutiny, should the need arise.

This strategic OCG measure was exhibited as recently as 2011 January in respect of the GOJ's then Proposed Sale of the Sandals Whitehouse Hotel to the Gordon 'Butch' Stewart led Sandals Group.

However, and despite the OCG's 22 page documented reasons for making its Recommendations to halt the proposed divestment, and to restart the same under the direct monitoring supervision of the OCG as is required by law, the OCG's Recommendations were summarily set aside by the incumbent Administration which declared that the Sale would proceed despite the OCG's expressed concerns, positions and Recommendations.

To further compound the matter, it was also indicated by the Administration that such Recommendations from the OCG were immature because the OCG's Investigation was not yet completed.

This raises another curious question as to whose interests are being served when an Administration is allowed to proceed with a Government contracting activity which is presumed to be irregular, improper or corrupt, by simply stating that it, the Administration, will act after the OCG's Investigation therein is completed, when it knows full well that the horse would have already bolted from the gate and that no effective remedial actions can be taken after the fact.

It is also instructive to note that, in 2010 July, the OCG was faced with a similar challenge regarding its Investigation into the divestment of a lucrative state asset, namely the divestment of the GOJ's 45% stake in JAMALCO to the Chinese firm Zhuhai Hongfan.

In the referenced case, the OCG detailed at least five (5) major considerations, which, when taken together, raised very serious questions about transparency, value for money, competition and a potential conflict of interest, amongst other concerns, in respect of the proposed asset divestment.

However, and despite the foregoing expressed concerns, it was reported in the Jamaica Observer newspaper on Wednesday 2010 June 9, as follows:

"Responding to questions from the Opposition spokesman on energy Phillip Paulwell yesterday, Robertson said that the Government had no plan to halt the negotiations despite the (OCG's) investigation."

"The Government has entered into a legally binding contract and we will not be halting. We will be co-operating fully with the contractor general. We are not in a position to halt, we have entered into a contract and it is a very good contract in the interest of the country," Robertson told Paulwell."

Not surprisingly, the fact is that the Government has since reportedly abandoned its so called "*legally binding contract*" with Zhuhai Hongfan, a development which will be publicly addressed by the OCG when it formally completes and submits its Special Report of Investigation into the matter.

Be that as it may, in the instant matter of the 'FSRU LNG Project', the OCG's Findings, Conclusions and Recommendations are not only well founded in fact and in reason, but they are also buttressed by the independent Legal Opinions which were solicited by the Administration, at additional and unnecessary cost to the Jamaican taxpayer, from the private law-firm of Livingston, Alexander and Levy.

Further, and as is now known, the Livingston, Alexander and Levy Opinions have also received the support of the Government's own attorney, the Solicitor General.

The referenced Opinions are not only highly indicative of those of the OCG's expressed concerns which were communicated to the Government from as early as 2010 June 22, but they also fully support the OCG's formal recommendation, which was made to the MEM, at the MEM's request, by way of letter which was dated 2010 November 16, wherein the Government was urged by the OCG to "*summarily and immediately abort the subject process*". It is critical to note that the referenced OCG letter was copied to the Honourable Prime Minister, the Honourable Minister of Energy and Mining, the MEM Permanent Secretary and the Group Managing Director (Acg.) of the PCJ.

The Legal Opinions also lend legitimacy to the OCG's call for the Commission of the Contractor General, in the public interest, to be urgently endowed with the power to halt the award of a GOJ contract when signs of irregularity or impropriety are being exhibited.

When fully contextualized, it is now crystal clear, from the matters that are set out herein, that the circumstances which surround the development, tender and approval for the award of a contract for the 'FSRU LNG Project', are such that they cannot, whether individually or collectively, withstand public scrutiny and/or any measure for probity.

In the final analysis, it must be said that had the warnings, concerns and/or considered Recommendation of the OCG been heeded by the Administration when they were formally communicated on 2010 June 22, and again on 2010 November 16, and had the Government responded then by halting the tender process for the FSRU LNG Project, and taken the decision to immediately restart same under the supervision of the OCG, the massive losses which the Jamaican taxpayer will now have to bear in consequence, *inter alia*, of the delayed restart of the 'FSRU LNG Project', would have been entirely avoided.

OFFICE OF THE CONTRACTOR GENERAL OF JAMAICA

Executive Summary of Report of Investigation

Conducted into Allegations of Impropriety and/or Irregularity in the Award of Certain Contracts to Strathairn Construction Company Limited by the St. Catherine Parish Council, the National Works Agency and the Ministry of Transport & Works.

Ministry of Transport & Works

National Works Agency

St. Catherine Parish Council

Initiated: 2010 August

Concluded: 2011 September

On 2010 August 16, the Office of the Contractor General (OCG), acting on behalf of the Contractor General, and pursuant to Sections 15 (1) and 16 of the Contractor General Act, initiated an Investigation into the allegations of impropriety and/or irregularity in the award of certain contracts, by the St. Catherine Parish Council, to Strathairn Construction Company Limited (SCCL).

Section 15 (1) of the Act provides that “... a Contractor-General may, if he considers it necessary or desirable, conduct an investigation into any or all of the following matters –

- (a) the registration of contractors;
- (b) tender procedures relating to contracts awarded by public bodies;
- (c) the award of any government contract;
- (d) the implementation of the terms of any government contract;
- (e) the circumstances of the grant, issue, use, suspension or revocation of any prescribed licence;
- (f) the practice and procedures relating to the grant, issue, suspension or revocation of prescribed licences”.

Section 16 of the Contractor General Act expressly provides that “An investigation pursuant to section 15 may be undertaken by a Contractor-General on his own initiative or as a result of representations made to him, if in his opinion such an investigation is warranted”.

The OCG’s decision to commence the formal Investigation followed upon certain allegations, which were made, to the OCG, by way of a formal sworn written Statement, which was tape-recorded by the OCG and which was given under the pain of criminal prosecution pursuant to Section 29 (a) of the Contractor General Act.

The sworn statement was given to the OCG, under oath, by a “Confidential Witness”, who is a former Director of SCCL. The official records of the Companies Office of Jamaica (COJ) have revealed that the “Confidential Witness” was appointed to the post of a Director of SCCL on 1981 October 15 and held the post up until the time of his resignation in late 2008 October.

In the referenced statement it was alleged that the award of certain works contracts which were issued by the St. Catherine Parish Council, for performance in the St. Catherine South Western Constituency, were influenced by a Mr. Clifford Everaldo Errol Warmington, the Member of Parliament for the St. Catherine South Western Constituency, and were awarded to SCCL – a company in which Mr. Everaldo Warmington was a Director, up to 2007 September 1.

In the sworn Statement, which was given to the OCG in 2008 December and formally executed in writing in 2009 March, it was also alleged, *inter alia*, that, as at the date of the Statement, SCCL was the beneficiary of the majority of the contracts which had been awarded in the St. Catherine South Western Constituency, along with two (2) or three (3) other companies.

It was further alleged, in the referenced Statement, that although Mr. Clifford Everalld Warmington said that he had “*resigned*” from the company, this was not true and, in fact, he, Mr. Clifford Everalld Warmington, was, as at the date of the Statement, still actively in control of the company and, as such, SCCL is “*Mr. Warmington’s company*.” The formal Statement, which was given to the OCG, also alleged that Mr. Clifford Everalld Warmington was, at the time, in possession and control of the cheque book for SCCL.

The sworn Statement, which was provided to the OCG, also alleged that Mr. Clifford Everalld Warmington, subsequent to resigning from his post as a Director in SCCL, added the names of his sister and brother to the particulars of the company’s documents.

Further, the sworn Statement, which was provided to the OCG, also implicated at least one senior Public Officer/Official of the St. Catherine Parish Council as having received ‘kickbacks’ for his role in the improper and/or irregular award of contracts to the said company.

It was further alleged that SCCL was operating from the same address as that of Mr. Warmington’s Member of Parliament Constituency Office, which it was alleged was located at “*40 East Street, Old Harbour, St. Catherine*”.

In the OCG’s considered opinion, the referenced allegations were sufficient to trigger, in 2009 February, an OCG Preliminary Enquiry into the said allegations. The Preliminary Enquiry, which was conducted by the OCG, into the above-referenced allegations corroborated the veracity of some of the said allegations and/or raised serious questions regarding the said allegations. They were as follows:

- (a) By way of a letter, which was dated 2006 May 31, the Parliament of Jamaica, disclosed particulars of eight (8) Exemption Motions, regarding certain Parliamentarians, to the Contractor General. In the referenced letter, it was disclosed that a Motion for Exemption was approved in favour of Mr. Clifford Everalld Warmington, MP, on 2003 April 23.

The disclosure, in respect of Mr. Warmington, confirmed that Mr. Warmington, at the time, was the Chairman and Chief Executive Officer of SCCL, a General Construction, Management Engineering and Quantity Surveying Company, which from time to time entered into contracts with the GOJ and/ or its agents.

- (b) The Exemption Motion did not disclose any further details as to the Public Body/Bodies which had engaged or which would be engaging the services of SCCL, nor did it disclose the details and/or value of any past, current and/or prospective contracts which had been or which were to be awarded to the company.
- (c) Checks by the OCG of the official documents which are available at the COJ confirmed that a Mr. Clifford Warmington ceased to hold office as a Director in the company, SCCL, as at 2007 September 1.
- (d) Further OCG checks with the COJ revealed that on 2007 September 1, the names of three (3) persons, whose surnames in two (2) instances and maiden name in the other, was that of ‘*Warmington*’, were added to the company’s registration documents, in the capacity of Directors of SCCL.

However, further checks of the records of SCCL, at the COJ, revealed that the said three (3) persons, who are named ‘*Warmington*’, ceased to be Directors of SCCL as at 2008 October 31.

Of critical note, however, was that a person who was alleged in the above-referenced sworn Statement to be a Councillor of the "Old Harbour Bay Division", was identified by the OCG as having been appointed as a Director of SCCL as at 2003 March 26. Checks which were made by the OCG also indicated that, as at 2009 February, when the records were 'last updated', the referenced person was still listed as a Director of the company.

- (e) An examination of the Quarterly Contract Award (QCA) Reports that were filed by the St. Catherine Parish Council with the OCG, in respect of the eight (8) quarters of the period 2008 January 1 to 2009 December 31, revealed that the St. Catherine Parish Council, during the referenced period, awarded a grand total of 39 QCA based contracts, having an aggregated value of \$135.29 Million. Of the referenced amount, as many as eighteen (18) contracts, totalling approx. \$65.36 Million in value, were awarded by the Council to SCCL alone.
- (f) The OCG's examination of the St. Catherine Parish Council's QCA Reports for the 2008 and 2009 calendar years, revealed that during the 3rd Quarter of 2008 (2008 July to September), only ten (10) contracts in total were awarded by the St. Catherine Parish Council. Of critical note, however, was that all ten (10) contracts, totalling \$20.61 Million in aggregated value, were awarded to SCCL. Further, all ten (10) contracts were awarded by the St. Catherine Parish Council to SCCL on a single day, 2008 August 28.
- (g) Further, the OCG's Preliminary Enquiry revealed that of the ten (10) contracts which were awarded by the St. Catherine Parish Council on 2008 August 28, as many as eight (8) of those contracts were for the execution of works in Sydenham, St. Catherine.

The locations, descriptions and values of the said works, as reported by the St. Catherine Parish Council, suggested that the eight (8) contracts which were awarded to SCCL were 'splintered'. This would have enabled the said contracts, at a minimum, to escape the scrutiny and oversight of the National Contracts Commission (NCC) which, under the Government's then Procurement Rules, and having regard to the total value of the contracts, would have had to endorse the said contracts prior to their award.

- (h) Additionally, a review of the QCA Reports for the St. Catherine Parish Council for the 3rd Quarter of 2009 revealed that the St. Catherine Parish Council awarded eight (8) contracts during the referenced three (3) month period with an aggregated value of \$61.78 Million. Of the eight (8) reported contracts, as many as five (5) were reportedly awarded to SCCL for the purposes of "Road Rehabilitation". The five (5) contracts, which had an approximate aggregated value of \$39.19 Million, were all reportedly awarded to SCCL on a single day, 2009 July 28.

The above-referenced QCA Reports were submitted to the OCG, by the Accountable Officers of the St. Catherine Parish Council, in furtherance of the OCG's lawful Statutory Requisitions that are issued pursuant to Section 4 (2) (a) and 4 (3) of the Contractor General Act. The Reports were submitted under the pain of criminal prosecution under Section 29 (a) of the Contractor General Act which makes it a criminal offence, *inter alia*, for any person to wilfully make a false statement to mislead a Contractor General.

- (i) It is also important to note that the OCG, during the course of its Preliminary Enquiry, was advised, in writing, on 2009 May 1, by the Secretary Manager of the St. Catherine Parish Council, Mr. Christopher Powell, that "*Since the advent of the Constituency Development Fund, the Council has not written approval letters to any contract winner; what we have done is call in the respective winners. This approach we now realize was erroneous and we will now in going forward write to all successful bidders.*"

The foregoing considerations were singularly and collectively grave in their import and raised several public interest issues which, in the OCG's considered opinion, warranted the institution of a formal OCG Statutory Investigation into the allegations which were made in this matter. Consequently, on 2010 August 16, the OCG initiated an Investigation into the allegations of impropriety and/or irregularity in the award of certain contracts, by the St. Catherine Parish Council, to SCCL.

The referenced allegations and inferences, amongst others, raised several concerns for the OCG, especially in light of the perceived absence of adherence to the Government contract award principles which are enshrined in Section 4 (1) of the Contractor General Act.

Section 4 (1) of the referenced Act requires, *inter alia*, that GOJ contracts should be awarded "*impartially and on merit*" and that the circumstances of award should "*not involve impropriety or irregularity*".

It is instructive to note that on 2010 August 18, the OCG expanded the ambit of its Special Investigation to include the scrutiny of contracts which have been performed, by SCCL, for and on behalf of the National Works Agency (NWA) and/or the Ministry of Transport and Works (MTW).

In keeping with the OCG's stated intent to initiate an Investigation, letters were directed on 2010 August 16, by the Contractor General, to the Permanent Secretary in the Office of the Prime Minister, Ms. Onika Miller, the Director General in the Local Government Department, Major Richard Reese, and the Secretary Manager at the St. Catherine Parish Council, Mr. Christopher Powell, to formally advise them of the commencement of the OCG's Investigation into the allegations of impropriety and/or irregularity in the award of certain contracts, by the St. Catherine Parish Council, to SCCL.

Subsequently, letters which were dated 2010 August 18, were directed by the Contractor General, to the Chief Executive Officer of the NWA, Mr. Patrick Wong and the Permanent Secretary in the MTW, Dr. Alwin Hales, to formally advise them of the expansion of the ambit of the OCG's Special Investigation into contracts which had been awarded to SCCL. The Contractor General's referenced letters were also copied to the Prime Minister, the Hon. Bruce Golding, and to the Minister of Transport and Works, the Hon. Mike Henry.

It must be noted that following upon the launch of the OCG's Investigation, on 2010 August 16, at which time the referenced allegations, *inter alia*, were detailed in a formal OCG Media Release, Mr. Warmington wrote to the Contractor General, by way of a letter dated 2010 August 17, and questioned and challenged the bases of the OCG's Investigation whilst positing his response to certain allegations which had implicated him.

The OCG, by way of a letter which was dated 2010 August 18, responded to Mr. Warmington's letter and advised him, *inter alia*, as follows:

"While you can be assured that your letter and the representations which you have made therein will be placed upon the formal records of the OCG, we must, however, redirect your attention to the OCG's letter of August 16, 2010, in the captioned regard, which was formally copied to you.

The third to last paragraph of the referenced letter has clearly communicated that, in due course, you will be formally advised of the OCG's Investigation Process and the Statutory Requisitions which the OCG will be making of you and other persons as it proceeds with its Investigation."

It must also be noted that during the course of the Investigation, the OCG was approached by Dr. Raymoth Notice, who provided it with information regarding certain alleged irregularities at the St. Catherine Parish Council.

As such, on 2010 October 27, an OCG Investigation Team met with Dr. Raymoth Notice, former Mayor of Spanish Town and current Councillor at the St. Catherine Parish Council. The transcript of the referenced meeting was subsequently sworn before a Justice of the Peace, on 2010 November 11.

As such, the compendium of allegations and concerns were sufficient to reaffirm the conduct of the OCG's Investigation into, *inter alia*, the alleged associations between Mr. Clifford Warmington, SCCL and certain procuring Public Bodies.

The Terms of Reference of the OCG's Investigation into the circumstances which surrounded the allegations of impropriety and/or irregularity in the award of certain contracts to SCCL by the St. Catherine Parish Council, the NWA and the MTW, were primarily developed in accordance with those of the mandates of the Contractor General as are stipulated in Section 4 (1) and Section 15 (1) (a) to (d) of the Contractor General Act.

The Terms of Reference of the Investigation, and the development of the written Requisitions/Questionnaires that were utilised throughout the course of the Investigation, were guided by the OCG's recognition of the far-reaching responsibilities and requirements that are imposed, *inter alia*, upon Public Officials and Public Officers by applicable Government Procurement Procedures, the Contractor General Act, the Financial Administration and Audit Act, the Public Bodies Management and Accountability Act and the Corruption Prevention Act.

In addition, the OCG was guided by Section 21 of the Contractor General Act which provides that **"If a Contractor-General finds, during the course of his Investigations or on the conclusion thereof that there is evidence of a breach of duty or misconduct or criminal offence on the part of an officer or member of a public body, he shall refer the matter to the person or persons competent to take such disciplinary or other proceeding as may be appropriate against that officer or member and in all such cases shall lay a special report before Parliament."** (OCG Emphasis)

The Findings of the OCG's Investigation into the allegations of irregularity in the award of certain contracts to SCCL, by the St. Catherine Parish Council, the NWA and the MTW, are premised primarily upon an analysis of the sworn statements and the documents which were provided by the Respondents who were requisitioned by the OCG during the course of the Investigation.

SUMMARY OF KEY FINDINGS AND CONCLUSIONS

1. The OCG has found and subsequently concluded that certain of the particulars which were made in the sworn statement that was given to the OCG in 2008 December, by the 'Confidential Witness', regarding the establishment and operations of SCCL, are in fact accurate reflections of SCCL's operations. In this regard, the OCG has concluded the following:
 - a. Mr. Lloyd Grant, a Councillor at the St. Catherine Parish Council was actively involved in the operations of SCCL and was appointed a Director of the said company on 2003 March 26 ;
 - b. The names of certain relatives of Mr. Clifford Everald Warmington were added to the company registration particulars of SCCL, as alleged by the "Confidential Witness" who came forward to the OCG;
 - c. Mr. Everald Warmington ceased to be a Director of SCCL on 2007 September 1. On 2007 September 1, several of Mr. Warmington's relatives were added to the registration particulars of SCCL.
 - d. Mr. Warmington, as alleged by the "Confidential Witness", is now a 'Consultant' for SCCL and is remunerated based upon the nature and complexity of the work which is undertaken by him.
 - e. SCCL has its registered offices at 40 B East Street, Old Harbour, which is the same as the address for the office of the Member of Parliament, Mr. Clifford Everald Warmington. According to Mr. Howard Charvis, President, SCCL, "The office of the Member of Parliament and SCCL are, along with other entities, on the same compound."

- f. It is instructive to note that Mr. Warmington, on his "*Statutory Declaration of Assets, Liabilities and Income*", which was filed with the Integrity Commission from as early as 2002 October 16 and as late as 2009 December 31, used a given address of "*40 East Street, Old Harbour*", which is the address on the letter head belonging to the office of the Member of Parliament.
 - g. The records of the COJ have revealed that "*There have been no filed changes in the Registered Office since incorporation.*"
2. The records of the COJ have revealed that SCCL was incorporated on 1981 October 15. Based upon the COJ's official records, the OCG has also found and concluded that the First Directors of SCCL were Mr. Howard Charvis, Mr. Noel McKenzie, Mr. Evroy Chin and Mr. Leslie Henry.
 3. The records of the COJ have also revealed that the First Shareholders of SCCL were Ms. Donna-Ann Stephens and Ms. Jannett Manning.
 4. The OCG has found and concluded that Mr. Everal Warmington was appointed as a Director of SCCL on 2003 March 26, by Mr. Howard Charvis. The official records of the COJ, which were provided to the OCG, have revealed that Mr. Everal Warmington was not listed as a shareholder of SCCL.
 5. The OCG has found and concluded, based upon the official COJ records, that the current shareholders of SCCL are Mr. Howard Charvis, Mr. Lloyd Grant and Mr. Selvyn Foster.
 6. Based upon the sworn documentary evidence which has been adduced to the OCG, the OCG has found and concluded that there are three (3) current and known shareholders of SCCL who, despite the fact that none have, by their own admissions, placed equity in the company for the acquisition of their respective share allotments.

Further, in the case of Mr. Lloyd Grant and Mr. Selvyn Foster, both men have advised the OCG in their respective sworn testimonies that they were allotted shares in SCCL based upon their input of sweat equity in the company.

7. Based upon the sworn documentary evidence which has been provided to the OCG, the OCG has found and concluded that none of the known shareholders of SCCL, have held themselves out to be nominated and/or proxy shareholders of SCCL.
8. According to the sworn documentary evidence which was provided to the OCG, by Mr. Howard Charvis, Mr. Selvyn Foster, Mr. Lloyd Grant and Mr. Everal Warmington, it has been asserted that Mr. Warmington does not have a financial interest in SCCL.
9. The OCG has found and concluded that SCCL, in its application for registration with the NCC, asserted that Mr. Clifford Everal Warmington was the owner and principal of SCCL. The foregoing was sworn and attested to by Mr. Clifford Everal Warmington himself, before a Justice of the Peace, to be true and correct on 2007 January 8.
10. The OCG has found and concluded that Mr. Everal Warmington has denied making any such representation to the NCC, in regard to SCCL, despite the documentary evidence which is on the record.

It is, therefore, the considered opinion of the OCG that Mr. Warmington must now choose whether the sworn representations which were made by him, to the OCG, in his respective responses to the OCG's Requisitions, are now wholly accurate and, as such, otherwise prove that the application which was submitted to the NCC, on behalf of SCCL, pursuant to the Voluntary Declarations Act, was an application that was (a) not submitted by him and was so done without his expressed authorization or knowledge and (b) that the information contained therein was in fact accurate and truthful as he had so declared.

11. Despite the sworn testimony of certain SCCL Directors, the OCG has found and concluded that there were certain material representations which were made to Bank of Nova Scotia (BNS), by representatives of SCCL, which, at a minimum, implicate Mr. Clifford Warmington as being a beneficial owner of SCCL. In this regard, the OCG has found and concluded the following:
- a. On a BNS Form, which was entitled "*Business Customer Details- Addendum*", which was executed on 2007 September 26, with respect to "**Beneficial Shareholders with more than 10% ownership.**",⁶⁸ the only person identified was Mr. Clifford Warmington of a 40 East Street, Old Harbour, address.
 - b. On an identical BNS Form, which was entitled "*Business Customer Details- Addendum*", and which was executed on 2006 September 27, with respect to "**Beneficial Shareholders with more than 10% ownership.**",⁶⁹ the only persons who were identified were Mr. Clifford Warmington of a 40 East Street, Old Harbour address, and a Mr. Lloyd Grant.
 - c. However, in that instance, and under the heading "**PERCENTAGE OF OWNERSHIP**", the SCCL Representatives indicated that Mr. Clifford Warmington held "**100%**" of the shares in SCCL.(OCG Emphasis)

It must be noted that on 2007 September 26, approximately twenty five (25) days after Mr. Warmington had resigned from his post as a Director of SCCL, he was held out to be the sole Beneficial Shareholder of SCCL.

12. The OCG has found, and subsequently concluded, that there are conflicting and contradictory statements on the record regarding the shareholding status of Mr. Everalld Warmington in SCCL. The OCG's conclusion is premised upon, *inter alia*, the following:
- a. The fact that the current shareholders of SCCL and Mr. Everalld Warmington, himself, have denied the allegation that Mr. Warmington has any pecuniary interest in SCCL;
 - b. The fact that the official COJ records do not, and have never, detailed Mr. Warmington as being a shareholder of SCCL;
 - c. The fact that by way of a letter, which was dated 2006 October 24, several Directors of SCCL, inclusive of Mr. Everalld Warmington, advised BNS, as follows: "*This is to confirm that all the shares in Strathairn Construction Company Limited are held by Clifford E. Warmington.*"
 - d. The fact that the sworn declarations which have now been provided to the OCG, by Mr. Howard Charvis, *et al*, have now contended that the representations which were made to BNS, by the representatives of SCCL, were materially and patently false.

The OCG's conclusions and findings in the matter are further compounded by the fact that Mr. Howard Charvis, Mr. Selvyn Foster and Mr. Lloyd Grant, in their respective responses to the OCG's Requisitions, which were dated 2010 November 22, 2010 November 18 and 2010 November 17, provided the exact responses and indicated that "*Mr. Warmington does not have a financial interest in SCCL.*"⁷⁰

⁶⁸ BNS Form- "Business Customer Details-Addendum". 2009 September 26

⁶⁹ BNS Form- "Business Customer Details-Addendum". 2006 September 27

⁷⁰ Responses to the OCG's Requisition from Selvyn Foster- 2010 November 18, Howard Charvis- 2010 November 22 & Lloyd Grant- 2010 November 17. Question 33.

It is the OCG's considered opinion that there is sufficient conflicting evidence from which to conclude that certain named Directors of SCCL have committed a criminal offence as it relates to (a) the representations/misrepresentations which have been made to BNS, (b) the representations/misrepresentations which have been made by them, to the OCG, in their sworn and documented statements and/or (c) the representations/misrepresentations which have been made to the NCC.

The OCG's conclusion is premised upon the fact that (a) if materially false representations were made to the BNS, then those Directors of SCCL, who were party to same, would have made fraudulent misrepresentations to the BNS should their sworn representations to the OCG be taken as factual, truthful and accurate and (b) conversely, if the representations of certain Directors of SCCL, to the BNS, is indeed factual and correct, then their representations to the OCG would have been in violation of Section 29 of the Contractor General Act.

Further, and having regard to the fact that Mr. Clifford Warmington, in submitting an application to the NCC, for and on behalf of SCCL, asserted, pursuant to the provisions of the Voluntary Declarations Act, that he was the owner and principal of SCCL, and has now, subsequently denied the veracity of same in his sworn testimony to the OCG, the OCG has been led to conclude that Mr. Warmington has committed an offence under the Perjury Act in relation, either to (a) his representations to the OCG or, (b) his representations to the NCC.

The OCG is fortified in its view as the two (2) conflicting statements are mutually exclusive and both cannot be true. Therefore, and by default, should both of the statements to the NCC and the OCG now be labelled as inaccurate by Mr. Warmington or anyone else, the offence of misleading and making a false representation to the NCC and/or the OCG would subsist.

13. The OCG has found and concluded that a written letter was submitted to the NCC, on 2010 April 22, regarding the Annual Registration of SCCL, on a letterhead belonging to the Office of the Member of Parliament for South West St. Catherine. The referenced letter was signed by a Mr. Howard Charvis, President, SCCL.

However, the OCG has found that Mr. Howard Charvis, in his sworn response to the OCG's Requisition, sought to explain, *inter alia*, the circumstances which surrounded the use of the referenced letterhead and, in doing so, stated that "*My signing a letter on the Member of Parliament's letterhead was a genuine oversight.*"

14. The OCG has found that Mr. Everal Warmington, in his sworn response to the OCG's Requisition, indicated that SCCL had no authority to use the Member of Parliament's letterhead and was not aware of the occurrence or that same was even '*factual*'.

However, the OCG has taken note of the explanations which have been posited by both Mr. Warmington and Mr. Charvis and must, as a matter of due course, question the sufficiency of such a response having regard to the fact that the letter was in fact signed by Mr. Charvis and same is not similar to the official letterhead which is used by SCCL.

15. The OCG has found and concluded that SCCL has, in at least one instance, made a material misrepresentation on its NCC application forms for the years 2009 and 2010. In this regard, the OCG has concluded that SCCL misrepresented the fact that it had employed a Mr. Donovan Nolan as a member of its technical staff. In point of fact, Mr. Nolan, in his sworn response to the OCG, advised, *inter alia*, that "**I, therefore, state that I had discussions with Mr. Warmington, and I advised him that I was available for a Senior Management position within the Private or Public Sector. Mr. Warmington recommended me to the directors of Strathairn Construction Company Limited for a position in management. I did not however, take up the appointment.**"

16. The OCG has found and concluded that Mr. Nolan has denied having knowledge of the fact that his particulars were being used by SCCL and also indicated that he has never worked with and/or been engaged by SCCL.
17. It is instructive to note that, as it regards the engagement of Mr. Nolan by SCCL, Mr. Howard Charvis, in his sworn response to the OCG's Requisition, advised the OCG that *"Mr. Nolan was offered the position to begin in May, but he did not take up the appointment. This information was supplied to your office through your Mr. McFarlane on June 17, 2010."*

However, the OCG has found and concluded that SCCL, for the two (2) consecutive years of 2009 and 2010, had provided the NCC with information regarding Mr. Nolan's association with the company.

In light of the conflicting information which is available to the OCG, it must be noted that the sworn statement which was given by Mr. Howard Charvis, did not seek to address the misrepresentation of facts as evidenced by the application forms which were submitted to the NCC for two (2) consecutive years, but rather sought to explain the fact that Mr. Nolan did not take up an appointment with SCCL approximately one (1) year after his particulars were first used by SCCL.

18. The OCG has concluded that Mr. Everald Warmington, in his sworn response to the OCG's Requisition, indicated that he had passed Mr. Nolan's resume to SCCL and other companies, but did not subsequently try to ascertain whether Mr. Nolan was employed by any of these companies.

In his sworn response to the OCG's Requisition, Mr. Nolan indicated that after his initial meeting with Mr. Warmington, he had no further contact with Mr. Warmington regarding the status of his application with SCCL.

19. Mr. Howard Charvis, in his sworn response to the OCG's Requisition, indicated that **"Mr. Nolan was offered the position to begin in May, but he did not take up the appointment."** This information was supplied to your office through your Mr. McFarlane on June 17, 2010." The OCG has found and concluded that such a representation conflicts with the information which was consecutively provided to the NCC, by Mr. Charvis, in 2009 and 2010, regarding the employment of Mr. Donovan Nolan.
20. The OCG has found, and concluded, that a BNS chequing account was opened in the name of SCCL on 2000 June 18. The only signatories to the referenced account were a *"Clifford Everald Warmington and Leslie Henry"*. The records which were provided to the OCG, by the BNS, further revealed that the chequing account was closed on 2006 June 8 and there were no other signatories to the account outside of the two (2) named individuals.
21. The OCG has found and concluded that in 1994, a USD Bank Account was reportedly opened by SCCL, with funds which originated from Mr. Clifford Warmington. In his sworn response to the OCG's Requisition, Mr. Warmington indicated that the money was obtained from his personal bank account in the United States of America.
- However, a perusal of the BNS records, by the OCG, has revealed that the funds which were used to open the referenced Bank Account actually came from the account of a company in New York, United States of America, which was named 'Strathairn Construction Co. Inc.'
22. The OCG has found, based upon the particulars of an application form which was submitted to the NCC, by SCCL, on 2007 January 10, that the company 'Strathairn Construction Co. Inc.' was incorporated in New York and that ***"In 200 [sic] the Chief Share Holder returned to Jamaica and have since been providing Consulting Services to Contractors and Developers."***

The foregoing application form, which included the information which is detailed above, regarding 'Strathairn Construction Co. Inc.', was completed and sworn to at a 20 Belmont Road, Kingston 5 address, by one Mr. Clifford Warmington.

It is instructive to note that despite the evidence to the contrary, Mr. Clifford Warmington, in his sworn response to the OCG's Requisition, which was dated 2011 January 4, stated that *"I am not aware of, or can recall any such declaration being made."*

23. The OCG has found and concluded that despite the foregoing application form which was submitted to the NCC, and which was completed by Mr. Warmington, he (Mr. Warmington), has, in his sworn response to the OCG's Requisition, which was dated 2010 November 24, indicated to the OCG that:

*"I can not recall the full details on the founding of Strathairn Construction Company Incorporated. **I recall that a group of individuals established that corporation. I was associated with it but I am unable to give detail [sic] on the date on which it was incorporated or whether or not that entity is still in operation. I do not recall being a shareholder. I know that there were [sic] no relationship with the Jamaican entity of Strathairn Construction Company Limited.** I was involved in the Construction Management aspect of Strathairn Construction Company Incorporated. I can not recollect any further detail on that corporation."⁷¹*

The OCG has, therefore, concluded that there is a gross disconnect and conflict between the sworn statements which were submitted to the OCG by Mr. Clifford Warmington and the previous sworn declarations which have been made by him on the application forms which were submitted to the NCC.

24. The OCG has found, and concluded, that there were associated bank accounts pertaining to Mr. Clifford Warmington and SCCL. In point of fact, the OCG has found that on 2009 November 5, an account which was held in the name of SCCL was closed and the funds were transferred to an account which was held in the names of one Mr. Clifford Everalld Warmington and a Ms. Nicole Warmington.
25. The OCG has found and concluded that on the BNS Form, which was entitled "OPENING AND OPERATION OF CORPORATE ACCOUNTS PRIVATELY HELD", which was apparently signed on 2007 September 26, representatives of SCCL identified Mr. Clifford Everalld Warmington as the person holding one hundred percent (100%) of the shares in SCCL.

The foregoing information which was provided to BNS conflicts with the documentary and official company records which are available from the COJ which has never listed Mr. Warmington as a documented shareholder of SCCL.

26. The OCG has found that on 2009 September 28, a SCCL BNS cheque, in the amount of \$4,315,606.00, was drawn on the SCCL account and was issued to Euro Star Motors Ltd. According to Mr. Charvis, *"Payment was part of our loan repayment to Mr. Warmington who requested that the payment be made directly to Euro Star Motors."*
27. The OCG has found, based upon the sworn statements which were provided to it, that, between the period of 2007 October to 2010 October, Mr. Everalld Warmington was paid approximately J\$9 Million by SCCL, reflecting payments which were purportedly made for *"professional fee commensurate with the complexity of the purpose for which he is retained or engaged."*

However, the OCG's analysis of the payment schedule, which was provided to it by Mr. Howard and Mr. Lloyd Grant, revealed that the payments which were made to Mr. Warmington were a combination of payments for (a) Consultancy, (b) Loan Repayments, (c) Rent, and (d) "Purchase Motor Vehicle".

28. The OCG has also found that, as at 2009 March 27, SCCL was reportedly making payments to Mr. Clifford Warmington for the rental of premises. However, and according to Mr. Howard Charvis, President, SCCL, the company does not have a written Rental Agreement.

⁷¹ Clifford Warmington. Response to the OCG's Requisition. 2010 November 24. Question # 49

29. Based upon the documentary evidence which has been provided to it, by Mr. Howard Charvis, Mr. Selvyn Foster and Mr. Lloyd Grant, the OCG has found and concluded the following:
- a. Rental payments are made by SCCL to Mr. Clifford Warmington for the office premises which are occupied by SCCL;
 - b. Neither of the three (3) named gentlemen could confirm the name(s) of the owner of the premises; and
 - c. All three (3) named gentlemen, despite being unable to confirm whether Mr. Clifford Warmington was in fact the owner of the premises which were occupied by SCCL, indicated that Mr. Clifford Everald Warmington had "*physical possession of the premises.*"

The OCG's conclusion is further buttressed by the fact that in its Statutory Requisition to Mr. Clifford Warmington, the OCG sought to ascertain from Mr Warmington an explanation regarding, *inter alia*, "...the particulars of the payments which were made to you, by SCCL, for (i) loan repayment, (ii) purchase of motor vehicle and (iii) rent;"

In his sworn response to the OCG's Requisition, Mr. Warmington asserted, *inter alia*, as follows, "*I am unable to provide particulars of the payment. I am certain that the Directors provided those details.* Further in his response, Mr. Warmington indicated, *inter alia*, that "*The company pays me rental for the premises they have rented from me.*"

30. The OCG has found, and concluded, based upon the sworn Declaration of Assets and Liabilities which were submitted to the Integrity Commission, by Mr. Clifford Warmington, that Mr. Clifford Warmington, as at 2009 December 31, declared that he had no property which met the following listed categories:
- a. *Immovable Property (e.g. House, Land and Farm Buildings) Held by Declarant, Spouse and Children;*
 - b. *Any Other Property Owned by Declarant, Spouse and Children; and*
 - c. *Other Property Owned by Declarant, Spouse and Children, Being Held By a Person Other Than Owner, Whether in Trust or Otherwise.*

In light of the foregoing, the OCG is unable to conclusively determine the particular premises which are being rented by Mr. Warmington and for which he is purportedly receiving rental income.

31. The OCG has found and concluded that as at 2011 January 24, twenty (20) contracts were reportedly awarded to SCCL by the St. Catherine Parish Council with an aggregated value of approximately J\$70 Million.
32. The OCG has found and concluded that the allegations which were made by the "*Confidential Witness*", and which alleged that SCCL received the majority of the contracts from the St. Catherine Parish Council, was indeed an accurate description of the contract award particulars of the St. Catherine Parish Council. However, the OCG cannot conclusively attribute this occurrence to the existence of corruption or the lack thereof.
33. The OCG has found that the St. Catherine Parish Council has in place a Procurement Committee which composes of several Officers, inclusive of Councillors, in keeping with the Parish Council's Act. It must be noted that a Mr. Lloyd Grant, Councillor and Director of SCCL, is a member of the St. Catherine Parish Council Procurement Committee.
34. The OCG has found evidence to indicate that the bids which were awarded to SCCL, by the St. Catherine Parish Council, all received the scrutiny and approval of the St. Catherine Parish Council's Procurement Committee as evidenced by the records of the St. Catherine Parish Council's Procurement Committee.

35. The OCG has also seen evidence to indicate that in more than one (1) instance the St. Catherine Parish Council offered invitations to tender for distinct projects and SCCL did not tender on all of the said projects nor did it win the bids on all projects for which it had tendered.
36. The OCG has found and confirmed that ten (10) contracts were awarded to SCCL by the St. Catherine Parish Council on 2008 August 28. The records of the St. Catherine Parish Council have revealed that three (3) sets of bids were received for the referenced projects, but one (1) bidder was disqualified. Hence, there were only two (2) responsive bidders for the referenced contracts.
37. The OCG has found and concluded that the bids which were submitted by SCCL, and which were awarded on 2008 August 28, were, in all instances, comparatively closer to the Comparable Estimates which were produced by the St. Catherine Parish Council than the bids which were provided by other bidders.
38. Based upon the documentary evidence which has been provided to it, by the representatives of the St. Catherine Parish Council, the OCG has confirmed that of the ten (10) contracts which were awarded to SCCL on 2008 August 28, eight (8) of those were for works to be undertaken in Sydenham, St. Catherine. However, the OCG is unable to conclusively determine whether or not the referenced contract awards were in fact splintered.
39. The OCG has found and concluded that between the period of 2007 December and 2010 January, the NWA awarded twenty-two (22) contracts to SCCL which had aggregated payments of J\$42,117,624.20
40. The OCG found, and has concluded, that of the twenty-two (22) contracts which were awarded to SCCL, by the NWA, twelve (12) of those contracts were reported to the OCG via the QCA Reports. The twelve (12) referenced contracts had an aggregated value of \$25,377,125.00.
41. The OCG has also found and concluded that the NWA utilized the Force Account methodology in the procurement of the Works for the referenced twenty-two (22) contracts.
42. The OCG has found and concluded that there were nine (9) contracts which fell within the range of the OCG's QCA Reporting Regime which the NWA failed to report to the OCG, on its QCA Reports, which were to be submitted on a quarterly basis.

The unreported contracts which were awarded to SCCL had an approximate value of J\$16.79 million.

Based upon the foregoing, the OCG has concluded, based upon the NWA's non-compliance and failure to report the referenced nine (9) contracts, that the Accounting Officer of the NWA, who would have signed the referenced QCA Reports, breached Section 29 (a) and (b) (ii) of the Contractor General Act.

43. The OCG has found and concluded that the MTW awarded a single contract to SCCL, dated 2008 July, 18, during the period under review. The contract was awarded in the amount of J\$17,349,972.00, and was funded by the Inter-American Development Bank. The referenced contract received the endorsement of the NCC and the Cabinet, prior to it being awarded to SCCL.
44. The OCG has concluded that at the time at which Mr. Clifford Warmington offered his candidacy to become an elected Member of Parliament he was in violation of Section 40 (2) (c) of the Constitution of Jamaica. The OCG's conclusion is premised upon the following compendium of facts:
 - a. The fact that the St. Catherine Parish Council reported that a contract was awarded to SCCL on 2007 July 25 and same was not completed until 2008 January 15;
 - b. The fact that Mr. Clifford Warmington did not resign from his post as a Director of SCCL until 2007 September 1, two (2) days prior to the 2007 General Elections which were held in Jamaica.

- c. The fact that Section 40 (2) (c) of the Constitution of Jamaica requires that the necessary disclosures be made and published in the Gazette within one (1) month before the day of the election;
- d. The fact that the OCG has seen no evidence to suggest that the foregoing requirement of the Constitution of Jamaica was adhered to by Mr. Clifford Warmington;
- e. The fact that Mr. Clifford Warmington, in his sworn testimony to the OCG, has declared that “**I was never a party directly or a partner of a firm or a director or manager of a company that had contracts with the Government of Jamaica at September 3, 2007. Or any period prior to that date specify by the Constitution of Jamaica, therefore [sic] was no requirement for any action by me to be gazetted.**”⁷²
- f. The fact that the documentary evidence which is available to the OCG contradicts the foregoing representations of Mr. Clifford Warmington.

SPECIAL NOTE – DPP’S RULING REGARDING THE PROSECUTION OF MR. HOWARD CHARVIS FOR A BREACH OF SECTION 29 OF THE CONTRACTOR GENERAL ACT

The OCG, during the conduct of its Investigation, was faced with certain challenges in obtaining information from Mr. Howard Charvis, President, SCCL, as it regards the particulars of the contracts which were awarded to SCCL by the St. Catherine Parish Council, the NWA and the MTW.

In this regard, the OCG, by way of written Statutory Requisitions, which were dated 2011 January 7 and January 24, required Mr. Howard Charvis to provide, *inter alia*, the following:

1. A list of **all** projects on which SCCL was engaged by the St. Catherine Parish Council, the NWA and/or the MTW.
2. A copy of all contracts which were consummated between the St. Catherine Parish Council, the NWA and/or the MTW and SCCL.
3. A copy of any document which was submitted by SCCL, to the St. Catherine Parish Council, the NWA and/or the MTW, as an attestation of the certified work that was done by the company for **each** project on which the company was engaged.

Mr. Charvis, in his sworn response to the OCG’s Requisition, which was dated 2011 January 13, indicated, *inter alia*, that “*This information now being requested, is already in the possession of the Contractor General who requested these from the reference agencies and Ministry which acceded to the Contractor General’s requests and supplied same to the Contractor General’s Office.*”

Having regard to the foregoing, the OCG, by way of another written Statutory Requisition, which was dated 2011 January 24, again requested the information from Mr. Howard Charvis and advised him that he was required to provide full responses to same.

It must be noted that the OCG received a sworn written response from Mr. Charvis on 2011 February 4 at which time he advised the OCG as follows:

“I was of the view that your investigation was to ascertain the facts, In this case, the facts surrounding this particular matter is already in your hands as you have made reference to, and have had published same in the Daily News Papers on August 17.2010. You have subsequently again had [sic] published in the daily News Papers, the fact that you have raided with the assistance of the Police, the Offices of the National Works Agency and the Ministry of Transport and Works and obtained all the records relating to the investigation.”

⁷² Clifford Warmington. Response to the OCG’s Follow-up Requisition. 2011 January 4. Question 27

The foregoing are amongst the instances in which Mr. Howard Charvis failed to comply with a lawful requirement of a Contractor General Act, as per the requirements of the Statutory Requisitions which were issued to him.

As such, the OCG found that contrary to the provisions which are contained in Section 29 (b) (ii) of the Contractor General Act, Mr. Howard Charvis, a Director of SCCL, failed, without lawful justification or excuse, to fully comply with a lawful Requisition of the Contractor General as per the requirements of the OCG's letters to Mr. Howard Charvis, which were dated 2011 January 7 and 2011 January 24.

Further, contrary to the provisions which are contained in Section 29 (b) (i) of the Contractor General Act, the OCG found that Mr. Charvis had also, without lawful justification or excuse, obstructed, hindered and/or resisted a Contractor General in the execution of his functions under the Contractor General Act.

As such, by way of a letter which was dated 2011 March 3, the OCG formally referred the matter to the Office of the Director of Public Prosecutions (ODPP) for such action as the DPP saw fit, having regard to the circumstances of the case.

It is instructive to note that by way of a letter which was dated 2011 March 2, which was faxed to the OCG on 2011 March 3, the OCG was advised by the ODPP as follows:

"I am in receipt of your referral dated the 3rd day of March, 2011. Kindly be advised that Mr. Howard Charvis, Director of Strathairn Construction Company Limited is to be charged for the following offences contrary to Section 29 (b)(i) and (ii) of the Contractor General Act.

- 1. Breach of Section 29 (b) (i), ... that he without lawful justification or excuse obstructs, hinders or resists a Contractor General or any other person in the execution of his functions under this Act.*
- 2. Breach of Section 29 (b) (ii), that he failed to comply with a lawful requirement of a Contractor General or any other person under this Act."*

The foregoing ruling was achieved on the same day that the OCG made its formal Referral to the ODPP requesting that Mr. Charvis be charged for a breach of the Contractor General Act. The aforementioned is a marked occurrence for which the OCG is highly appreciative and one for which it must commend the ODPP, in light of the numerous other Referrals which have been made, by the OCG to the ODPP, and the challenges which have been raised regarding same.

A Court hearing was scheduled for 2011 March 25, at which time both Mr. Charvis and his Attorney-at-Law attended the Half-Way Tree Resident Magistrate's Court.

Arising out of the Court proceedings on 2011 March 25, it must be noted that the referenced matter was scheduled for Trial in the Half-Way Tree Resident Magistrate's Court on Monday, 2011 August 15. However, as at the time of the drafting of this Report of Investigation, the Trial had been rescheduled for 2011 October 6.

REFERRALS

The OCG, in the conduct of its Investigation, is required to be guided by Section 21 of the Contractor-General Act.

Section 21 of the Contractor-General Act provides as follows:

"If a Contractor-General finds, during the course of his Investigations or on the conclusion thereof that there is evidence of a breach of duty or misconduct or criminal offence on the part of an officer or member of a public body, he shall refer the matter to the person or persons competent to take such disciplinary or other proceeding as may be appropriate against that officer or member and in all such cases shall lay a special report before Parliament."⁷³ (OCG Emphasis)

⁷³ Contractor-General Act. 1983

1. The OCG, based upon the sworn documentary evidence which has been presented to it by Mr. Clifford Everald Warmington, Mr. Howard Charvis and other representatives of SCCL, is hereby referring a copy of its Report of Investigation to the Director of Public Prosecutions and the Commissioner of Police for such further Investigations as they both may deem fit, having regard to the apparent conflicts between the sworn responses which have been submitted to the OCG and the contradictory documentary evidence which was previously supplied, *inter alia*, to the NCC, the BNS, the COJ and the Integrity Commission.

The OCG is hereby referring the matter for the determination to be made as to whether Mr. Clifford Warmington and certain Directors of SCCL perjured themselves and/or breached Section 29 of the Contractor General Act, having regard to the numerous conflicts which have been unearthed between the statements which were provided by them to the OCG, on the one hand, and the prior sworn representations which had been made by them, on the other hand, to the NCC, pursuant to the Voluntary Declarations Act, as well as to the BNS, the COJ and/or to the Integrity Commission.

2. The OCG, based upon the sworn documentary evidence which has been adduced by Mr. Clifford Warmington, the Directors and other representatives of SCCL, is also hereby referring a copy of this Report of Investigation to the Director of Public Prosecutions and the Commissioner of Police for the conduct of criminal investigations into the fraud which has been committed against the BNS, and which has, in fact, been conceded to, by certain representatives of SCCL, in their quest to engage the services of the BNS.

The OCG's referral in the matter is based upon the sworn documentary evidence which has been produced to it, by representatives of SCCL, who have now, in denying the claims which were made to the BNS that Mr. Warmington held one hundred percent (100%) of the shares in SCCL, have admitted that they knowingly, wilfully, and for the sake of expedience, made materially false misrepresentations to the BNS.

3. The OCG is hereby referring a copy of its Report of Investigation to the Integrity Commission for such further investigations as it may deem fit, having regard to the alleged property which Mr. Clifford Warmington has rented to SCCL and for which he has reportedly been paid rental income since 2009 March 27.

The OCG has deemed the Referral prudent in light of the fact that its perusal of the Statutory Declarations of Assets and Liabilities, which were filed by Mr. Clifford Warmington, between the period of 2002 October and 2009 December, did not reveal that Mr. Clifford Warmington declared that he held property or had same held on his behalf, which could have been the subject of his reported rental income from SCCL.

The OCG's Referral and Recommendation comes against the background of the fact that the President of SCCL, Mr. Howard Charvis, *et al*, have indicated that (a) they are unaware of the owners of the subject property for which SCCL is paying rent, (b) Mr. Clifford Warmington is in physical possession of the property, and (c) there is no lease agreement which could be used to verify the authenticity and legitimacy of the alleged rental payments which are being made to Mr. Clifford Warmington.

Further, and in light of the fact that Section 15 of The Parliament (Integrity of Members) Act makes it a criminal offence to knowingly make a false declaration in the referenced Statutory Declaration, the OCG, in making its Referral, is also recommending that the Integrity Commission provide Mr. Warmington with reasonable opportunity to address the seeming discrepancy.

4. The OCG is hereby referring its Report of Investigation to the Director of Public Prosecutions and the Commissioner of Police on the basis that it has found, herein, *prima facie* evidence that the Accounting Officer of the NWA, who signed and submitted the QCA Reports which failed to report nine (9) contracts which were awarded to SCCL, has committed a breach of Section 29 (a) and 29 (b) (ii) of the Contractor General Act and, by doing so, has committed a criminal offence.

5. In light of the information which has been unearthed, and which provides *prima facie* evidence that Mr. Clifford Warmington, at the time that he was elected to the House of Representatives in 2007 September, breached Section 40 (2) (c) of the Constitution of Jamaica, the OCG is hereby referring the matter to the Attorney General for a determination to be made as to what are the legal ramifications of the referenced circumstances, particularly in light of the involvement of Mr. Clifford Warmington in the proceedings of the Houses of Parliament and other organs of the State whilst he was Constitutionally ineligible to do so.
6. The OCG is hereby referring a copy of its Report of Investigation to the Director of Public Prosecutions and the Commissioner of Police for such investigations to be conducted, and/or for charges to be brought against Mr. Clifford Everald Warmington for breaches of Section 29 (a) of the Contractor General Act, as may be deemed appropriate, having regard to (a) the Sworn Statement which was adduced by him, in which he unequivocally asserted that “**I was never a party directly or a partner of a firm or a director or manager of a company that had contracts with the Government of Jamaica at September 3, 2007. Or any period prior to that date** specify by the Constitution of Jamaica, therefore [sic] was no requirement for any action by me to be gazetted.”⁷⁴, and (b) the contradictory documentary evidence that is on the record.

The OCG’s referral of the matter is premised upon the fact that its records and the information which have been otherwise produced to it, during the course of the Investigations, have contradicted the sworn statement of Mr. Clifford Everald Warmington. In point of fact, the OCG has found that at least one (1) contract was subsisting between the GOJ and SCCL, as at the date on which Mr. Clifford Everald Warmington resigned from his post as a Director of SCCL, viz. 2007 September 1.

RECOMMENDATIONS

Section 20 (1) of the Contractor-General Act mandates that “*after conducting an Investigation under this Act, a Contractor-General shall, in writing, inform the principal officer of the public body concerned and the Minister having responsibility therefor of the result of that Investigation **and make such Recommendations as he considers necessary in respect of the matter which was investigated.***” (OCG’s Emphasis)

In light of the foregoing, and having regard to the Findings and Conclusions that are detailed herein, the OCG now makes the following Recommendations:

1. It is recommended that an immediate review of the accounting, procurement and public administration practices at the St. Catherine Parish Council, and the NWA be undertaken by the Public Administration and Appropriations Committee of the House of Representatives, the Auditor General and the Ministry of Finance and the Public Service. The review should be conducted to ensure that adequate procedures, systems, checks and balances are not only implemented, but are aggressively enforced, to secure a radically improved level of compliance on the part of Public Bodies and Public Officials with relevant Government approved procedures, regulations and laws.
2. The OCG strongly recommends that the Procuring Entities plan their procurement activities in accordance with the procurement cycle, inclusive of the employment and application of an approved Procurement Plan. In this regard, contracts which are to be awarded should be properly packaged, tendered, evaluated and awarded within a specified timeframe.
3. In order to bring more scrutiny to bear over the GOJ’s public procurement processes, the OCG recommends that all Public Servants, who are involved in the procurement process, regardless of their pay grade and/or level of involvement, should, if not already done, be required to submit to the Corruption Prevention Commission (CPC) a Statutory Declaration of their assets on an annual basis.

⁷⁴ Clifford Warmington. Response to the OCG’s Follow-up Requisition. 2011 January 4. Question 27

4. It is also recommended that the Corruption Prevention Commission (CPC) and, in the instant case, the Integrity Commission, take a more proactive approach in the review and investigation of the Declaration of Assets which are filed annually by Public Servants, pursuant to the Corruption Prevention Act, 2000.

Whilst the OCG recognises that there may be some resource constraints on the part of both Commissions in carrying out the investigations, if corruption is to be combated in Jamaica, all anti-corruption initiatives must be strengthened.

5. The St. Catherine Parish Council and the NWA must implement effective measures to ensure that they scrupulously adhere to the requirements of the Government of Jamaica Procurement Guidelines and the Contractor General Act, at all times, when procuring goods, works and services.
6. Given the scope of the St. Catherine Parish Council's and NWA's procurement activities, inclusive of the need for emergency procurements, the agencies must develop, where possible, a schedule of procurement activities in such a manner that will enable timely submissions to the NCC for the consideration of contracts which are to be awarded via the Sole Source Procurement Methodology.
7. The OCG also strongly recommends that an urgent determination be made by the Director of Public Prosecutions and/or by the Commissioner of Police as to whether the safety and security of the "Confidential Witness" is in likely jeopardy and, if so, what measures may be deemed appropriate to ensure, *inter alia*, the safety of the "Confidential Witness".

The OCG's recommendation is premised upon the fact that the "Confidential Witness" has expressed to the OCG, a fear for his life and personal security.

SPECIAL RECOMMENDATION

The OCG, in the conduct of its Investigation, has unearthed *prima facie* evidence to suggest that SCCL, through its authorized representatives, misrepresented the information which was provided to the NCC, on its contractor re-registration application forms for at least two (2) years.

In this regard, SCCL, through its Mr. Howard Charvis, provided the NCC with its application form, and attendant Affidavit, which were purportedly executed, before a Justice of the Peace, pursuant to the provisions of the Voluntary Declarations Act. It must be noted that the NCC application forms, on which the false and misleading information was presented, cautioned as follows:

"IF THE INFORMATION PROVIDED BY THE APPLICANT ON WHICH EVALUATION AND AWARD(S) WERE BASED IS FOUND TO BE ERRONEOUS THEN THE CONTRACTOR(S) SHALL NOT BE REGISTERED, OR IF ALREADY REGISTERED, THE REGISTRATION WILL BE REVOKED."⁷⁵

Having regard to the foregoing, the OCG must respectfully recommend to the NCC that it should revoke the registration of SCCL, if it has not already done so, in light of the false information which was presented. The OCG is fortified in its recommendation given the fact that SCCL has perpetuated a fraud upon the Government of Jamaica by misrepresenting its capacity to undertake works based upon resources which it has neither employed nor can rightfully lay claim to.

EXTRA-ORDINARY RECOMMENDATION

Having regard to the circumstances of the OCG's Investigation concerning SCCL and the OCG's ongoing efforts to remove fraud and corruption from the NCC Contractor Registration Process, the OCG must strongly recommend that consideration be given to enacting legislation which will nullify contracts which have been consummated between the Government of Jamaica and any contractor which is found to have perpetuated a fraud to secure such lucrative state funded contracts.

⁷⁵ NCC Registration of Public Sector Contractors Application Form

The OCG is of the considered opinion that such legislation would stymie the instances in which contractors would seek to secure benefits illicitly and will, in and of itself, act as a deterrent to instances in which the Government's contractor registration process is undermined.

**APPENDIX II - 2011 NCC ENDORSEMENTS OF CONTRACT AWARD
RECOMMENDATIONS**

NCC ENDORSED CONTRACTS 2011

# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
MINISTRY OF AGRICULTURE AND FISHERIES								
1	Ministry of Agriculture and Fisheries (MAF)	09.02.11	The supply of four (4) Rubber Wheel Tractors and the accompanying implements.	GOJ	Machinery and Export Company Limited (MAPEX)	Goods	ST	14,156,050.45
2	National Irrigation Commission Limited (NICL)	23.03.11	Consultancy Services for the performance of Feasibility Studies and Designs for Essex Valley and St. Dorothy Project Area.	GOJ/IADB	Hydroplan Ingenieur-Gesellschaft mbH	Services	OT	22,338,503.00
3	Ministry of Agriculture and Fisheries (MAF)	30.03.11	The provision of Security Services for the Ministry of Agriculture and Fisheries Head Office and Outstations.	GOJ	Marksman Limited	Services	ST	90,709,040.00
4	Ministry of Agriculture and Fisheries (MAF)	25.05.11	The supply, delivery and installation of one (1) Homogenizer for Nutrition Products Limited.	GOJ	Eagle Industrial Sales Limited	Goods	LT	11,650,702.38
5	National Irrigation Commission Limited (NICL)	01.06.11	The construction of the New Forest House Water Users Association/NICL Office Building at New Forest/Duff House, in the parish of St. Elizabeth.	GOJ/IDB	Baja Limited	Works	ST	12,257,399.00
6	National Irrigation Commission Limited (NICL)	20.07.11	The installation of Pipes, Fittings and Ancillary Works at the New Forest/Duff House Irrigation System, in the parish of Manchester - Block A.	IDB/GOJ	Jamaica Drip Irrigation Limited	Works	ST	48,723,385.00
7	National Irrigation Commission Limited (NICL)	20.07.11	The installation of Pipes, Fittings and Ancillary Works at the New Forest/Duff House Irrigation System, in the parish of Manchester - Block B.	IDB/GOJ	Jamaica Drip Irrigation Limited	Works	ST	54,657,800.00

NCC ENDORSED CONTRACTS 2011

# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
8	National Irrigation Commission Limited (NICL)	20.07.11	The installation of Pipes, Fittings and Ancillary Works at the New Forest/Duff House Irrigation System, in the parish of Manchester - Block C.	IDB/GOJ	Jamaica Drip Irrigation Limited	Works	ST	48,216,881.00
9	National Irrigation Commission Limited (NICL)	20.07.11	The installation of Pipes, Fittings and Ancillary Works at the Yallahs Irrigation System, in the parish of St. Thomas.	IDB/GOJ	Bacchus Engineering Works Limited	Works	ST	47,062,158.93
10	National Irrigation Commission Limited (NICL)	03.08.11	The supply of Irrigation Pipes & Fittings for the Yallahs Irrigation System, Phase 1, in the parish of St. Thomas.	GOJ/IADB	Jamaica Drip Irrigation Limited	Goods	OT	51,274,897.81
11	National Irrigation Commission Limited (NICL)	26.10.11	The supply of Pumps, Manifolds, Control Centres and Construction of Pump Houses at the Yallahs Irrigation System (Phase 1), in the parish of St. Thomas.	IDB/GOJ	Jamaica Drip Irrigation Limited	Works	ST	39,086,892.92
12	Forestry Department	16.11.11	The procurement of GeoEye Satellite Imagery.	EU	Spatial Innovision Limited	Services	DC	13,962,862.62
13	Forestry Department	14.12.11	Direct Contracting for the procurement of an Enterprise Solution for the Financial and Human Resource Management Information System at the Forestry Department.	GOJ	CER Consultants Limited	Goods	DC	11,359,542.50
MINISTRY OF EDUCATION								
1	Ministry of Education (ME)	12.01.11	The provision of Computerized Examination Data Processing Services for the Student Assessment Unit.	GOJ	DPK Information Systems (Ja.) Limited	Services	ST	20,507,923.88

NCC ENDORSED CONTRACTS 2011

# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
2	Ministry of Education (ME)	12.01.11	The upgrading of general facilities and the construction of a boundary wall at the Tivoli Gardens High School - Rehabilitation of the Schools Programme 2010 - 2011	GOJ	Alfrasure Structures & Roofing Limited	Works	ST	45,418,632.00
3	Ministry of Education (ME)	12.01.11	The rehabilitation of Knockalva Agricultural School in the parish of Hanover - Rehabilitation of the Schools Programme.	GOJ	N.R. Diaram Construction Limited	Works	ST	15,544,085.00
4	Heart Trust/NTA	12.01.11	The supply of 300 Systems Units and 200 Flat Panel Monitors for HEART ITC-TVET Resource Centre, Gordon Town Road, Kingston 6.	HT/NTA	Medianet Limited	Goods	ST	US \$254,140.75
5	Nutrition Products Limited (NPL)	26 .01.11	The provision of Security Services for Nutrition Products Limited's (NPL) Kingston Plant.	GOJ	Knightsman Limited	Services	ST	16,081,200.00
6	Heart Trust/NTA	26 .01.11	The proposed construction of (Steel Pan) Warehouse Facilities at 76 Marcus Garvey Drive, Kingston.	HT/NTA	Aegisco Limited	Works	ST	12,103,483.00
7	University of Technology, Jamaica (UTECH)	09.02.11	The supply and delivery of Computer Hardware (Personal Computers, Laptops and Workstations).	GOJ	Fujitsu Caribbean (Ja.) Limited	Goods	ST	37,807,933.67
8	Ministry of Education (ME)	16.03.11	Procurement and distribution of Primary Text Books and Work Books for Public Schools island-wide.	GOJ	Macmillan Publishers Limited	Goods	DC	UK £1,993,690.00
9	Ministry of Education (ME)	16.03.11	Procurement and distribution of Primary Text Books and Work Books for Public Schools island-wide.	GOJ	Pearson Education Limited	Goods	DC	UK £521,600.00

NCC ENDORSED CONTRACTS 2011

# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
10	Ministry of Education (ME)	16.03.11	Procurement and distribution of Primary Text Books and Work Books for Public Schools island-wide.	GOJ	Carlong Publishers (Caribbean) Limited	Goods	DC	214,029,000.00
11	Overseas Examination Commission	23.03.11	The supply and installation of Fire Resistant Cabinets.	GOJ	Stationery and Office Supplies	Goods	ST	11,594,540.00
12	Heart Trust/NTA	23.03.11	Contract extension for the provision of General Insurance Coverage for the period April 1, 2011 to June 31, 2011.	HT/NTA	Marathon Insurance Brokers Limited	Services	DC	26,172,399.00
13	Ministry of Education (ME)	30.03.11	Variation to contract for Consultancy Service for Architectural, Engineering & Quantity Surveying -proposed construction of the Mandeville and Mile Gully High Schools in Manchester and the Steer Town High School, in St. Ann.	GOJ	APEC Consultants Limited	Services	ST	63,666,823.50
14	Overseas Examination Commission	30.03.11	The provision of Architectural Services to design Multi-purpose building.	GOJ	Carl C. Chen & Associates/Clifton Yapp Architects	Services	ST	12,800,000.00
15	University of Technology, Jamaica (UTECH)	20.04.11	The supply and installation of transformers, controls and overhead distribution to new and existing facilities at the University of Technology, Old Hope Campus.	CDB/GOJ	Reliable Engineers Limited	Works	ST	285,264,949.80
16	Ministry of Education - Glenmuir High School	20.04.11	The construction of four (4) classrooms to the existing building at the Glenmuir High School, in the parish of Clarendon.	GOJ	Affordable Engineering & Building Contractors Limited	Works	ST	13,031,739.00

NCC ENDORSED CONTRACTS 2011

# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
17	University of Technology, Jamaica (UTECH)	20.04.11	Consultant for the provision of Construction Supervision Services for selected sub-projects of UTECH's Enhancement Project. The Services include architectural, civil, structural, electrical, mechanical and quantity surveying.	GOJ	Michael Lake & Associates Limited	Services	LT	64,847,500.00
18	University of Technology, Jamaica (UTECH)	27.04.11	The proposed construction of Sewage/Environmental Laboratory at the University of Technology, Jamaica, 23 Old Hope Road Kingston 6.	CDB/GOJ	Alfrasure Structures & Roofing Limited	Works	ST	58,423,462.00
19	Early Childhood Commission	11.05.11	The procurement of Computer Hardware and Software to support the network infrastructure at the Early Childhood Commission (ECC).	WB/IBRD	Illuminat Jamaica Limited	Goods	OT	US \$2511,53.54
20	Ministry of Education (ME)	25.05.11	The construction of the Cedar Grove High School at Gregory Park, in the parish of St. Catherine.	GOJ/IDB	H.D.B. Construction Limited	Works	ST	660,000,000.00
21	Heart Trust/NTA	08.06.11	Further extension of contract for the provision of security services at HEART/NTA locations island-wide for the period June 8, 2011 - September 30, 2011.	HT/NTA	Allied Protection Limited	Services	DC	11,691,630.00
22	Heart Trust/NTA	08.06.11	Further extension of contract for the provision of security services at HEART/NTA locations island-wide for the period June 8, 2011 - September 30, 2011.	HT/NTA	Atlas Protection Limited	Services	DC	11,755,464.00

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# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
23	Heart Trust/NTA	08.06.11	Further extension of contract for the provision of security services at HEART/NTA locations island-wide for the period June 8, 2011 - September 30, 2011.	HT/NTA	Ranger Security Company Limited	Services	DC	14,620,782.00
24	Heart Trust/NTA	08.06.11	Further extension of contract for the provision of security services at HEART/NTA locations island-wide for the period June 8, 2011 - September 30, 2011.	HT/NTA	Sentry Services Security Limited	Services	DC	3,112,176.00
25	Heart Trust/NTA	08.06.11	The provision of Security Services for Heart Trust/NTA for a period of thirty-six (36) months - Zone 1.	HT/NTA	Vanguard Security	Services	ST	111,540,240.00
26	Heart Trust/NTA	08.06.11	The provision of Security Services for Heart Trust/NTA for a period of thirty-six (36) months - Zone 2.	HT/NTA	Quest Security Services Limited	Services	ST	112,762,080.00
27	Heart Trust/NTA	08.06.11	The provision of Security Services for Heart Trust/NTA for a period of thirty-six (36) months - Zone 2.	HT/NTA	Ranger Protection & Security Limited	Services	ST	121,340,700.00
28	Ministry of Education (ME)	08.06.11	The procurement and distribution of textbooks under the National Text Books Rental Scheme for the period 2011-2012.	GOJ	Carling Publishers (Caribbean) Limited	Goods	ST	74,659,147.19
29	Ministry of Education (ME)	08.06.11	The procurement and distribution of textbooks under the National Text Books Rental Scheme for the period 2011-2012.	GOJ	Kingston Bookshop Limited	Goods	ST	223,881,126.33

NCC ENDORSED CONTRACTS 2011

# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
30	Ministry of Education (ME)	08.06.11	The procurement and distribution of textbooks under the National Text Books Rental Scheme for the period 2011-2012.	GOJ	Met Corporation Limited	Goods	ST	22,585,500.00
31	Ministry of Education (ME)	08.06.11	The procurement and distribution of textbooks under the National Text Books Rental Scheme for the period 2011-2012.	GOJ	Book Wizard Limited	Goods	ST	26,170,661.05
32	Ministry of Education (ME)	08.06.11	The procurement and distribution of textbooks under the National Text Books Rental Scheme for the period 2011-2012.	GOJ	Sangster's Bookstores Limited	Goods	ST	24,216,483.94
33	Ministry of Education - Moneague College	22.06.11	The provision of Security Services for the Moneague and Linstead Campuses for a period of three (3) years.	GOJ	Acid Security Services Limited	Services	ST	19,440,000.00
34	Ministry of Education - Jonathan Grant High School	29.06.11	The proposed construction of Security Wall Block at the Jonathan Grant High School, in the parish of St. Catherine.	GOJ	Artog Construction Company Limited	Works	ST	15,557,269.00
35	Ministry of Education (ME)	06.07.11	The proposed renovation works to the Deep Dean Residence at the Bethlehem Moravian College, Malvern, in the parish of St. Elizabeth.	GOJ	Ricam Construction Company Limited	Works	OT	13,275,453.40
36	Ministry of Education (ME)	06.07.11	Consultant to establish the Jamaica Tertiary Education Commission (J-TEC).	GOJ	Focal Point Consulting Limited	Services	OT	US \$275,000.00
37	Ministry of Education (ME)	06.07.11	The proposed completion of works to the Steer Town High School, in the parish of St. Ann.	GOJ	D.T. Brown Construction Limited	Works	SS	270,857,037.00

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# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
38	Ministry of Education - School Feeding Programme	13.07.11	To procure and deliver commodities for the Cooked Lunch components of the School Feeding Programme.	GOJ	Palm Rose Commodities Limited	Goods	ST	97,084,500.00
39	Ministry of Education - School Feeding Programme	13.07.11	To procure and deliver commodities for the Cooked Lunch components of the School Feeding Programme.	GOJ	T. Geddes Grant (Dist.) Limited	Goods	ST	26,400,000.00
40	Ministry of Education - School Feeding Programme	13.07.11	To procure and deliver commodities for the Cooked Lunch components of the School Feeding Programme.	GOJ	Palm Rose Commodities Limited	Goods	ST	11,485,680.00
41	Ministry of Education - School Feeding Programme	13.07.11	To procure and deliver commodities for the Cooked Lunch components of the School Feeding Programme.	GOJ	Industrial Sales Limited/Seprod	Goods	ST	21,600,000.00
42	Ministry of Education - School Feeding Programme	13.07.11	To procure and deliver commodities for the Cooked Lunch components of the School Feeding Programme.	GOJ	T. Geddes Grant (Dist.) Limited	Goods	ST	12,200,000.00
43	Ministry of Education - School Feeding Programme	13.07.11	To procure and deliver commodities for the Cooked Lunch components of the School Feeding Programme.	GOJ	Industrial Sales Limited/Seprod	Goods	ST	30,450,000.00
44	Heart Trust/NTA	13.07.11	The procurement of Canteen Concessionaire Services for the HEART Trust/NTA island-wide - Cornwall Automotive Training Institute.	HT/NTA	Millicent Drummond	Services	ST	22,004,865.00
45	Heart Trust/NTA	13.07.11	The procurement of Canteen Concessionaire Services for the HEART Trust/NTA island-wide - Above Rocks Vocational Training Centre (VTC).	HT/NTA	Charmaine Duncan	Services	ST	44,392,218.00

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# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
46	Heart Trust/NTA	13.07.11	The procurement of Canteen Concessionaire Services for the HEART Trust/NTA island-wide - Garmex Academy.	HT/NTA	Wedderbees	Services	ST	44,948,667.14
47	Heart Trust/NTA	13.07.11	The procurement of Canteen Concessionaire Services for the HEART Trust/NTA island-wide - Old Harbour Vocational Training Centre (VTC).	HT/NTA	B & E Caterers and Restaurant	Services	ST	17,236,400.00
48	Heart Trust/NTA	13.07.11	The procurement of Canteen Concessionaire Services for the HEART Trust/NTA island-wide - Black River Vocational Training Centre (VTC).	HT/NTA	Southco Limited	Services	ST	32,988,860.00
49	Heart Trust/NTA	13.07.11	The procurement of Canteen Concessionaire Services for the HEART Trust/NTA island-wide - National Tools & Engineering Institute Inc.	HT/NTA	Aldia Marsh	Services	ST	44,833,288.65
50	Heart Trust/NTA	13.07.11	The procurement of Canteen Concessionaire Services for the HEART Trust/NTA island-wide - Rockfort Vocational Training Centre (VTC).	HT/NTA	Golden Age Home	Services	ST	35,332,550.87
51	Heart Trust/NTA	13.07.11	The procurement of Canteen Concessionaire Services for the HEART Trust/NTA island-wide.	HT/NTA	Fay Dawkins	Services	ST	24,876,225.00

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# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
52	Ministry of Education (ME)	13.07.11	The training of 240 Basic School Principals/Administrators in the NCTVET Level 3 Competencies island-wide - Enhancement Basic School Project (EBSP).	HT/NTA	Heart Trust/NTA	Services	ST	19,200,000.00
53	Ministry of Education (ME)	20.07.11	The construction of the Mandeville High School.	GOJ/IDB	Build-Rite Construction Company Limited	Works	ST	547,399,000.00
54	Ministry of Education (ME)	20.07.11	The construction of a two (2) storey extension to the existing classroom block at Moneague College.	GOJ	Bajad Limited	Works	ST	14,935,384.00
55	Ministry of Education (ME)	27.07.11	Variation to contract for the procurement of Janitorial and Sanitation Services for the Ministry of Education's two (2) main Kingston campuses at the National Heroes Circle and Caenwood Centre .	GOJ	Milestone Environmental Limited	Services	ST	5,135,416.43
56	Ministry of Education (ME)	27.07.11	The proposed construction of the Friendship Basic School at Strawberry in the parish of Westmoreland. The works include the construction of a two (2) classroom school building with office, sickbay, bathroom and kitchen facility.	CHASE	Ricam Construction Company Limited	Works	ST	18,736,170.80
57	Ministry of Education (ME)	27.07.11	Consultant Firm to conduct Electronic Youth Programmatic Inventory and Gap Analysis under the Sector Management sub-component of the Youth Development Programme (YDP).	IDB	Centre for Leadership & Governance, University of the West Indies	Services	LT	11,198,000.00

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# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
58	Ministry of Education (ME)	03.08.11	Consultant Firm to re-design the National Youth Service (NYS) Corps Curriculum and the Career Advancement Programme (CAP) in alignment with the HEART-NTA/NCTVET National Standards under the Quality Improvement & Strengthening of the NYS component of the Youth Development Programme (YDP).	IDB	ABU Consult, Berlin GmbH	Services	OT	US \$145,850.00
59	University of Technology, Jamaica (UTECH)	03.08.11	The renovation and expansion of the Mustard Seed Building (Day Care Facility) at the Papine Campus of University of Technology, Jamaica	GOJ	C.P. Specialists Limited	Works	ST	17,888,385.00
60	University of Technology, Jamaica (UTECH)	03.08.11	The construction of the School of Hospitality & Tourism Management Teaching Facility at the Papine Campus of the University of Technology, Jamaica.	CDB/GOJ	HDB Construction Limited	Works	OT	450,990,000.00
61	Heart Trust/NTA	10.08.11	The provision of Security Services for Zone four (4) of the Heart Trust locations.	HT/NTA	Sentry Services	Services	ST	94,138,128.00
62	Heart Trust/NTA	07.09.11	The Procurement of Canteen Concessionaire Services for the HEART Trust /NTA Port Maria Vocational Training Centre.	HT/NTA	Fay Dawkins	Services	ST	44,039,105.00
63	Heart Trust/NTA	07.09.11	The Procurement of Canteen Concessionaire Services for the HEART Trust/NTA Runaway Bay Academy.	HT/NTA	Fay Dawkins	Services	ST	100,956,824.48

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# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
64	Heart Trust/NTA	07.09.11	The Procurement of Canteen Concessionaire Services for the HEART Trust/NTA Falmouth Vocational Training Centre.	HT/NTA	Millicent Drummond	Services	ST	38,610,652.93
65	Heart Trust/NTA	07.09.11	The Procurement of Canteen Concessionaire Services for the HEART Trust/NTA Jamaica German Automotive School (JAGAS).	HT/NTA	Wedderbees	Services	ST	35,392,388.50
66	Heart Trust/NTA	07.09.11	The Procurement of Canteen Concessionaire Services for the HEART Trust/NTA Portmore Academy.	HT/NTA	B & E Caterers and Restaurant	Services	ST	78,381,540.00
67	Heart Trust/NTA	07.09.11	The Procurement of Canteen Concessionaire Services for the HEART Trust/NTA School of Cosmetology, 10 Hope Road.	HT/NTA	Golden Age Home	Services	ST	26,038,863.17
68	Heart Trust/NTA	07.09.11	The Procurement of Canteen Concessionaire Services for the HEART Trust/NTA Stony Hill Academy.	HT/NTA	Wedderbees	Services	ST	120,884,121.28
69	Heart Trust/NTA	07.09.11	The Procurement of Canteen Concessionaire Services for the HEART Trust/NTA Ebony Park Academy	HT/NTA	B & E Caterers and Restaurant	Services	ST	179,694,598.00
70	Heart Trust/NTA	07.09.11	The Procurement of Canteen Concessionaire Services for the HEART Trust/NTA Newport Vocational Training Centre.	HT/NTA	Catalena Wynter	Services	ST	42,038,585.40

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# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
71	Southern Regional Health Authority (SRHA)	14.09.11	The provision of Cleaning and Porter Services at the Mandeville Regional Hospital for a period of three (3) years.	GOJ	Jac-Den Enterprise	Services	ST	125,491,212.00
72	Ministry of Education (ME)	05.10.11	The construction of a five (5) Classroom Block on the existing Block ("C") at the Belmont Academy, in the parish of Westmoreland.	GOJ	Rogers Land Development Limited	Works	ST	26,790,071.00
73	Heart Trust/NTA	12.10.11	Extension to the existing contract for the provision of Garbage Disposal Services for fourteen (14) Heart Trust locations for the period October 1, 2011 to December 31, 2011.	HT/NTA	Garbage Disposal & Sanitation System	Services	DC	1,192,328.35
74	Heart Trust/NTA	12.10.11	Extension to the existing contract for the provision of Janitorial Services for five (5) Heart Trust locations for the period October 1, 2011 to December 31, 2011.	HT/NTA	Hi-Tech Chemicals Limited	Services	DC	6,522,455.22
75	Heart Trust/NTA	12.10.11	Extension to the existing contract for the provision of Janitorial Services for four (4) Heart Trust locations for the period October 1, 2011 to December 31, 2011.	HT/NTA	O.H.& S. Trading Company Limited	Services	DC	3,532,446.98
76	Heart Trust/NTA	12.10.11	Extension to the existing contract for the provision of Pest Control Services for Heart Trust locations for the period October 1, 2011 to December 31, 2011.	HT/NTA	Rentokil Initial (Jamaica) Limited	Services	DC	1,106,067.88

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77	University of Technology, Jamaica (UTECH)	12.10.11	Expansion to the existing School of Hospitality & Tourism Management building at the University of Technology, Old Hope Road Campus.	GOJ	HDB Construction Limited	Works	ST	175,362,771.40
78	University of Technology, Jamaica (UTECH)	12.10.11	Consulting Services for the Design Development of the proposed construction of the Caribbean Cultural Centre for the Performing Arts at the University of Technology, Old Hope Road Campus.	CHASE/UTECH	Taylor Architects	Services	DC	14,300,000.00
79	Ministry of Education (ME)	12.10.11	Extension to Classroom Block at the St. Hugh's High School, 1 Leinster Road, in the parish of Kingston.	GOJ	Alfrasure Structures & Roofing Limited	Works	LT	40,978,448.79
80	Heart Trust/NTA	19.10.11	Further extension of contract for the provision of Security Services at HEART/NTA locations island- wide for the period October 1, 2011 - November 31, 2011.	HT/NTA	Allied Protection Limited	Services	DC	4,286,931.00
81	Heart Trust/NTA	19.10.11	Further extension of contract for the provision of Security Services at HEART/NTA locations island-wide for the period October 1, 2011 - November 31, 2011.	HT/NTA	Ranger Security Company Limited	Services	DC	6,642,992.98
82	Heart Trust/NTA	19.10.11	Further extension of contract for the provision of Security Services at HEART/NTA locations island-wide for the period October 1, 2011 - November 31, 2011.	HT/NTA	Atlas Protection Limited	Services	DC	3,918,488.00

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# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
83	Heart Trust/NTA	19.10.11	Further extension of contract for the provision of Security Services at HEART/NTA locations island-wide for the period October 1, 2011 - November 31, 2011.	HT/NTA	Sentry Services Security Limited	Services	DC	5,135,090.40
84	Ministry of Education (ME)	19.10.11	The supply of Musical Instruments to support the Alternative Secondary Transition Education Programme (ASTEP).	IDB	Industrial Technical Supplies	Goods	ST	22,819,363.49
85	Ministry of Education (ME)	19.10.11	The supply of Technology Devices to support the Alternative Secondary Transition Education Programme (ASTEP).	IDB	Coldax Mart Limited	Goods	ST	14,510,392.00
86	Edna Manley College of the Visual & Performing Arts	02.11.11	Direct Contracting for the procurement of an Aeorion Software.	GOJ	Northern Caribbean University (NCU)	Goods	DC	US \$50,000.00
87	Ministry of Education (ME)	02.11.11	The procurement of Desktop Computers and Laptops for the Regional Education and Entities (REE).	WB	Planson International Corporation	Goods	ST	US \$220,460.00
88	Ministry of Education (ME)	02.11.11	The procurement of Computers, Printers and Software for the Regional Education and Entities (REE).	WB	Illuminat Jamaica Limited	Goods	ST	US \$44,610.33
89	Ministry of Education (ME)	23.11.11	Extension of contract for the provision of Technical Assistance to implement and maintain a communication programme focusing on activities associated with the Transformation of the Education Sector.	GOJ	Prism Communications Limited	Services	DC	38,750,000.00

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# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
90	University of Technology, Jamaica (UTECH)	23.11.11	The supply and delivery of eighty-one (81) Desktop Computers, twenty-nine (29) laptops, sixty-eight (68) Workstations and two (2) Servers for the University of Technology's Old Hope Road Campus.	GOJ	Illuminat Jamaica Limited	Goods	ST	13,559,423.00
91	Ministry of Education (ME)	23.11.11	Variation to existing contract for the renovation and extension of an existing facility to be used as a Special High School at Malvern in the parish of St. Elizabeth.	GOJ	Bajad Limited	Works	ST	25,001,519.00
92	Heart Trust/NTA	30.11.11	Direct Contracting for the procurement of Solid Waste Management Services for Heart Trust Locations island-wide.	HT/NTA	National Solid Waste Management Authority (NSWMA)	Services	DC	10,779,600.00
93	Heart Trust/NTA	14.12.11	The provision of Basic Meals for First Level Learners at the HEART Trust/NTA, Junction Vocational Training Centre, Junction, in the parish of St. Elizabeth.	HT/NTA	Southco Limited	Services	ST	25,354,892.65
94	Heart Trust/NTA	14.12.11	Direct Contracting for the renewal of Software Annual Support and Maintenance Agreement for a period of one (1) year, November 1, 2011 - October 31, 2012.	HT/NTA	Microsoft Business Solutions	Services	DC	US \$38,387.50
95	Nutrition Products Limited (NPL)	14.12.11	Direct Contracting for procurement of Ipro Crème Powder.	GOJ	Palm Rose Commodities Limited	Goods	DC	73,626,000.00
96	Ministry of Education (ME)	14.12.11	The construction of a Cafeteria and Student Services Building at the Montego Bay Community College (MBCC).	GOJ	Chin's Construction Co Limited	Works	ST	66,393,403.00

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97	Ministry of Education (ME)	21.12.11	Consultant to conduct a revision of the Grade Six (6) Achievement Test (GSAT).	IDB/GOJ	Pearson Education, University of Wolverhampton, CIDT and DPK Information System Limited	Services	ST	US \$120,300.00
MINISTRY OF ENERGY AND MINING								
1	Petrojam Limited (Petjam)	05.01.11	The provision of Maintenance Services.	Petjam	PowerGen Limited	Works	ST	48,018,131.20
2	Petrojam Limited (Petjam)	12.01.11	The provision of Security Management Services.	Petjam	Security Advisory Management Services (SAMS)	Services	ST	138,685,546.23
3	Petroleum Corporation of Jamaica (PCJ)	12.01.11	Sole Source procurement for the re-engagement of Financial Consulting Services from Taylor DeJongh for PCJ's Liquefied Natural Gas (LNG) Project.	PDF/PCJ	Taylor DeJongh	Services	SS	US \$631,600.00
4	Petrojam Limited (Petjam)	09.02.11	The provision of Custom Brokerage Services (General Cargo) for all of Petrojam's designated locations.	Petjam	A.E. Parnell & Co. Limited	Services	ST	24,427,600.00
5	Petroleum Corporation of Jamaica (PCJ)	23.02.11	The procurement of Domestic Cylinders.	PCJ	E.F.G Industries Limited	Goods	ST	US \$324,420.07
6	Petroleum Corporation of Jamaica (PCJ)	06.04.11	Sole Source Procurement for the installation of twenty (20) Air Handling Units and Associated Controls (AHUs) for the central air-conditioning system of the Petroleum Corporation of Jamaica (PCJ).	PCJ	CAC 2000 Limited	Works	SS	28,659,480.69
7	Petrojam Limited (Petjam)	13.04.11	The supply of two (2) heavy fuel oil pumps for Petrojam Limited.	Petjam	Flowserve Corporation	Goods	LT	US \$209,946.00

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# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
8	Petrojam Limited (Petjam)	27.04.11	The design, fabrication and installation of a new 60,000 Barrel Ethanol Storage Tank.	Petjam	CBI Jamaica Limited	Works	ST	US \$1,496,500.00
9	Petrojam Limited (Petjam)	27.04.11	Variation to contract for Emergency Works - Dredging and Rehabilitation of the Petrojam Dock.	PCJ	Diving & Salvaging Limited	Works	SS	360,683,493.56
10	Petrojam Limited (Petjam)	04.05.11	Direct Contracting for the supply of a Replacement Heater for Vacuum Heater F201.	Petjam	Born Heaters Canada ULC	Goods	DC	US \$869,100.00
11	Petrojam Limited (Petjam)	11.05.11	The provision of Ship Handling Services.	Petjam	A.E. Parnell & Co. Limited	Services	ST	109,491,541.00
12	Petrojam Limited (Petjam)	18.05.11	Direct Contracting for the supply of an additional Marine Loading Arm (MLA).	Petjam	EMO Wheaton	Goods	DC	US \$126,500.00
13	Petrojam Limited (Petjam)	08.06.11	Emergency procurement for Scaffolding Services - 1 to conduct repairs to the Reformer Catalyst.	Petjam	CDF	Services	DC	3,224,253.34
14	Petrojam Limited (Petjam)	08.06.11	Emergency procurement for Scaffolding Services - 2 to conduct repairs to the Reformer Catalyst.	Petjam	Quality Plus Contracting Co Limited	Services	DC	5,970,828.00
15	Petrojam Limited (Petjam)	08.06.11	Emergency procurement for Scaffolding Services - 3 to effect repairs to the Reformer Catalyst.	Petjam	JIDW	Services	DC	3,717,626.00
16	Petrojam Limited (Petjam)	08.06.11	Emergency procurement for Mechanical Manpower to effect repairs to the Reformer Catalyst.	Petjam	Powered Limited	Works	DC	8,000,000.00
17	Petrojam Limited (Petjam)	08.06.11	Emergency procurement for Electrical Manpower to effect repairs to the Reformer Catalyst.	Petjam	Powered Limited	Works	DC	3,242,979.00

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18	Petrojam Limited (Petjam)	08.06.11	Emergency procurement for Unit Painting to effect repairs to the Reformer Catalyst.	Petjam	Painters and Sandblasters	Works	DC	11,422,000.00
19	Petrojam Limited (Petjam)	08.06.11	Emergency procurement for Refinery Unit Piping Repairs.	Petjam	D & D Welding & Equipment Hire age	Works	DC	9,061,188.75
20	Petrojam Limited (Petjam)	08.06.11	Emergency procurement for Fire watch Services to effect repairs to the Reformer Catalyst.	Petjam	GAR Engineering	Services	DC	4,537,872.00
21	Petrojam Limited (Petjam)	08.06.11	Emergency procurement for Equipment Rentals to effect repairs to the Reformer Catalyst.	Petjam	D & D Welding & Equipment Hireage	Services	DC	4,024,000.00
22	Petrojam Limited (Petjam)	08.06.11	Emergency procurement for Exchange Cleaning to effect repairs to the Reformer Catalyst.	Petjam	ADS Maintenance	Works	DC	6,322,100.00
23	Petrojam Limited (Petjam)	08.06.11	Emergency procurement for Tower Cleaning to effect repairs to the Reformer Catalyst.	Petjam	ADS Maintenance	Works	DC	5,696,400.00
24	Petrojam Limited (Petjam)	08.06.11	Emergency procurement for NDT Piping to effect repairs to the Reformer Catalyst.	Petjam	GAR Engineering	Works	DC	3,889,200.00
25	Petroleum Corporation of Jamaica (PCJ)	08.06.11	The provision of External Auditing Services.	PCJ	PriceWaterhouseCoopers (PWC)	Services	ST	47,980,340.01
26	Petrojam Limited (Petjam)	15.06.11	Direct Contracting for the procurement of a Used Boom Truck Crane.	Petjam	Hydraulic Machinery Incorporation	Goods	DC	US \$114,000.00
27	Petrojam Limited (Petjam)	22.06.11	Direct Contracting for the procurement of Universal Gold Foam.	Petjam	SOS Safety International	Goods	DC	US \$235,000.00

NCC ENDORSED CONTRACTS 2011

# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
28	Wigton Windfarm Limited (WWL)	22.06.11	The procurement of Meteorological Instruments to conduct Wind Resource Assessment in Jamaica.	IADB	METEOTEST	Goods	OT	US \$182,000.00
29	Petrojam Limited (Petjam)	22.06.11	Direct Contracting for the procurement of Replacement Pump and Motor for the Pipestill Reflux Pump P-2A, Stripper Reflux Pumps P-8/8A, Stripper Reflux Pumps P-11/11A and Dethanizer Overhead Transfer Pumps P-81/81A.	Petjam	CPC Pumps International	Goods	DC	26,652,560.00
30	Rural Electrification Programme Limited (REP)	29.06.11	Direct Contracting for the procurement of Pole Line Material.	GOJ	Jamaica Public Service Company Limited	Goods	DC	US \$185,860.73
31	Petrojam Limited (Petjam)	06.07.11	Extension of existing contact for Chemical Treatment Services for the period July 1, 2011 to November 30, 2011.	Petjam	G.E. Betz Incorporation	Services	DC	US \$200,000.00
32	Rural Electrification Programme Limited (REP)	06.07.11	The supply of 25 km Pole Line Materials for the installation of the Electrical Distribution Pole lines Island-wide – GOJ 2011/2012.	GOJ	Whiskers Limited	Goods	ST	US \$125,262.00
33	Rural Electrification Programme Limited (REP)	06.07.11	The supply of 25 km Pole Line Materials for the installation of the Electrical Distribution Pole lines Island-wide – GOJ 2011/2012.	GOJ	Essex Exports Inc.	Goods	ST	US \$363,483.26
34	Petrojam Limited (Petjam)	13.07.11	The restoration of Mechanical and Electrical Facilities at Petrojam Main Dock.	Petjam	JH Dunstan and Associates Limited	Works	LT	245,394,419.63

NCC ENDORSED CONTRACTS 2011

# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
35	Petrojam Limited (Petjam)	13.07.11	The concreting of roadway at Petrojam Limited Montego Bay Loading Terminal.	Petjam	Chin's Construction Company Limited	Works	ST	19,833,780.00
36	Petrojam Limited (Petjam)	20.07.11	The servicing, inspecting and conducting maintenance of the fire water system, provision of fire watch services and support staff services for oil industry emergencies.	Petjam	Quality Plus Contracting Company Limited	Works	ST	28,599,585.00
37	Petrojam Limited (Petjam)	20.07.11	The replacement of Tank No. 11, which involves the demolition of the existing tank structure, construction of concrete foundation and design and erection of a new tank.	Petjam	CBI Jamaica Limited	Works	OT	US \$1,483,979.10
38	Petrojam Limited (Petjam)	27.07.11	The modification of Tank No. 108.	Petjam	D & D Welding & Equipment Hireage	Works	ST	26,437,225.00
39	Petrojam Limited (Petjam)	27.07.11	The design and equipment supply for a Wastewater Treatment Plant for Petrojam Limited	Petjam	IBI-MAAK Caribbean Limited	Goods	ST	US \$2,308,500.00
40	Petrojam Limited (Petjam)	17.08.11	The execution of repairs to the HFO Storage Tank #112.	Petjam	D & D Welding & Equipment Hireage	Works	OT	US \$1,522,659.85
41	Petrojam Limited (Petjam)	07.09.11	Direct Contracting for the provision of Bulk Hydrogen and Nitrogen Gas for the Petrojam Refinery.	Petjam	Industrial Gases Limited	Goods	DC	US \$131,373.34
42	Petrojam Limited (Petjam)	07.09.11	Variation to contract for the provision of Maintenance Services.	Petjam	PowerGen Limited	Works	ST	19,685,633.93
43	Petrojam Limited (Petjam)	14.09.11	Direct Contracting for the procurement of two (2) Philadelphia Mixers for Petrojam Refinery's HFO Tanks (No.1 and 2).	Petjam	Champion Industrial Equipment Limited	Goods	DC	US \$139,000.00

NCC ENDORSED CONTRACTS 2011

# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
44	Petrojam Limited (Petjam)	14.09.11	Direct Contracting for procurement of Liquid Caustic Soda for a period of two (2) years.	Petjam	UC Rusal Alumina Jamaica Limited	Goods	DC	US \$225,318.31
45	Petrojam Limited (Petjam)	14.09.11	Direct Contracting for the procurement of a Nitrogen/Sulphur Combustion Analyzer Module.	Petjam	Lab Synergy Limited	Goods	DC	6,188,492.00
46	Petrojam Limited (Petjam)	21.09.11	The supply of Pipe and Pipe Fittings for Petrojam Limited's WKPP Delivery Project.	Petjam	Traeger Brothers & Associates Inc.	Goods	ST	US \$247,800.98
47	Petrojam Limited (Petjam)	28.09.11	To execute repairs to the Mogas Storage Tank No. 107 at the Petjam Refinery, Marcus Garvey Drive, Kingston.	Petjam	TARSCO	Works	OT	US \$1,179,476.50
48	Petrojam Limited (Petjam)	02.11.11	The fabrication and installation of Carbon Steel Piping and installation of equipment to Tanks 1 & 2 at the Petrojam Refinery, Kingston.	Petjam	JH Dunstan and Associates Limited	Works	ST	74,676,252.73
49	Petrojam Limited (Petjam)	02.11.11	The installation of a pump and pipeline system to transfer heavy fuel oil from Petrojam Limited to the West Kingston Power Plant (WKPP).	Petjam	Quality Plus Contracting Company Limited	Works	ST	21,548,654.30
50	Petrojam Limited (Petjam)	02.11.11	Emergency Procurement to effect repairs to Boilers B-1E and B-1C at the Petrojam Refinery, Kingston.	Petjam	Cleaver Brooks/Natcom	Works	DC	US \$77,280.00
51	Petrojam Limited (Petjam)	02.11.11	Emergency Procurement to carry out rehabilitation works to Petrojam Limited's Kerosene Storage Tank #3 at the Kingston Industrial Loading Rack.	Petjam	Quality Plus Contracting Company Limited	Works	DC	3,787,082.00

NCC ENDORSED CONTRACTS 2011

# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
52	Petrojam Limited (Petjam)	02.11.11	Emergency Procurement for repair work to Feeder Cables for two (2) Firewater Pumps at Petrojam Limited's Montego Terminal Facility.	Petjam	VTR Engineering Services Limited	Works	None Stated	8,349,530.12
53	Petrojam Limited (Petjam)	09.11.11	The supply of Mixers for Heavy Fuel Oil (HFO) Tanks No. 1 & 2.	Petjam	Champion Industrial Equipment Limited	Goods	DC	US \$135,110.95
54	Petrojam Limited (Petjam)	09.11.11	Variation to contract for the provision of Security Guard Services at Marcus Garvey Drive in Kingston and Freeport Montego Bay Refinery complexes.	Petjam	Allied Protection Limited	Services	ST	9,426,378.17
55	Petrojam Limited (Petjam)	16.11.11	Extension of Contract for the provision of Ship Vessel Management Services.	Petjam	Seaport Equipment Limited	Services	ST	US \$198,101.00
56	Petrojam Limited (Petjam)	30.11.11	Variation to existing contract for the provision of Bunkering Services at Petrojam Limited's locations.	Petjam	Quality Plus Contracting Company Limited	Works	ST	19,573,554.99
57	Petrojam Limited (Petjam)	30.11.11	The supply of nineteen (19) Slope and Rundown Meters for the Petrojam Refinery, Kingston.	Petjam	TM & T Associates	Goods	ST	US \$214,767.54
58	Wigton Windfarm Limited (WWL)	07.12.11	The provision of General Insurance Services.	GOJ	Fraser Fontaine & Kong	Services	ST	41,838,402.00
59	Petrojam Limited (Petjam)	14.12.11	Direct Contracting for the provision of weekly maintenance service of the Ambient Air Monitoring Station located at Petrojam Refinery Limited.	Petjam	Air Quality Consultants	Services	DC	3,505,058.00
60	Petrojam Limited (Petjam)	14.12.11	The repairing of the Asphalt Storage Tank No. 200 at the Petrojam Refinery, Marcus Garvey Drive, Kingston.	Petjam	TARSCO Inc.	Works	ST	US \$1,260,727.31

NCC ENDORSED CONTRACTS 2011

# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
61	Petrojam Limited (Petjam)	14.12.11	Direct Contracting for the procurement of twenty-five (25) Notebooks and forty (40) Desktop Systems.	Petjam	Dell Corporation	Goods	DC	US \$65,000.00
62	Petrojam Limited (Petjam)	14.12.11	The removal of debris from the seafloor of Petrojam Limited's main dock.	Petjam	Titan Maritime, LLC	Works	LT	US \$1,450,000.00
63	Petrojam Limited (Petjam)	14.12.11	Direct Contracting for the procurement of a new Furnace Crossover Ductwork for Petrojam Limited's F-3/4 Furnace.	Petjam	Foster Wheeler USA Corporation	Goods	DC	US \$85,313.00
64	Petrojam Limited (Petjam)	14.12.11	The supply of Piping Materials for Petrojam Limited's No. 1 & 2 Tanks.	Petjam	TSC Supply Company	Goods	ST	US \$335,965.49
MINISTRY OF FINANCE AND THE PUBLIC SERVICE								
1	Fiscal Services Limited (FSL)	05.01.11	The procurement of Private Security Guard Services.	GOJ	Guardsman Limited	Services	ST	22,776,219.00
2	Fiscal Services Limited (FSL)	02.03.11	The procurement of an Integrated Video Surveillance and Access Control System.	GOJ	Site watch Electronic Security Limited	Goods	ST	US \$258,464.07
3	National Export-Import Bank of Jamaica Limited (EXIM Bank).	16.03.11	The preparation and supply of lunches for the National Export-Import Bank of Jamaica.	EXIM	Island Events and Caterers	Goods	LT	12,831,000.00
4	Firearm Licensing Authority	06.04.11	The provision of Interior Construction Works at the Firearm Licence Authority Montego Bay Regional Office.	GOJ	MLO Services Limited	Works	ST	15,321,500.00

NCC ENDORSED CONTRACTS 2011

# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
5	Jamaica Deposit Insurance Corporation (JDIC)	13.04.11	The provision of Private Security Services.	GOJ	Guardsman Limited	Services	ST	10,539,000.00
6	Jamaica Customs Department	13.04.11	The supply, installation and commissioning of two (2) mobile scanners.	GOJ	Productive Business Solutions Limited	Goods	LT	US \$195,990.00
7	Ministry of Finance and the Public Service (MOFPS)	20.04.11	Development of upgrades to the FinMan accounting system.	GOJ	RMP and Associates	Services	DC	19,000,000.00
8	Culture, Health, Arts, Sports & Education (Chase)	11.05.11	The proposed construction of a Multipurpose Classroom Block at the Mitchell Town Basic School in the parish of Clarendon.	CHASE	Ricam Construction Company Limited	Works	ST	10,862,889.00
9	Jamaica Racing Commission (JRC)	25.05.11	Procurement of a LC/MC Drug Testing Equipment for the Jamaica Racing Commission (JRC).	GOJ	Agilent Technologies	Goods	DC	17,925,000.00
10	Fiscal Services Limited (FSL)	08.06.11	Direct Contracting for the renewal of subscription support for Check Point Firewall System for a period of one (1) year.	FSL	Fujitsu Transaction Solution	Services	DC	US \$52,000.00
11	Fiscal Services Limited (FSL)	08.06.11	Direct Contracting for the renewal of subscription support for F5 BIG-IP LTM Load Balancing System for a period of one (1) year.	FSL	Fujitsu Transaction Solution	Services	DC	US \$44,000.00
12	Fiscal Services Limited (FSL)	08.06.11	Direct Contracting for the renewal of Red Hat Satellite & Provisioning Services for a period of one (1) year.	FSL	Red Hat Incorporated	Services	DC	US \$39,000.00

NCC ENDORSED CONTRACTS 2011

# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
13	Fiscal Services Limited (FSL)	08.06.11	Direct Contracting for the renewal of Symantec Antivirus & Security Suite Corporate Edition for a period of one (1) year.	FSL	Symantec	Services	DC	US \$51,000.00
14	Fiscal Services Limited (FSL)	08.06.11	Direct Contracting for the renewal of Subscription Support CA Spectrum & E-Health products for a period of one (1) year.	FSL	Fujitsu Transaction Solution	Services	DC	US \$68,000.00
15	Fiscal Services Limited (FSL)	08.06.11	Direct Contracting for the renewal of Valuation Intelligence & Risk Management System (VIRMS) Support for a period of one (1) year.	FSL	Crown Agents	Services	DC	US \$80,000.00
16	Fiscal Services Limited (FSL)	22.06.11	Consultant for the provision of Information Security Services.	GOJ	KPMG Advisory Services	Services	ST	US \$258,811.55
17	Caymanas Track Limited (CTL)	22.06.11	The provision of Security Services for Caymanas Track Limited.	CTL	Quest Security Services Limited	Services	ST	100,595,650.00
18	Caymanas Track Limited (CTL)	29.06.11	The supply of Totalizator Equipment.	CTL	United Tote	Goods	LT	US \$332,500.00
19	National Export-Import Bank of Jamaica Limited (EXIM Bank).	13.07.11	The provision of Security Services at the National Export-Import Bank of Jamaica (EXIM Bank).	EXIM	Ranger Protection & Security Limited	Services	ST	10,915,459.00
20	Bank of Jamaica (BOJ)	10.08.11	The procurement of General Insurance Services for the Bank of Jamaica (BOJ).	GOJ	Marathon Insurance Brokers Limited	Services	ST	45,095,550.00
21	Tax Administration of Jamaica (TAJ)	10.08.11	Direct Contracting (Follow-on Procurement) to print and supply Security Paper for Motor Vehicle Registration Certificates and Licence Stickers.	GOJ	De La Rue Indentify System	Goods	DC	29,500,000.00

NCC ENDORSED CONTRACTS 2011

# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
22	Bank of Jamaica (BOJ)	17.08.11	The renovation of the 1st Floor of the Bank of Jamaica's Pension Fund Building.	GOJ	MLO Services Limited.	Works	ST	13,100,130.00
23	Ministry of Finance and the Public Service (MOFPS)	14.09.11	The transportation of government employees and management of government motor vehicle fleet.	GOJ	Bloomfield Jamaica Limited	Services	ST	52,067,560.00
24	Ministry of Finance and the Public Service (MOFPS)	28.09.11	The procurement of Preventive Maintenance Services for Computers and Related Equipment for a period of two (2) years.	GOJ	Management Control Systems Limited	Works	ST	14,551,900.04
25	Bank of Jamaica (BOJ)	05.10.11	Direct Contracting for the upgrading of the Bank of Jamaica's Enterprise Building Integrator (EBI) System.	BOJ	Honeywell Building Systems	Works	DC	3,945,917.00
26	Culture, Health, Arts, Sports & Education (Chase)	26.10.11	The construction of a six (6) classroom school building at the Middlesex Basic School, in the parish of St. Elizabeth.	CHASE	Millers Electrical & Construction Company Limited	Works	ST	37,085,120.00
27	Accountant General Department (AGD)	16.11.11	The provision of Private Security Guard Services at the Accountant General's Department Public Building West, King Street, in the parish of Kingston.	GOJ	Allied Protection Limited	Services	ST	12,054,288.00
28	Bank of Jamaica (BOJ)	16.11.11	Direct Contracting for the supply of a Honeywall Energy Management System.	GOJ	Honeywell Building Systems	Goods	DC	5,070,894.54
29	Tax Administration of Jamaica (TAJ)	16.11.11	Follow-on Contract for the procurement of Motor Vehicle Registration Licence Plates.	GOJ	Musson Jamaica Limited	Goods	DC	90,000,000.00

NCC ENDORSED CONTRACTS 2011

# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
30	Tax Administration of Jamaica (TAJ)	16.11.11	Follow-on Contract for the printing and supply of Security Paper for the Motor Vehicle Registration Certificate of Title.	GOJ	De La Rue Indentify System	Goods	DC	6,500,000.00
31	Fiscal Services Limited (FSL)	23.11.11	Direct Contracting for the supply of a Power Builder Software for Fiscal Services Limited.	GOJ	IT Integration	Goods	DC	5,130,000.00
32	Tax Administration of Jamaica (TAJ)	30.11.11	Follow-on Contract for the supply of Modular Furniture for the Jamaica Customs Department/Revenue Service Centre (Montego Bay Custom House).	GOJ	MODOffice by EHC Industries Limited	Goods	DC	4,000,000.00
33	Bank of Jamaica (BOJ)	30.11.11	Direct Contracting for the Upgrading of the Bank of Jamaica's Storage Area Network (SAN) Infrastructure.	GOJ	Dell World Trade L.P.	Services	DC	US \$162,557.90
34	Culture, Health, Arts, Sports & Education (Chase)	07.12.11	The demolition of the existing dilapidated building and reconstruction of the Rocky Point Community Cultural Centre (Phase 1) at Rocky Point, in the parish of Clarendon.	CHASE	Sharecon Construction Limited	Works	ST	36,482,270.00
35	Ministry of Finance and the Public Service (MOFPS)	07.12.11	The construction of Containerized Office and Storage Facility at the Ministry of Finance premises, 30 National Heroes Circle, Kingston 4.	GOJ	Tropical Metal Products Limited	Works	LT	14,627,556.24
36	Bank of Jamaica (BOJ)	21.12.11	Direct Contracting for the upgrading of the Bank of Jamaica's Cross-Border Payment Software.	GOJ	Society for Worldwide Interbank Financial Telecommunication (SWIFT)	Services	DC	5,480,000.00
MINISTRY OF HEALTH AND THE ENVIRONMENT								

NCC ENDORSED CONTRACTS 2011

# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
1	Southern Regional Health Authority (SRHA)	02.02.11	Sole Source procurement for the provision of maintenance services for radiological equipment at the May Pen and Mandeville Hospitals.	MOH	Arel Limited	Services	SS	8,758,327.13
2	Ministry of Health and Environment (MHE)	16.03.11	The installation of the Cobalt Source and the provision of Test Kits for the Phoenix Cobalt Therapy System at the Kingston Public and Cornwall Regional Hospitals.	NHF	Arel Limited	Works	SS	42,713,520.00
3	Ministry of Health and Environment (MHE)	23.03.11	The procurement of Pharmaceuticals.	GOJ	Medical Products Limited	Goods	OT	34,651,260.00
4	Ministry of Health and Environment (MHE)	30.03.11	The procurement of Goods and Services for the upgrade of the South East Medical Waste Treatment Facility for the National HIV/STI Programme.	IBRD	Ecodas Limited	Goods	SS	77,018,150.09
5	Southern Regional Health Authority (SRHA)	30.03.11	The provision of Electrical Installation Works at the Mandeville Regional Hospital "Block J".	GOJ	R.E. Forrester Electrical Company	Works	ST	17,625,793.10
6	Registrar General's Department (RGD)	30.03.11	The provision of Protection and Security at the Registrar General's Department.	RGD	Atlas Protection Limited	Services	OT	29,198,171.20
7	University Hospital of the West Indies (UHWI)	06.04.11	Consultancy Services for the provision of Annual Financial Audit.	GOJ	DGS Jamaica	Services	ST	12,600,000.00
8	South East Regional Health Authority (SERHA)	06.04.11	Direct Contracting for the supply of accessories for the Magnetic Resonance Imaging (MRI) Machine at the Kingston Public Hospital (KPH), North Street, Kingston.	NHF	Arel Limited	Goods	DC	US \$57,444.12

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# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
9	South East Regional Health Authority (SERHA)	06.04.11	Extension of Contract for the supply of Reagents for the Spanish Town Hospital Laboratory for a period of one (1) year.	GOJ	Cari-med Limited	Goods	DC	51,000,000.00
10	Western Regional Health Authority (WRHA)	25.05.11	The provision of material and labour to renovate the Obstetrics and Gynaecology (O & G) Theatre at Cornwall Regional Hospital.	GOJ	Geecho Consultant & Construction Limited	Works	ST	11,899,930.00
11	Registrar General's Department (RGD)	29.06.11	The provision of Security Paper for the Registrar General's Department for a period of five (5) years.	RGD	Giesecke & Devrient GmbH	Goods	LT	139,019,180.30
12	Ministry of Health and Environment (MHE)	03.08.11	Procurement of Reagents and Consumables for the CD4 Facscalibur and Facscount Machines for the National HIV/STI Programme.	Global	Becton Dickinson & Company	Goods	SS	US \$167,418.45
13	Ministry of Health and Environment (MHE)	03.08.11	The supply of 200L of Technical Grade Malathion (20) drums for the Ministry of Health's Vector Control Programme.	GOJ	Agriculture Chemicals Plant/Lascelles Limited	Goods	DC	3,217,500.00
14	Ministry of Health and Environment (MHE)	17.08.11	Follow - on Contract for the procurement of Reagents and Consumables for Viral Load Machines for the National HIV/STI Programme.	Global	Roche Diagnostics	Goods	DC	US \$482,927.00
15	University Hospital of the West Indies (UHWI)	24.08.11	Emergency procurement of Mobile Operating Tables.	GOJ	A.A. Laquis Limited	Goods	DC	US \$177,345.13
16	Ministry of Health and Environment (MHE)	14.09.11	Direct Contracting for the supply of 200L of Acquatain (20) drums for the Ministry of Health's Vector Control Programme.	GOJ	DJ Thomas and Sons Limited	Goods	DC	4,524,000.00

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# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
17	University Hospital of the West Indies (UHWI)	14.09.11	The provision of Private Security Services at the University Hospital of the West Indies (UHWI).	GOJ	Marksman Limited	Services	ST	250,582,125.00
18	University Hospital of the West Indies (UHWI)	14.09.11	The provision of Ground Maintenance Services at the University Hospital of the West Indies (UHWI).	GOJ	Milestone Environmental Limited	Services	ST	10,081,749.36
19	Western Regional Health Authority (WRHA)	14.09.11	The provision of Cleaning and Porter Services at the Cornwall Regional Hospital.	GOJ	Milestone Environmental Limited	Services	ST	291,982,199.90
20	Western Regional Health Authority (WRHA)	28.09.11	Emergency procurement for the supply of one (1) Computed Tomography Replacement tube for the Cornwall Regional Hospital's CT Machine.	GOJ	International Med-X LLC	Goods	DC	US \$159,500.00
21	South East Regional Health Authority (SERHA)	26.10.11	Direct Contracting for the provision of related parts and services to upgrade the two (2) Cobalt Therapy Systems at the Cornwall Regional Hospital and the Kingston Public Hospital.	GOJ	Arel Limited	Goods	DC	US \$115,202.82
22	Ministry of Health and Environment (MHE)	26.10.11	The procurement of Infant Formula for the National HIV/STI Programme.	IBRD	Cari-med Limited	Goods	ST	12,312,000.00
23	Ministry of Health and Environment (MHE)	02.11.11	The supply and installation of four (4) Carrier Air Handling Units for the Chill Water Air Conditioning Systems at the National Public Health Laboratory.	GOJ	CAC 2000 Limited	Works	DC	6,229,399.50
24	National Health Fund	09.11.11	The procurement of Pharmaceuticals for the period November 1, 2011 - October 31, 2013.	NHF	Lasco Distributors Limited	Goods	OT	763,004,562.14

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# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
25	National Health Fund	09.11.11	The procurement of Pharmaceuticals for the period November 1, 2011 - October 31, 2013.	NHF	Medimpex W.I. Limited	Goods	OT	195,252,254.75
26	National Health Fund	09.11.11	The procurement of Pharmaceuticals for the period November 1, 2011 - October 31, 2013.	NHF	Apotex Inc.	Goods	OT	160,243,438.45
27	National Health Fund	09.11.11	The procurement of Pharmaceuticals for the period November 1, 2011 - October 31, 2013.	NHF	Medical Products Limited	Goods	OT	155,391,771.96
28	National Health Fund	09.11.11	The procurement of Pharmaceuticals for the period November 1, 2011 - October 31, 2013.	NHF	Eli Lilly	Goods	OT	137,291,416.00
29	National Health Fund	09.11.11	The procurement of Pharmaceuticals for the period November 1, 2011 - October 31, 2013.	NHF	Ethnor Del Istmo S.A.	Goods	OT	133,360,916.55
30	National Health Fund	09.11.11	The procurement of Pharmaceuticals for the period November 1, 2011 - October 31, 2013.	NHF	Baxter Sales & Distribution	Goods	OT	129,510,057.65
31	National Health Fund	09.11.11	The procurement of Pharmaceuticals for the period November 1, 2011 - October 31, 2013.	NHF	T S Pharma Inc.	Goods	OT	125,526,646.15
32	National Health Fund	09.11.11	The procurement of Pharmaceuticals for the period November 1, 2011 - October 31, 2013.	NHF	GlaxoSmithKline	Goods	OT	119,333,540.25
33	National Health Fund	09.11.11	The procurement of Pharmaceuticals for the period November 1, 2011 - October 31, 2013.	NHF	Facey Commodity Company Limited	Goods	OT	119,145,239.27

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# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
34	National Health Fund	09.11.11	The procurement of Pharmaceuticals for the period November 1, 2011 - October 31, 2013.	NHF	Novartis Pharma	Goods	OT	111,851,958.03
35	National Health Fund	09.11.11	The procurement of Pharmaceuticals for the period November 1, 2011 - October 31, 2013.	NHF	Facey Commodity Company Limited (H2K)	Goods	OT	105,755,769.33
36	National Health Fund	09.11.11	The procurement of Pharmaceuticals for the period November 1, 2011 - October 31, 2013.	NHF	Masters Pharmaceutical Limited	Goods	OT	101,130,903.24
37	National Health Fund	09.11.11	The procurement of Pharmaceuticals for the period November 1, 2011 - October 31, 2013.	NHF	Indies Pharma Jamaica	Goods	OT	92,200,479.75
38	National Health Fund	09.11.11	The procurement of Pharmaceuticals for the period November 1, 2011 - October 31, 2013.	NHF	Cari-Med/Novartis Pharma	Goods	OT	73,696,017.42
39	National Health Fund	09.11.11	The procurement of Pharmaceuticals for the period November 1, 2011 - October 31, 2013.	NHF	NMH/Novo Jamaica	Goods	OT	67,470,000.00
40	National Health Fund	09.11.11	The procurement of Pharmaceuticals for the period November 1, 2011 - October 31, 2013.	NHF	Lascelles Laboratories Limited	Goods	OT	62,103,989.80
41	National Health Fund	09.11.11	The procurement of Pharmaceuticals for the period November 1, 2011 - October 31, 2013.	NHF	Intas Pharmaceuticals	Goods	OT	61,826,027.24
42	National Health Fund	09.11.11	The procurement of Pharmaceuticals for the period November 1, 2011 - October 31, 2013.	NHF	NMH/Sanofi - Aventis	Goods	OT	45,096,185.07

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# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
43	National Health Fund	09.11.11	The procurement of Pharmaceuticals for the period November 1, 2011 - October 31, 2013.	NHF	T. Geddes Grant (Dist.) Limited	Goods	OT	44,900,774.65
44	National Health Fund	09.11.11	The procurement of Pharmaceuticals for the period November 1, 2011 - October 31, 2013.	NHF	Ranbaxy Laboratories	Goods	OT	41,737,331.25
45	National Health Fund	09.11.11	The procurement of Pharmaceuticals for the period November 1, 2011 - October 31, 2013.	NHF	Cari-Med/Servier	Goods	OT	35,969,943.75
46	National Health Fund	09.11.11	The procurement of Pharmaceuticals for the period November 1, 2011 - October 31, 2013.	NHF	NMH/Trading/Servier	Goods	OT	35,969,943.75
47	National Health Fund	09.11.11	The procurement of Pharmaceuticals for the period November 1, 2011 - October 31, 2013.	NHF	Supreme Chemicals	Goods	OT	35,421,231.00
48	National Health Fund	09.11.11	The procurement of Pharmaceuticals for the period November 1, 2011 - October 31, 2013.	NHF	T. Geddes Grant (Dist.) Limited	Goods	OT	35,347,481.10
49	National Health Fund	09.11.11	The procurement of Pharmaceuticals for the period November 1, 2011 - October 31, 2013.	NHF	Renal Dynamics LLC	Goods	OT	35,033,356.35
50	National Health Fund	09.11.11	The procurement of Pharmaceuticals for the period November 1, 2011 - October 31, 2013.	NHF	NMH/P.R. Pharma	Goods	OT	31,961,207.64
51	National Health Fund	09.11.11	The procurement of Pharmaceuticals for the period November 1, 2011 - October 31, 2013.	NHF	Health Brands Limited	Goods	OT	30,219,912.47

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# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
52	National Health Fund	09.11.11	The procurement of Pharmaceuticals for the period November 1, 2011 - October 31, 2013.	NHF	NMH - Carlisle Laboratories	Goods	OT	29,716,729.00
53	National Health Fund	09.11.11	The procurement of Pharmaceuticals for the period November 1, 2011 - October 31, 2013.	NHF	Servi-Care Distributors Limited	Goods	OT	26,988,052.76
54	National Health Fund	09.11.11	The procurement of Pharmaceuticals for the period November 1, 2011 - October 31, 2013.	NHF	Disposable Limited	Goods	OT	26,034,986.25
55	National Health Fund	09.11.11	The procurement of Pharmaceuticals for the period November 1, 2011 - October 31, 2013.	NHF	Inter-Commercial Distributors	Goods	OT	21,439,544.00
56	National Health Fund	09.11.11	The procurement of Pharmaceuticals for the period November 1, 2011 - October 31, 2013.	NHF	Mac's Pharmaceutical	Goods	OT	21,415,103.42
57	National Health Fund	09.11.11	The procurement of Pharmaceuticals for the period November 1, 2011 - October 31, 2013.	NHF	Victus Incorporation	Goods	OT	18,843,397.87
58	National Health Fund	09.11.11	The procurement of Pharmaceuticals for the period November 1, 2011 - October 31, 2013.	NHF	Uni-Med Healthcare	Goods	OT	13,130,656.75
59	National Health Fund	09.11.11	The procurement of Pharmaceuticals for the period November 1, 2011 - October 31, 2013.	NHF	Cari-Med Limited	Goods	OT	12,078,178.38
60	National Health Fund	09.11.11	The procurement of Pharmaceuticals for the period November 1, 2011 - October 31, 2013.	NHF	Med Disp/Morningside	Goods	OT	11,080,148.30

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# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
61	Ministry of Health and Environment (MHE)	09.11.11	The supply of Reagents for the National Public Health Laboratory for a period of six (6) months.	GOJ	Abbott Laboratories	Goods	DC	US \$196,982.08
62	Ministry of Health and Environment (MHE)	09.11.11	The supply of a GE Workstation for the Kingston Public Hospital (KPH).	GOJ	Arel Limited	Goods	DC	US \$50,125.00
63	Ministry of Health and Environment (MHE)	16.11.11	To supply, install and commission three (3) Dialyses Machines at the Kingston Public Hospital (KPH).	GOJ	Ennis Medical Products	Goods	DC	US \$80,922.00
64	Ministry of Health and Environment (MHE)	16.11.11	Infrastructure and Roof Repairs at the Rocky Point Health Centre, Rocky Point, in the parish of Clarendon.	NHF	Chin's Equipment Rentals & Construction Company Limited	Works	ST	22,821,250.00
65	Ministry of Health and Environment (MHE)	23.11.11	The procurement of Antiretroviral Drugs for the National HIV/STI Programme.	Global Fund	Emure Pharmaceutical Limited	Goods	OT	11,428,569.29
66	Ministry of Health and Environment (MHE)	23.11.11	The procurement of Antiretroviral Drugs for the National HIV/STI Programme.	Global Fund	Abbott Laboratories	Goods	OT	15,232,887.36
67	Ministry of Health and Environment (MHE)	23.11.11	The procurement of Antiretroviral Drugs for the National HIV/STI Programme.	Global Fund	Cari-Med Limited	Goods	OT	17,708,213.95
68	Ministry of Health and Environment (MHE)	23.11.11	The procurement of Antiretroviral Drugs for the National HIV/STI Programme.	Global Fund	Ethnor Del Istmo (Janssen Cilag)	Goods	OT	45,583,301.21
69	Ministry of Health and Environment (MHE)	23.11.11	The procurement of Antiretroviral Drugs for the National HIV/STI Programme.	Global Fund	Aurobindo Pharma Limited	Goods	OT	210,973,848.31

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# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
70	University Hospital of the West Indies (UHWI)	07.12.11	Extension of Contract for the provision of Janitorial and Porter Services at the University Hospital of the West Indies (UHWI).	GOJ	Milestone Environmental Limited	Services	DC	115,505,893.44
71	University Hospital of the West Indies (UHWI)	07.12.11	Extension of Contract for the provision of Laundry Services at the University Hospital of the West Indies (UHWI).	GOJ	Supreme Laundry Services	Services	DC	40,320,000.00
72	Ministry of Health and Environment (MHE)	07.12.11	The procurement of Canteen Concessionaire Services for a period of one (1) year for the St. Joseph's Hospital.	GOJ	Diet Centre Jamaica Limited	Services	DC	12,500,000.00
73	Ministry of Health and Environment (MHE)	07.12.11	Direct Contracting for the supply of Medical Gases for a period of one (1) year to the South East Regional Health Authority (SERHA).	GOJ	Industrial Gases Limited (IGL)	Goods	DC	350,000,000.00
74	Ministry of Health and Environment (MHE)	14.12.11	Direct Contracting to supply, install and commission a Reverse Osmosis System and its accessories at the Kingston Public Hospital (KPH).	GOJ	W.E.T. Limited	Goods	DC	US \$27,835.98
MINISTRY OF INDUSTRY, INVESTMENTS AND COMMERCE								
1	Factories Corporation of Jamaica Limited	23.03.11	Consultancy Services for the provision of Technical/Professional Services for the development of the Caymanas Economic Zone.	GOJ	C.H. Tomlinson & Associates	Services	ST	36,775,000.00
2	Bureau of Standards, Jamaica (BSJ)	30.03.11	The supply and installation of a Voice over Internet Protocol (VoIP).	BSJ	Illuminat Jamaica Limited	Services	ST	11,012,743.00
3	Bureau of Standards, Jamaica (BSJ)	20.04.11	The provision of Cafeteria Concessionaire.	GOJ	B & E Caterers and Restaurant	Services	ST	19,240,000.00

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# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
MINISTRY OF JUSTICE								
1	Ministry of Justice (MOJ)	26 .01.11	The fabrication and installation of a Proposed Metal Bridge linking old NCB Building to Supreme Court.	GOJ	Tank-Weld Limited	Works	ST	15,350,108.00
2	Ministry of Justice (MOJ)	16.03.11	The proposed refurbishing of Public Building West , King Street, to include addition of a partial new storey and external works to facilitate access and circulation.	GOJ	H.D.B. Construction Limited	Works	LT	283,164,073.00
MINISTRY OF LABOUR AND SOCIAL SECURITY								
1	Ministry of Labour & Social Security (MLSS)	25.05.11	The procurement of Servers, Desktops, Computers, Scanners and Printers.	GOJ	Fujitsu Caribbean (Ja.) Limited	Goods	ST	US \$152,442.00
2	Ministry of Labour & Social Security (MLSS)	25.05.11	The procurement of Servers, Desktops, Computers, Scanners and Printers.	GOJ	Management Control Systems Limited	Goods	ST	US \$13,027.89
3	Ministry of Labour & Social Security (MLSS)	12.10.11	Consulting Services for the Evaluation of the PATH Process.	IBRD	Altos Consulting	Services	OT	US \$362578.00
MINISTRY ON NATIONAL SECURITY								
1	Ministry of National Security (MNS)	12.01.11	Direct Contracting for the upgrading of Electrical Works at the Jamaica Police Academy, Twickenham Park, St. Catherine.	GOJ	Rural Electrical Programme (REP)	Works	DC	33,080,000.00
2	Ministry of National Security (MNS)	23.03.11	Sole Source procurement of Motor Vehicles for the Jamaica Constabulary Force (JCF).	GOJ	Stewart Automotive Group	Goods	DC	95,723,392.00

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# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
3	Passport, Immigration and Citizenship Agency (PICA)	23.03.11	The modification of the EnTrex Border Management System.	GOJ	3 M Interamerica Inc.	Services	DC	10,246,444.68
4	Passport, Immigration and Citizenship Agency (PICA)	08.06.11	The development and implementation of a Voice over Internet Protocol (VoIP) Telephony System for the Passport, Immigration and Citizenship Agency (PICA).	GOJ	IBM World Trade Corporation	Services	ST	10,401,226.08
5	Passport, Immigration and Citizenship Agency (PICA)	08.06.11	The provision of Security Services for the Offices of the Passport, Immigration and Citizenship Agency (PICA).	GOJ	Vanguard Security Limited	Services	ST	10,797,492.00
6	Ministry of National Security - Jamaica Constabulary Force	17.08.11	The supply of ten (10) software licences and to provide Forensic Training for ten (10) persons in the Jamaica Constabulary Force (JCF)	GOJ	Gomex Technologies	Services	DC	US \$69,994.17
7	Passport, Immigration and Citizenship Agency (PICA)	28.09.11	The Development and Implementation of an Advance Passenger Information System (APIS) for the Norman Manley and Sangster International Airports. (US\$139,920.00 per annum of the US\$171,920.00 relates to maintenance/support for a period of five (5) years).	GOJ	SITA	Services	DC	US \$171,920.00
8	Jamaica Constabulary Force (JCF)	26.10.11	Emergency procurement of Motor vehicles for the Jamaica Constabulary Force (JCF).	GOJ	Stewart's Auto Sales Limited	Goods	DC	145,002,656.71
9	Jamaica Constabulary Force (JCF)	26.10.11	Emergency procurement of Motor vehicles for the Jamaica Constabulary Force (JCF).	GOJ	Vehicles and Supplies Industries Limited	Goods	DC	17,166,991.00

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10	Jamaica Constabulary Force (JCF)	26.10.11	Emergency procurement of Motor vehicles for the Jamaica Constabulary Force (JCF).	GOJ	ATL Autohaus	Goods	DC	87,360,524.00
11	Passport, Immigration and Citizenship Agency (PICA)	09.11.11	Follow-on contract for the provision of maintenance and service support for the passport issuing and control system.	GOJ	Canadian Bank Note Company Limited	Services	DC	US \$1,335,000.00
12	Ministry of National Security (MNS)	09.11.11	The procurement of Sensitive Items.	MNS	Hawk Protection	Goods	LT	US \$139,500.00
13	Jamaica Defence Force (JDF)	16.11.11	The provision of Dry Docking Services.	GOJ	Spencer Boat Company	Services	DC	US \$268,719.66
14	Ministry of National Security (MNS)	30.11.11	The procurement of Sensitive Items.	GOJ	Name of Contractor withheld.	Goods	DC	US \$1,445,000.00
15	Ministry of National Security (MNS)	30.11.11	The procurement of Sensitive Items.	GOJ	Name of Contractor withheld.	Goods	DC	US \$201,237.50
16	Ministry of National Security (MNS)	30.11.11	The procurement of Sensitive Items.	GOJ	Name of Contractor withheld.	Goods	DC	US \$88,218.00
17	Ministry of National Security (MNS)	30.11.11	The procurement of Sensitive Items.	GOJ	Name of Contractor withheld.	Goods	DC	US \$195,600.00
18	Ministry of National Security (MNS)	30.11.11	The procurement of Sensitive Items.	GOJ	Name of Contractor withheld.	Goods	DC	US \$175,507.25
19	Department of Correctional Services	14.12.11	Emergency Procurement to supply, install and commission a 110 KVA Diesel Power Standby Generator Plant.	GOJ	Brighton Engineer Limited	Works	DC	8,300,000.00

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# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
20	The Jamaica Defence Force (JDF)	14.12.11	The procurement of an Internet Protocol (IP) Private Branch Exchange (PBX) for the Jamaica Defence Force.	GOJ	IBM World Trade Corporation	Goods	ST	80,326,262.61
MINISTRY OF TOURISM								
1	Jamaica Tourist Board (JTB)	26 .01.11	Follow-on Contract for a period of eighteen (18) months to provide in the United Kingdom PR and marketing services, programme, media liaison, creation and dissemination of promotional material and development of strategy to enhance the image of the destination.	GOJ	McCluskey International Limited	Services	SS	UK £180,000.00
2	Jamaica Tourist Board (JTB)	26 .01.11	Follow-on Contract for a period of eighteen (18) months to provide in the north, south and central America PR and marketing services, programme, media liaison, creation and dissemination of promotional material and development of strategy to enhance the image of the destination.	GOJ	Ruder Finn Inc.	Services	SS	US \$1,108,800.00
3	Jamaica Tourist Board (JTB)	26 .01.11	Follow-on Contract for a period of eighteen (18) months to provide advertising services.	GOJ	Draft FCB	Services	SS	US \$1,085,000.00
4	Jamaica Vacations Limited (JAMVAC)	03.08.11	Co-op Marketing Agreement	Jamvac/ GOJ	Soltour	Services	Excluded from the Procurement Procedures	US \$120,000.00

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MINISTRY OF TRANSPORT AND WORKS								
1	Port Authority of Jamaica (PAJ) Subsidiaries	05.01.11	The provision of Audit Services for the Port Authority of Jamaica's Subsidiaries Financial Statements.	PAJ	Deloitte & Touché'	Services	ST	20,350,711.00
2	Port Authority of Jamaica (PAJ)	05.01.11	The provision of Audit of the Financial Statements of the Port Authority of Jamaica.	PAJ	PriceWaterhouseCoopers (PWC)	Services	ST	32,761,237.00
3	Jamaica Urban Transit Company Limited (JUTC)	12.01.11	The provision of Security Guards, Panic Alarms, Armed Response and Cash - in Transit Services for the period 2010 - 2012.	GOJ	Guardsman Limited	Services	ST	147,337,404.69
4	Port Authority of Jamaica (PAJ)	26 .01.11	The construction of Asphaltic Concrete Pavement and Drain Construction Works at the Montego Bay Freeport.	PAJ/GOJ	Sharecon Construction Limited	Works	LT	32,834,560.00
5	Port Authority of Jamaica (PAJ)	26.01.11	The procurement of fuel for the Port Authority of Jamaica Harbours Department.	PAJ	Chevron Caribbean SRL	Goods	DC	48,254,196.40
6	Port Authority of Jamaica (PAJ)	02.02.11	The hireage of Tug Boat Services for 2011.	PAJ	Coloured Fin Limited	Services	OT	US \$237,755.00
7	National Road Operating and Construction Company (NROCC)	02.02.11	Consulting Services for the assessment of flood risk management along the Highway 2000 corridor, covering the parishes of St. Catherine, Clarendon and Manchester.	IADB	Stanley Consultants Inc.	Services	ST	21,667,520.00
8	National Works Agency (NWA)	16.02.11	The supply of Galvanized Wires for the Yallahs River Training Works Project, in the parish of St. Thomas.	IADB	A.S. Edwards & Associates Limited	Goods	ST	US \$208,452.00

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9	National Works Agency (NWA)	16.02.11	The supply of Galvanized Wires for the Dry River Protection Works at the Dry (Hope) River, Harbour View, in the parish of St. Andrew.	IADB	A.S. Edwards & Associates Limited	Goods	ST	US \$117,190.00
10	Port Authority of Jamaica (PAJ)	02.03.11	Follow-on contract to design and supervise construction of an additional 14 acres of container space at the Kingston Container Terminal.	PAJ	SMADA Consultants Limited	Services	DC	US \$360,000.00
11	Ministry of Transport & Works (MTW)	23.03.11	The engagement of a Consultant as lead advisor for the Norman Manley International Airport (NMIA) Privatization and Development and Expansion of select Government of Jamaica (GOJ) owned Aerodromes.	AAJ	International Finance Corporation (IFC)	Services	DC	US \$570,000.00
12	National Works Agency (NWA)	06.04.11	The procurement of Fiber Optic Cables and Fiber Optic Accessories.	IADB/GOJ	Traffic Control Products Limited	Goods	ST	11,825,389.75
13	Port Authority of Jamaica (PAJ)	13.04.11	Procurement for the supply of 74 1600X24 25PLY Straddle Carrier Tyres.	PAJ	Coast Services Limited	Goods	SS	US \$259,000.00
14	Norman Manley International Airports Limited (NMIA)	20.04.11	Procurement of ICT for Emergency Exits under the NMIA Terminal Expansion Program.	NMIA	MODOFFICE by EHC Industries	Works	SS	16,262,413.65
15	Norman Manley International Airports Limited (NMIA)	20.04.11	Procurement of Close Circuit Television (CCTV) under the NMIA Terminal Expansion Program.	NMIA	MODOFFICE by EHC Industries	Works	SS	25,639,033.99
16	Port Authority of Jamaica (PAJ)	25.05.11	Emergency procurement for the Renovation/Stabilization of the Tharp House Property.	PAJ	Falmouth Heritage Renewal	Works	DC	US \$100,000.00

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17	Port Authority of Jamaica (PAJ)	25.05.11	Emergency procurement for the Streetscape Improvements to the town of Falmouth.	PAJ	E. Phil & Sons A.S.	Works	DC	US \$1,133,647.00
18	Aeronautical Telecommunications Limited	01.06.11	The provision of Radar Maintenance Training at the Norman Manley & Sangster International Airports.	Aerotel	Raytheon Canada Limited	Services	SS	CA \$159,613.00
19	National Works Agency (NWA)	22.06.11	Variation to the existing contract for the construction of Dry River Bridge at Harbour View, St. Andrew under the Transportation Infrastructure Rehabilitation Programme.	IDB	Kier Construction Limited	Works	LT	US \$1,199,645.23
20	Port Authority of Jamaica (PAJ)	29.06.11	Follow-on Contract for the provision of Consultancy Services for the Privatization of the Kingston Container Terminal (KCT) Phase 11.	PAJ	PriceWaterhouseCoopers (PWC)	Services	DC	US \$3,333,000.00
21	Port Authority of Jamaica (PAJ)	29.06.11	Variation to the existing contract for the hireage of Tug Boat Services for 2011.	PAJ	Coloured Fin Limited	Services	OT	US \$162,576.00
22	National Works Agency (NWA)	29.06.11	Road Resurfacing Works to the Scotts Cove to Belmont roadway under the Transportation Infrastructure Rehabilitation Programme.	IDB	Asphaltic Concrete Enterprise Limited	Works	ST	279,092,105.05
23	National Works Agency (NWA)	06.07.11	Emergency procurement for the construction and rehabilitation of section of the Sandy Gully located at Dupont Primary and Lime Tree Lane, Olympic Way in the parish of St. Andrew - Tropical Storm Nicole Drainage Network Rehabilitation Project.	CDB	General Paving Company Limited	Works	LT	55,940,807.52

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24	National Works Agency (NWA)	06.07.11	Emergency procurement for the construction and rehabilitation of section of the Sandy Gully located at 7th Day Adventist, New Haven and Washington Court Apartment in the parish of St. Andrew- Tropical Storm Nicole Drainage Network Rehabilitation Project.	CDB	Dwight's Construction Company Limited	Works	LT	230,501,644.02
25	National Works Agency (NWA)	06.07.11	Emergency procurement for the construction and rehabilitation of section of the Sandy Gully located at Azmart, Barbican Way and Cherry Gardens (Upper Carmel) in the parish of St. Andrew- Tropical Storm Nicole Drainage Network Rehabilitation Project.	CDB	Rogers Land Development Limited	Works	LT	203,832,038.03
26	National Works Agency (NWA)	06.07.11	Emergency procurement for the construction and rehabilitation of section of the Sandy Gully located at Grove Dale and Drumblair Crescent (Washington Close) in the parish of St. Andrew- Tropical Storm Nicole Drainage Network Rehabilitation Project.	CDB	Rogers Land Development Limited	Works	LT	195,021,817.63
27	National Works Agency (NWA)	06.07.11	Emergency procurement for the construction and rehabilitation of section of the Sandy Gully located at Cariwina Avenue and Red Hills Boulevard/Renfield Drive, in the parish of St. Andrew - Tropical Storm Nicole Drainage Network Rehabilitation Project.	CDB	Chin's Construction Company Limited	Works	LT	49,156,327.13

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28	National Works Agency (NWA)	06.07.11	Emergency procurement for the construction and rehabilitation of section of the Sandy Gully located at Sherlock Drive and CVM, in the parish of St. Andrew - Tropical Storm Nicole Drainage Network Rehabilitation Project.	CDB	Nakash Construction & Equipment Company Limited	Works	LT	93,432,067.59
29	National Works Agency (NWA)	06.07.11	Emergency procurement for the construction and rehabilitation of sections of the Sandy Gully located at Red Hills Road and Valentine Drive, in the parish of St. Andrew - Tropical Storm Nicole Drainage Network Rehabilitation Project.	CDB	Chin's Construction Company Limited	Works	LT	72,613,190.70
30	National Works Agency (NWA)	06.07.11	Emergency procurement for the construction and rehabilitation of sections of the Sandy Gully located at Cassia Park Fording, Trade Centre, in the parish of St. Andrew - Tropical Storm Nicole Drainage Network Rehabilitation Project.	CDB	Dwight's Construction Company Limited	Works	LT	58,498,388.79
31	National Works Agency (NWA)	06.07.11	Emergency procurement for the construction and rehabilitation of sections of the Sandy Gully located at Cassia Park Fording, Trade Centre, in the parish of St. Andrew - Tropical Storm Nicole Drainage Network Rehabilitation Project.	CDB	Dwight's Construction Company Limited	Works	LT	161,081,431.83

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32	National Works Agency (NWA)	06.07.11	Emergency procurement for the construction and rehabilitation of sections of the Sandy Gully located at Dunbarton Bridge, Molyne Road, Jew Gully and Shoe Marker Gully, in the parish of St. Andrew - Tropical Storm Nicole Drainage Network Rehabilitation Project.	CDB	Surrey Paving & Aggregate Limited	Works	LT	157,665,405.96
33	National Works Agency (NWA)	06.07.11	Emergency procurement for the construction and rehabilitation of sections of the Sandy Gully located at Halifax Avenue and Lewis Close, in the parish of St. Andrew - Tropical Storm Nicole Drainage Network Rehabilitation Project.	CDB	Rogers Land Development Limited	Works	LT	99,903,671.99
34	National Works Agency (NWA)	20.07.11	Road Resurfacing Works to the Red Hills to Bog Walk under the Transportation Infrastructure Rehabilitation Programme.	IDB	General Paving Company Limited	Works	ST	212,434,640.00
35	Norman Manley International Airports Limited (NMIA)	17.08.11	To supply labour and spare parts for the maintenance of the Besam Circle Side Doors at the Norman Manley International Airport.	NMIA	Besam Entrance Solutions	Services	DC	CA \$68,739.31
36	National Works Agency (NWA)	17.08.11	The construction of Bunding Works at the Dry (Hope) River, Harbour View, in the parish of St. Andrew - Transportation Infrastructure Rehabilitation Programme	IDB	Surrey Paving & Aggregate Limited	Works	OT	91,842,447.63

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# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
37	National Works Agency (NWA)	17.08.11	The construction of a Random Rubble Wall at Roache Gully, White Horses, in the parish of St. Thomas - Transportation Infrastructure Rehabilitation Programme.	IDB	Rebar Construction Limited	Works	ST	23,162,700.00
38	Port Authority of Jamaica (PAJ)	17.08.11	Follow - on Contract for the provision of Engineering Design Consultancy Services for the expansion of the West Bert Container Terminal Storage Area.	PAJ	SMADA Consultants Limited	Services	DC	US \$341,515.00
39	Port Authority of Jamaica (PAJ) - Jamaica International Free Zone Development Limited (JIFZDL).	31.08.11	The provision of Security Services for a period of three (3) years.	PAJ	Ports Security Corps.	Services	ST	42,521,256.76
40	Norman Manley International Airports Limited (NMIA)	14.09.11	The design, supply and installation of Fire Detection and Alarm Systems at the Norman Manley International Airport.	NMIA	Safety and Fire Systems Limited	Goods	ST	21,494,233.99
41	Port Authority of Jamaica (PAJ) - Montego Bay Free Zone Co. Limited	28.09.11	The provision of Grounds and Building Maintenance Services at Montego Bay Free Zone - 1 Mangrove Way, Montego Bay, Free Port, St. James.	MBFZ	Jaric's International Company Limited	Services	ST	15,515,640.00
42	Transport Authority	28.09.11	The supply and installation of a Closed Circuit Television (CCTV) System at the Transports Authority Locations.	GOJ	Sitewatch Electronics	Works	ST	15,374,844.58
43	Port Authority of Jamaica (PAJ)	19.10.11	The supply of 450, 480/95R 25 Straddle Carrier Tyres.	PAJ	Michelin Panama Corp.	Goods	DC	US \$148,140.00

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# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
44	Port Authority of Jamaica (PAJ)	19.10.11	The provision of Security Services for a period of three (3) years at three (3) of the Port Authority of Jamaica (PAJ) locations: (1) PAJ Head Office at 15-17 Duke St. (2) PAJ Harbours Department at Newport East and (3) Pilotage Building at 102 Water Lane, Newport East.	PAJ	Atlas Protection Limited	Services	ST	49,180,190.19
45	National Works Agency (NWA)	19.10.11	Direct Contracting for the provision of Project Managerial oversight for the bushing and drain cleaning activities along the Northern Coastal Highway.	GOJ/IDB	National Solid Waste Management Authority (NSWMA)	Services	GG	340,000,000.00
46	Jamaica Civil Aviation Authority	26.10.11	The provision of Insurance Services for a period of three (3) years.	JCAA	Marathon Insurance Brokers Limited	Services	ST	11,897,137.00
47	National Works Agency (NWA)	26.10.11	The procurement of fifty (50) Metric Tons of Thermoplastic Road Marking and five (5) Metric Tons of Glass/Ceramic Beads for the Road Improvement Programme.	GOJ/IDB	Machinery and Services Limited	Goods	ST	10,433,250.00
48	National Works Agency (NWA)	26.10.11	The construction of 1200 metres of Normal Face Bund at the Yallahs River, in the Parish of St. Thomas under the Transportation Infrastructure Rehabilitation Programme.	IDB	Surrey Paving & Aggregate Limited	Works	ST	118,770,536.50
49	National Works Agency (NWA)	16.11.11	The Montego Bay Convention Centre Drainage Improvement Project. The Works include the construction of a reinforced concrete box culvert across the Rose Hall main road and the refurbishing of the disturbed roadway.	GOJ	Seal Construction Limited	Works	ST	12,134,120.00

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50	National Works Agency (NWA)	23.11.11	The procurement of an Internal Protocol (IP) based Private Branch Exchange (PBX) System.	GOJ	Digicel/Nextar	Goods	DC	28,975,858.39
51	National Works Agency (NWA)	30.11.11	The procurement of Spare Parts to repair the National Works Agency's Dura Patcher Spray Injection Road Repairs Machines.	GOJ	Duraco Incorporated	Goods	DC	3,574,948.47
52	National Works Agency (NWA)	30.11.11	The provision of services for the completion of a Feasibility Study and Preliminary Design for the Southern Coastal Highway Improvement Project - Segment 1: Port Antonio to Harbour View and Segment 2: Mandeville to Negril under the Transportation Infrastructure Rehabilitation Programme.	IDB	Stanley Consultants Inc.	Services	OT	US \$3,000,000.00
53	Ministry of Transport & Works (MTW)	30.11.11	Consultancy Services to provide Technical Oversight and Review of the Jamaica Development Infrastructure Programme (JDIP).	RMF	Gauff Ingenieure	Services	OT	134,232,191.35
54	Jamaica Civil Aviation Authority	07.12.11	Variation to contract for the design, construction and equipping of the control towers at the Norman Manley and Sangster International Airports.	JCAA	Intelcan Techno Systems Inc.	Works	SS	CA \$923,899.00
55	Port Authority of Jamaica (PAJ)	14.12.11	The repair of Paver Block Pavement at Gordon Cay, Kingston Container Terminal - Phase 3.	PAJ	Pavement and Structures Limited	Works	ST	14,523,950.00
56	Port Authority of Jamaica (PAJ)	21.12.11	The provision of Security Services at the Falmouth Cruise Pier for a period of one (1) year (January 1, 2012 - December 31, 2012).	GOJ	Ports Security Corps.	Services	DC	21,380,004.00

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57	Norman Manley International Airports Limited (NMIA)	21.12.11	The East Airfield Development (Phase 1). The Works include the construction of box culvert, open earth drains and an aircraft turning bay.	GOJ	Pavement and Structures Limited	Works	ST	55,986,850.08
MINISTRY OF WATER AND HOUSING								
1	Housing Agency of Jamaica Limited (HAJL)	19.01.11	Infrastructure Works at Providence Heights (Phase 2) Flankers, in the parish of St. James.	TEF	Alcar Construction & Haulage Co Limited	Works	LT	157,616,771.45
2	Housing Agency of Jamaica Limited (HAJL)	19.01.11	Infrastructure Works at Whitehall (Phase 3), in the parish of Westmoreland	TEF	Ashtrom Building Systems Limited	Works	LT	502,015,769.76
3	National Water Commission (NWC)	19.01.11	Procurement for the construction of Sailsbury Avenue (and roads leading off) Sanitary Collector Sewers at Barbican, in the parish of St. Andrew.	NWC	M & M Jamaica Limited	Works	SS	14,344,000.69
4	National Water Commission (NWC)	19.01.11	The rehabilitation and commissioning of the Coopers Hill Portable Water Welded Steel Tank at Upper St. Andrew.	NWC	Bacchus Engineering Works Limited	Works	ST	14,456,688.00
5	Housing Agency of Jamaica Limited (HAJL)	26.01.11	Procurement for the construction of Infrastructure for two hundred and seventy-eight (278) Serviced Lots at Boscobel Brownfield, in the parish of St. Mary.	GOJ	Dwight's Construction Company Limited	Works	SS	20,421,650.00
6	Ministry of Water and Housing (MWH)	02.02.11	Infrastructure Works for the development of residential plots for the Hague Housing Scheme, in the parish of Trelawny.	GOJ	Sharecon Construction Limited	Works	ST	16,007,586.00

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# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
7	Rural Water Supply Limited (RWSL)	02.02.11	The supply of Pipe Materials and Appurtenances for the transmission of potable water for the Quaminus Water Supply Scheme, in the parish of Clarendon.	GOJ	Deryck A. Gibson Limited	Goods	ST	50,002,224.17
8	National Water Commission (NWC)	09.02.11	The rehabilitation and upgrading of the distribution networks of the Christiana/Spauldings (Christiana/Sedburgh) Water Supply Scheme.	NWC	Construction Solutions Limited	Works	ST	19,363,005.39
9	Ministry of Water and Housing (MWH)	16.03.11	Variation to existing contract for the completion of Infrastructure Works, Re- Hurricane Gustav Relocation Project, West Albion, St. Thomas.	ODPEM	Ian Johnson Equipment Rental & Construction Company	Works	SS	7,858,163.61
10	National Water Commission (NWC)	23.03.11	The provision of General Insurance Services for the National Water Commission for a period of three (3) years.	NWC	Allied Insurance Brokers Limited	Services	ST	210,911,978.00
11	National Water Commission (NWC)	06.04.11	Procurement for the upgrading of Cashier for Windows Cashiering Application Software to an upgraded product, iNovah.	NWC	System Innovators International (SII)	Services	DC	US \$209,674.00
12	National Water Commission (NWC)	20.04.11	The construction of a Waste Water Pumping Station at Darling Street, Kingston.	IADB	Kier Construction Limited	Works	OT	US \$6,343,220.00
13	National Water Commission (NWC)	18.05.11	The supply of Safety Apparatus and Supplies.	NWC	National Safety Limited	Goods	ST	12,601,524.85

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# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
14	National Water Commission (NWC)	18.05.11	The provision of Contract Administration and Work Supervision for the rehabilitation of the Negril Wastewater Treatment Plant in Sheffield, Negril and Westmoreland.	NWC	Fluid Systems Engineering Limited	Services	SS	15,515,622.38
15	National Water Commission (NWC)	08.06.11	The construction of Mona Road (Extension) and Roads Leading Off and Sanitary Collector Sewers at Iguana, St. Andrew.	NWC	Bajad Limited	Works	ST	47,004,380.10
16	National Water Commission (NWC)	06.07.11	The rehabilitation and upgrading of the Georgia to Duncans Transmission Pipeline, Clarks Town Water Supply Scheme in the parish of Trelawny.	NWC	Bajad Limited	Works	ST	43,554,730.00
17	National Water Commission (NWC)	06.07.11	The rehabilitation of the Mona and Hope Water Treatment Plants - Kingston Water and Sanitation Project (KSA/WI).	IADB	Vinci Construction Grands Projects	Works	OT	US \$17,449,293.38
18	National Water Commission (NWC)	20.07.11	The Installation and Commissioning into service of twenty-nine (29) Bulk Meters for Water Production Facilities in the parishes of Clarendon, St. Catherine, Kingston and St. Andrew, St. Thomas, Portland and St. Mary.	NWC	HDB Construction Limited	Works	OT	14,725,509.58
19	National Water Commission (NWC)	27.07.11	The development of a New Water Source for South East St. Catherine - KMA Water Supply Project.	MWH	Ashtrom Building Systems Limited	Works	OT	1,274,056,071.47
20	National Water Commission (NWC)	03.08.11	The procurement of Payroll System and the Associated Installation Services - Kingston Water and Sanitation (KSA) Project.	IADB	Management Control Systems Limited	Goods	ST	US \$186,191.19

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# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
21	National Water Commission (NWC)	17.08.11	Emergency procurement for the North Street Sanitary Sewer Rehabilitation Works - Engineering.	NWC	Fluid Systems Engineering Limited	Works	None Stated	1,054,856.25
22	National Water Commission (NWC)	17.08.11	Emergency procurement for the North Street Sanitary Sewer Rehabilitation Works - Surveying.	NWC	Schroeter & Associates	Services	None Stated	269,075.00
23	National Water Commission (NWC)	17.08.11	Emergency procurement for the North Street Sanitary Sewer Rehabilitation Works - Construction.	NWC	XYZ Construction Limited	Works	None Stated	27,457,910.00
24	National Water Commission (NWC)	17.08.11	Emergency procurement for the North Street Sanitary Sewer Rehabilitation Works - Road Reinstatement.	NWC	National Works Agency	Works	None Stated	4,868,251.65
25	National Water Commission (NWC)	17.08.11	Emergency procurement for the North Street Sanitary Sewer Rehabilitation Works - Equipment Transportation	NWC	Chris Equipment Rental	Services	None Stated	60,000.00
26	National Water Commission (NWC)	17.08.11	Emergency procurement for the North Street Sanitary Sewer Rehabilitation Works - Equipment Transportation	NWC	Champion Custom Brokers Limited	Services	None Stated	426,525.00
27	National Water Commission (NWC)	17.08.11	Emergency procurement for the North Street Sanitary Sewer Rehabilitation Works - Equipment Rental.	NWC	Waymah	Services	None Stated	367,775.00
28	National Water Commission (NWC)	17.08.11	Emergency procurement for the North Street Sanitary Sewer Rehabilitation Works - Manhole Supply.	NWC	Jamaica Concrete Pipes Limited	Goods	None Stated	462,731.45
29	National Water Commission (NWC)	17.08.11	Emergency procurement for the North Street Sanitary Sewer Rehabilitation Works - Equipment Transportation	NWC	Lindo's Haulage & Wrecking Services Limited	Services	None Stated	144,400.00

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30	Ministry of Water and Housing (MWH)	07.09.11	The installation of Distribution Pipelines and the associated Works at the Comfort Hall/Copperwood/Richmond Hill Water Supply Scheme in the parish of St. James.	GOJ	Frederick Rodrigues & Associates Limited	Works	ST	25,938,214.50
31	National Water Commission (NWC)	14.09.11	The supply of Pumping Equipment and Accessories for the Constant Spring (Red Gal Ring) and Llandeway.	NWC	Industrial and Municipal Supplies, Inc.	Goods	LT	US \$144,892.00
32	National Water Commission (NWC)	14.09.11	The supply of Pumps, Motors and Accessories for Halls Delight, Mocho Well, Mocho Relift, Lowground, Cookhamdene Relift, Lluidasvale Well and Mahoney Relift.	NWC	Industrial and Municipal Supplies, Inc.	Goods	LT	US \$304,031.8
33	Ministry of Water and Housing (MWH)	14.09.11	The installation of an Electrical Distribution System at Darlingford, Manchioneal in the parish of Portland.	GOJ	Millers Electrical & Construction Company Limited	Works	DC	3,400,000.00
34	National Water Commission (NWC)	19.10.11	The procurement of Aluminium Sulphate.	NWC	Industrial Chemical Company Limited	Goods	DC	12,288,000.00
35	Ministry of Water and Housing (MWH)	23.11.11	Infrastructure Works at Mannings Home, Mannings Ville, in the parish of St. Elizabeth.	GOJ	Brighton Engineer Limited	Works	OT	20,392,916.25
MINISTRY OF YOUTH, SPORT AND CULTURE								

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# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
1	Ministry of Youth, Sports and Culture (MYSC)	24.08.11	The construction of the Youth Information Centre (YIC) and a National Youth Service (NYS) Training Centre located at the corner of Wellington and French Streets, Spanish Town in the parish of St. Catherine.	IDB	Rogers Land Development Limited	Works	ST	70,081,165.00
2	Ministry of Youth, Sports and Culture (MYSC)	31.08.11	The construction of the Youth Information Centre (YIC) and a National Youth Service (NYS) Training Centre at May Pen in the parish of Clarendon.	IDB	Rogers Land Development Limited	Works	ST	56,926,199.15
OFFICE OF THE CABINET								
1	Office of the Cabinet (OC)	06.04.11	The procurement of a Consulting Firm to execute the Liquefied National Gas (LNG) Technical Services.	GOJ	Worley Parsons	Services	LT	US \$300,000.00
2	Office of the Cabinet (OC)	20.04.11	The provision of Consultancy Services to the GOJ Liquefied Natural Gas (LNG) Project as Project Manager.	GOJ	Ernest Megginson	Services	DC	US \$426,000.00
3	Office of the Cabinet (OC)	13.07.11	Variation to Contract for LNG Commercial Services - Jamaica LNG Project.	GOJ	Featherwood Capital	Services	NCC Offered No Objection	US \$208,638.00
4	Cabinet Office - Gordon House	07.09.11	Emergency Procurement for repairs to the roofs of Gordon House.	GOJ	HDB Construction Limited	Works	DC	10,104,475.00
5	Cabinet Office - Gordon House	07.09.11	Variation to Contract for repairs to the roofs of Gordon House.	GOJ	HDB Construction Limited	Works	DC	15,105,648.62

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# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
6	Cabinet Office	14.09.11	Consulting Services for the provision of Technical Assistance for the Development of a White Paper on the Establishment of an Environmental Regulatory Authority (ERA).	GOJ	UWI Consulting	Services	DC	7,800,000.00
7	Office of the Utilities Regulation (OUR)	16.11.11	Consultant to develop a Long Run Incremental Cost (LRIC) Model to determine the rate to be charged for mobile interconnection.	GOJ	Tera Consultants	Services	OT	US \$199,399.00
8	Office of the Cabinet (OC)	23.11.11	Follow-on Contract for Consulting Services to provide assistance with the establishment of Strategic Human Resource Management (SHRM) Function for the Public Sector within the Office of the Cabinet.	GOJ	PriceWaterhouseCoopers (PWC)	Services	DC	9,505,512.00
9	Office of the Cabinet (OC)	30.11.11	Variation to existing contract for the procurement of a Consulting Firm to execute the Liquefied National Gas (LNG) Technical Services.	GOJ	Worley Parsons	Services	LT	US \$280,000.00
OFFICE OF THE PRIME MINISTER								
1	Jamaica Social Investment Fund (JSIF)	12.01.11	The rehabilitation of Parottee Rural Feeder Road in the parish of St. Elizabeth.	IRBD/ERL	Contraxx Enterprise Limited	Works	ST	631,600.00
2	Jamaica Social Investment Fund (JSIF)	12.01.11	The assembling of a Bailey Bridge at Brandon Hill to Belair and rehabilitation of 200 meters of Farm Access Road.	CDB/BNTF/GOJ	Aegisco Limited	Works	ST	16,983,500.00
3	Jamaica Social Investment Fund (JSIF)	12.01.11	The rehabilitation of the Gregory Park Primary School in the parish of St. Catherine.	EU/PRP 11	Sharecon Construction Limited	Works	ST	28,979,705.00

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4	Jamaica Social Investment Fund (JSIF)	12.01.11	The renovation and rehabilitation of the Glendevon Skills Training Centre in the parish of St. James.	CDB/ BNTF/ GOJ	Sharecon Construction Limited	Works	ST	36,815,755.00
5	Jamaica Social Investment Fund (JSIF)	12.01.11	The construction of Maranatha Ministries Basic School in the parish of St. Andrew.	EU/PRP 11	Alcar Construction and Haulage Company Limited	Works	ST	32,108,457.00
6	Jamaica Social Investment Fund (JSIF)	12.01.11	The installation of a pumping unit, motor control centre and the construction of a Storage Tank at the Thornton Water Supply Booster Station in the parish of St. Thomas.	CDB/ BNTF/ GOJ	HDB Construction Limited	Works	ST	11,233,261.96
7	Jamaica Social Investment Fund (JSIF)	12.01.11	The construction of the St. Monica's Home Greenhouse and perimeter fencing in the parish of St. Catherine.	EU/PRP 11	B.W. Thompson & Associates	Works	ST	12,515,336.00
8	Office of the Prime Minister (OPM)	19.01.11	The renewal and upgrade of the Local Area Network Infrastructure at the Office of the Prime Minister (OPM).	GOJ	Syncon Technologies Limited	Services	ST	11,521,043.61
9	Jamaica Fire Brigade (JFB)	02.02.11	The procurement of Firefighters' Protective Gear.	GOJ	Bell Communications Limited	Goods	ST	19,511,250.00
10	Urban Development Corporation (UDC)	02.02.11	Government to Government procurement for the completion of outstanding upgrading works to the existing sewage lift station at the Montego Bay Sports Complex, Catherine Hall in the parish of St. James.	GOJ	National Water Commission	Works	GG	14,905,000.00

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11	National Housing Trust (NHT)	02.02.11	The supply of Ductile Iron Pipeline Material and Appurtenances for the installation of a potable water supply transmission main at the Longville Park Housing Development, Phase 3 in the parish of Clarendon.	NHT	Coatom Limited	Goods	ST	71,215,593.00
12	National Solid Waste Management Authority (NSWMA)	09.02.11	The leasing of heavy equipment (D7 Bulldozer) for the Myersville Disposal Site.	GOJ	Samson Equipment	Services	ST	27,231,000.00
13	National Solid Waste Management Authority (NSWMA)	09.02.11	The leasing of heavy equipment (D6 Bulldozer) for the Doctor's Wood Disposal Site.	GOJ	Premier Business Services Limited	Services	ST	21,489,200.00
14	National Solid Waste Management Authority (NSWMA)	09.02.11	The leasing of heavy equipment (D6 Bulldozer) for the Tobolski Disposal Site.	GOJ	Premier Business Services Limited	Services	ST	21,489,200.00
15	National Solid Waste Management Authority (NSWMA)	09.02.11	The leasing of heavy equipment (D6 Bulldozer) for the Church Corner Disposal Site.	GOJ	Premier Business Services Limited	Services	ST	21,489,200.00
16	National Solid Waste Management Authority (NSWMA)	09.02.11	The leasing of heavy equipment (960/966 Front-end Loader) for the Retirement Disposal Site.	GOJ	Premier Business Services Limited	Services	ST	15,118,000.00
17	Jamaica Social Investment Fund (JSIF)	09.02.11	Variation to the existing contract for the construction of a Community Centre with bathrooms, shop and multi-purpose area at Central Village, St. Catherine.	IBRD	KSA Engineering Consultants Limited	Works	ST	19,630,996.18

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18	Jamaica Social Investment Fund (JSIF)	09.02.11	Variation to the existing contract for the construction for shops, multi-purpose area and bathrooms for a Community Centre at Knolls, St. Catherine.	IBRD	KSA Engineering Consultants Limited	Works	ST	13,389,810.91
19	Jamaica Social Investment Fund (JSIF)	09.02.11	Variation to the existing contract for the construction of a Community Centre with bathrooms, shops and multi -purpose area at Flankers, St. James.	IBRD	Sharecon Construction Limited	Works	ST	23,829,265.15
20	National Housing Trust (NHT)	16.02.11	The provision of Civil Infrastructure Works at Latium Housing Development, in the parish of St. James.	NHT	D.R. Foote Construction Limited	Works	ST	358,824,000.00
21	Jamaica Social Investment Fund (JSIF)	23.02.11	The construction of a two (2) storey six (6) classroom block at Ballads Valley Primary School, in the parish of St. Elizabeth.	CDB/GOJ	Nakash Construction & Equipment Company Limited	Works	ST	24,626,412.00
22	Jamaica Social Investment Fund (JSIF)	23.02.11	The rehabilitation of roadway from Bonny Gate to Preston Road, in the parish of St. Mary.	CDB/GOJ	N.F. Barnes Construction and Equipment Company Limited	Works	ST	29,017,760.00
23	National Land Agency (NLA)	23.02.11	The provision of Security Services at the National Land Agency's designated locations.	GOJ	Quest Security Services Limited	Services	ST	26,914,500.00
24	E-Learning Jamaica Co Limited.	23.02.11	The procurement of Computer Security Locks.	UAF	Medianet Limited	Goods	ST	US \$324414.55
25	Development Bank of Jamaica Limited (DBJ)	02.03.11	The provision of Microfinance Apex Loan Management System.	DBJ	Fern Computer Services Limited	Goods	LT	US \$171,954.00

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26	Planning Institute of Jamaica (PIOJ)	02.03.11	Consultancy Services for the modernization of Jamaica's Civil Registration and Vital Statistics Systems.	IDB/GOJ	Delaware Consultoria S.L.	Services	OT	US \$337,000.00
27	Jamaica Social Investment Fund (JSIF)	16.03.11	The rehabilitation of the Alpha Boys Home.	CDB/BNTF/GOJ	Artog Construction Company Limited	Works	ST	20,077,428.00
28	Jamaica Social Investment Fund (JSIF)	16.03.11	The rehabilitation and expansion of the Allman Town Primary School.	EU/PRP 11	Artog Construction Company Limited	Works	ST	13,538,500.00
29	Office of Prime Minister (OPM)	30.03.11	The Procurement of island-wide Satellite Imagery.	GOJ	Mona GeoInformatix Limited	Services	LT	24,009,300.00
30	Development Bank of Jamaica Limited (DBJ)	06.04.11	Consultant Engineer to oversee the upgrade of Infrastructure and other works for the Historic Falmouth Town Centre Redevelopment Programme.	PCDF	ADEB Consultants Limited	Services	SS	19,968,000.00
31	Development Bank of Jamaica Limited (DBJ)	13.04.11	The provision of Insurance Placement for a period of three (3) years, 2011 - 2014.	DBJ	Allied Insurance Brokers Limited	Services	ST	10,069,727.68
32	Urban Development Corporation (UDC)	13.04.11	The engagement of a Consultant to package Local Attractions for divestment.	GOJ	Deloitte & Touché'	Services	None Stated	29,342,355.00
33	National Housing Trust (NHT)	13.04.11	Variation to the existing contract for the Construction of nine (9) three (3) Bedroom Townhouses with associated infrastructure at 4 - 6 Salisbury Avenue, Barbican, St. Andrew.	NHT	M & M Jamaica Limited	Works	ST	5,262,784.05

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34	Ministry of Tourism (MOT)	13.04.11	Consultancy Services for the conducting of a study of the Economic Impact on the Tourism Industry.	TEF	Nathan EME Limited/Nathan Associates Inc.	Services	DC	US \$207,650.00
35	Jamaica Social Investment Fund (JSIF)	20.04.11	The rehabilitation of the Allman Town Infant School, Kingston. The Works include the construction of two classrooms, sickbay, administrative area, playground and rehabilitation of existing buildings.	EU/PRP 11	Ricam Construction Company Limited	Works	ST	23,724,427.30
36	Jamaica Social Investment Fund (JSIF)	20.04.11	The renovation and extension of the Alwyn Ashley Multipurpose Centre, in the parish of St. Andrew. The Works include the construction of a two (2) storey building.	IDB/CSJP/GOJ	Alfrasure Structures & Roofing Limited	Works	ST	26,931,959.54
37	Jamaica Social Investment Fund (JSIF)	20.04.11	The construction of the Elim Basic School, in the parish of St. Elizabeth. The Works include the construction of three (3) classrooms, sickbay, kitchen, sanitation and the installation of a chain link perimeter fence.	TS Gustav/GOJ	Ricam Construction Company Limited	Works	ST	16,370,976.00
38	Jamaica Social Investment Fund (JSIF)	20.04.11	The construction of the Simon Basic School, in the parish of St. Catherine. The Works include the construction of three (3) classrooms, sickbay, kitchen, sanitation and the installation of a chain link perimeter fence.	TS Gustav/GOJ	Ricam Construction Company Limited	Works	ST	15,436,159.00

NCC ENDORSED CONTRACTS 2011

# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
39	Jamaica Social Investment Fund (JSIF)	20.04.11	The rehabilitation of the Tower Hill Missionary Early Childhood Institution, in the parish of St. Andrew. The Works include the removal and replacement of roofs, installation of blockwall partitions, construction of play area and the installation of new windows, doors, sanitary fixtures, cupboard and kitchen fixtures.	EU/PRP 11	Ricam Construction Company Limited	Works	ST	21,264,483.26
40	Jamaica Social Investment Fund (JSIF)	04.05.11	The upgrading of the Norman Gardens Primary & Junior High School in the parish of Kingston. The Works include the rehabilitation of the Multi-purpose Court and the construction of a Guidance Counsellor Block and solid waste disposal.	TS Gustav/GO J	Alfrasure Structures & Roofing Limited	Works	ST	38,190,393.00
41	Jamaica Social Investment Fund (JSIF)	04.05.11	The reconstruction of the Rocky Point Market, in the parish of Clarendon. The Works include the construction of a structural steel, concrete buildings for the housing of all fish related activities and modification to the perimeter wall and market access.	CDB/BNTF	Sharecon Construction Limited	Works	ST	45,542,492.15
42	Post & Tele-Communications Department (PTD)	11.05.11	Mail Transportation Services for Port Antonio (via Yallahs P.O.) Central Sorting Office. (MR1)	PTD	Sibron Company Limited	Services	ST	13,050,449.28
43	Post & Tele-Communications Department (PTD)	11.05.11	Mail Transportation Services for Montego Bay Central Sorting Office. (MR4)	PTD	Sibron Company Limited	Services	ST	16,526,611.20
44	Post & Tele-Communications Department (PTD)	11.05.11	Mail Transportation Services for Montego Bay - Hopewell Central Sorting Office. (CR36)	PTD	Sibron Company Limited	Services	ST	13,594,204.80

NCC ENDORSED CONTRACTS 2011

# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
45	Post & Tele-Communications Department (PTD)	11.05.11	Mail Transportation Services for Black River - Giddy Hall Central Sorting Office. (CR46)	PTD	Sibron Company Limited	Services	ST	14,311,330.18
46	Post & Tele-Communications Department (PTD)	11.05.11	Mail Transportation Services for Port Antonio (via Junction) Central Sorting Office. (MR2)	PTD	Kiwijah Transport Limited	Services	ST	13,728,000.00
47	Post & Tele-Communications Department (PTD)	11.05.11	Mail Transportation Services for Ocho Rios P.O. Central Sorting Office. (MR3)	PTD	Kiwijah Transport Limited	Services	ST	15,312,000.00
48	Post & Tele-Communications Department (PTD)	11.05.11	Mail Transportation Services for Black River Central Sorting Office. (MR5)	PTD	Kiwijah Transport Limited	Services	ST	16,896,000.00
49	Post & Tele-Communications Department (PTD)	11.05.11	Mail Transportation Services for May Pen Central Sorting Office. (MR6)	PTD	Kiwijah Transport Limited	Services	ST	19,536,000.00
50	Post & Tele-Communications Department (PTD)	11.05.11	Mail Transportation Services for Old Harbour - Bartons Central Sorting Office. (CR47)	PTD	Lytton Smith	Services	ST	10,120,704.00
51	Post & Tele-Communications Department (PTD)	11.05.11	Mail Transportation Services for St. Ann's Bay - Duanvale Central Sorting Office. (CR29)	PTD	Britnick	Services	ST	11,634,522.24
52	Post & Tele-Communications Department (PTD)	11.05.11	Mail Transportation Services for St. Ann's Bay - Sherwood Content Central Sorting Office. (CR30)	PTD	Britnick	Services	ST	13,864,775.64
53	Post & Tele-Communications Department (PTD)	11.05.11	Mail Transportation Services for Brown's Town - Tweedside Central Sorting Office. (CR31)	PTD	Britnick	Services	ST	10,404,343.48

NCC ENDORSED CONTRACTS 2011

# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
54	Post & Tele-Communications Department (PTD)	11.05.11	Mail Transportation Services for Montego Bay - John's Hall Central Sorting Office. (CR33)	PTD	Diverse Services Company Limited	Services	ST	10,219,278.96
55	Post & Tele-Communications Department (PTD)	11.05.11	Mail Transportation Services for Santa Cruz - Newton Central Sorting Office. (CR42)	PTD	Phillida Hutchinson	Services	ST	13,787,558.40
56	Post & Tele-Communications Department (PTD)	11.05.11	Mail Transportation Services for Lacovia - Maggotty Central Sorting Office. (CR44)	PTD	Phillida Hutchinson	Services	ST	11,505,381.88
57	Post & Tele-Communications Department (PTD)	11.05.11	Mail Transportation Services for Middle quarters - Stonetienge Central Sorting Office. (CR45)	PTD	Phillida Hutchinson	Services	ST	11,388,579.84
58	Post & Tele-Communications Department (PTD)	11.05.11	Mail Transportation Services for Buff Bay - Fruitful Vale Central Sorting Office. (CR 21)	PTD	Hugh Shirley	Services	ST	10,205,733.12
59	Post & Tele-Communications Department (PTD)	11.05.11	Mail Transportation Services for Highgate - Islington Central Sorting Office. (CR24)	PTD	Hugh Shirley	Services	ST	14,063,623.20
60	Post & Tele-Communications Department (PTD)	11.05.11	Mail Transportation Services for Ewarton - Colonels Ridge Central Sorting Office. (CR26)	PTD	Florizel Greenwood	Services	ST	11,453,376.00
61	Post & Tele-Communications Department (PTD)	11.05.11	Mail Transportation Services for Kingston Central Sorting Office. (D4)	PTD	Astley Harding	Services	ST	10,560,000.00
62	Post & Tele-Communications Department (PTD)	11.05.11	Mail Transportation Services for Kingston - Norman Manley Airport Central Sorting Office. (D5)	PTD	Levene Bruce	Services	ST	10,547,908.80

NCC ENDORSED CONTRACTS 2011

# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
63	Post & Tele-Communications Department (PTD)	11.05.11	Mail Transportation Services for Morant Bay P.O. - Seaforth P.O. Central Sorting Office. (CR20)	PTD	Noel Thompson	Services	ST	10,053,120.00
64	Post & Tele-Communications Department (PTD)	11.05.11	Mail Transportation Services for Mandeville - Litchfield Central Sorting Office. (CR40)	PTD	Elaine Shields	Services	ST	12,739,816.32
65	Post & Tele-Communications Department (PTD)	11.05.11	Mail Transportation Services for Stony Hill - Broadgate Central Sorting Office. (CR52)	PTD	Clayton Fyffe	Services	ST	12,717,619.20
66	Office of the Prime Minister (OPM) - Department of Local Government	11.05.11	The rehabilitation of the Black River Market (Phase 1).	JSIF	Tankweld Limited	Works	DC	43,560,556.00
67	Spectrum Management Authority (SMA)	18.05.11	The supply of the necessary goods and services for the expansion of Spectrum Management Authority's Radio Monitoring and Finding System.	SMA	TCI International Inc.	Services	DC	US \$1,681,601.00
68	Jamaica Social Investment Fund (JSIF)	08.06.11	The procurement of Compactor Trucks for the National Solid Waste Management Authority (NSWMA).	Go/IRBD	Renault Trucks (France)	Goods	SS	13,014,794.31
69	National Solid Waste Management Authority (NSWMA)	08.06.11	The Leasing of Heavy Equipment for the Martin Hill Disposal Site for a period of two (2) years.	GOJ	Samson Equipment & Haulage	Services	LT	30,909,400.00
70	National Solid Waste Management Authority (NSWMA)	08.06.11	The Leasing of Heavy Equipment, two (2) D8 Bulldozers for the Retirement Disposal Site for a period of two (2) years.	GOJ	General Maintenance & Construction Services Limited	Services	ST	116,890,000.00

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# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
71	National Solid Waste Management Authority (NSWMA)	08.06.11	The Leasing of Heavy Equipment, one (1) 966 Front-End Loader (FEL) for the Riverton Disposal Site for a period of two (2) years.	GOJ	Biersay Equipment	Services	ST	27,676,600.00
72	National Solid Waste Management Authority (NSWMA)	08.06.11	The Leasing of Heavy Equipment, one (1) D7 Bulldozer for the Haddon Disposal Site for a period of two (2) years.	GOJ	Samson Equipment & Haulage	Services	ST	38,882,000.00
73	National Solid Waste Management Authority (NSWMA)	22.06.11	Extension of contract for the Leasing of Heavy Equipment, one (1) 966 Front-End Loader (FEL) for the Riverton Disposal Site until October 31, 2011.	GOJ	Wayne Rich Limited	Services	DC	7,084,000.00
74	National Solid Waste Management Authority (NSWMA)	22.06.11	Extension of contract for the Leasing of Heavy Equipment, one (1) D8 for the Retirement Disposal Site until October 31, 2011.	GOJ	Wayne Rich Limited	Services	DC	13,984,000.00
75	National Solid Waste Management Authority (NSWMA)	22.06.11	Extension of contract for the Leasing of Heavy Equipment, one (1) D8 for the Retirement Disposal Site until October 31, 2011.	GOJ	General Maintenance & Construction Services Limited	Services	DC	14,720,000.00
76	National Solid Waste Management Authority (NSWMA)	22.06.11	Extension of contract for the Leasing of Heavy Equipment, one (1) D7 for the Haddon Disposal Site until October 31, 2011.	GOJ	General Maintenance & Construction Services Limited	Services	DC	10,000,000.00
77	Jamaica Social Investment Fund (JSIF)	13.07.11	The rehabilitation of the Alexandria Health Centre, in the parish of St. Ann - Tropical Storm (TS) Gustav.	IBRD/GOJ	Artog Construction Company Limited	Works	ST	17,006,550.00

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78	Jamaica Social Investment Fund (JSIF)	13.07.11	The refurbishing of the Labyrinth Primary School, in the parish of St. Mary - Tropical Storm (TS) Gustav.	IBRD/GOJ	Ricam Construction Company Limited	Works	ST	21,574,520.00
79	E-Learning Jamaica Co Limited.	20.07.11	Variation to contract for the procurement of Computer Equipment, Network and related Supplies.	GOJ	Dell World Trade Corporation	Goods	ST	US \$2627526.68
80	National Housing Trust (NHT)	20.07.11	Consultancy Services for a Civil Engineering Team to monitor the Housing and Infrastructure Works at the Longville Park Housing Development (Phase 2A), in the parish of Clarendon.	NHT	Jentech Consultants Limited	Services	ST	18,908,511.02
81	Urban Development Corporation (UDC)	27.07.11	The renewal of the General Insurance Portfolio for the National Hotels & Properties Limited Building for the period 2011/2012 - 2012/2014.	UDC	CGM Gallagher Insurance Brokers Limited	Services	ST	13,048,075.00
82	National Housing Trust (NHT)	03.08.11	Emergency procurement for the drilling of a Replacement Well for the Longville Park Water Supply System.	NHT	Hood-Daniel Well Company Limited	Works	DC	29,262,945.00
83	National Housing Trust (NHT)	03.08.11	Emergency procurement for the supply of 10.2 km of Ductile Iron Pipeline Materials for the Longville Park Water Supply System.	NHT	Deryck A. Gibson Limited	Goods	DC	124,069,299.18
84	National Housing Trust (NHT)	17.08.11	The completion of forty-eight (48) two (2) and three (3) Bedroom Apartments at the Majestic Gardens Housing Development, in the parish of St. Andrew - Inner City Housing Project (IHP).	NHT	Ashtrom Building Systems Limited	Works	LT	160,000,000.00

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# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
85	Jamaica Social Investment Fund (JSIF)	24.08.11	The rehabilitation of Top Quarter Roadway, in the parish of Clarendon.	CDB/CIP/G OJ	Contraxx Enterprise Limited	Works	ST	28,489,500.00
86	Jamaica Social Investment Fund (JSIF)	24.08.11	The upgrade of Fruitful Vale Shrewsbury Cultural Centre Playing Field, in the parish of Portland. The Works involve grading and levelling of the playing field, the erection of a spectator stand and installation of field lights.	CDB/CIP/G OJ	Contraxx Enterprise Limited	Works	ST	11,990,000.00
87	National Environment and Planning Agency (NEPA).	24.08.11	Emergency Procurement of Consultant to undertake emergency rehabilitation works on the abandoned gold mine at Pennants, in the parish of Clarendon.	GOJ	CL Environment Company Limited	Services	DC	8,767,231.48
88	Jamaica Social Investment Fund (JSIF)	31.08.11	Variation to contract for the rehabilitation of Greenfield Rural Feeder Road, in the parish of St. Elizabeth.	IBRD	Contraxx Enterprise Limited	Works	ST	19,932,200.00
89	Jamaica Social Investment Fund (JSIF)	07.09.11	The construction of a new sanitation block and renovation to the existing school building at the Freemans Hall Primary and Infant School, in the parish of Trelawny.	CDB/CIP/G OJ	G.M & Associates Limited	Works	ST	27,943,427.00
90	Jamaica Social Investment Fund (JSIF)	07.09.11	The construction of a new sanitation block, expansion of the kitchen facilities and construction of a multi-purpose half court at the Wilsons Run Primary School, in the parish of Trelawny.	CDB/CIP/G OJ	G.M & Associates Limited	Works	ST	28,233,662.26

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# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
91	National Land Agency (NLA)	14.09.11	Emergency Procurement for the supply and installation of new Air Handling Units at Block 11 (Seabed Building).	GOJ	Arel Limited	Works	DC	15,933,360.00
92	Jamaica Social Investment Fund (JSIF)	14.09.11	Direct Contracting for the upgrade of the Bank of Jamaica's existing Storage Area Network (SAN) Infrastructure.	BOJ	Dell World Trade L.P.	Services	DC	19,500,000.00
93	Jamaica Social Investment Fund (JSIF)	14.09.11	The rehabilitation of Water Wheel to Pleasant Hill Road, in the parish of Westmoreland. The works involves rehabilitation of 1.8km of roadway, v-drains, asphaltic and rip rap cross drains.	CDB/CIP/G OJ	Patrick E. Thompson	Works	ST	22,394,730.00
94	Jamaica Social Investment Fund (JSIF)	21.09.11	The expansion, rehabilitation and equipping of the Crawford Primary School, in the parish of St. Elizabeth.	CDB/BNTF	Sharecon Construction Limited	Works	ST	38,968,960.00
95	Jamaica Social Investment Fund (JSIF)	21.09.11	The expansion, equipping and fencing of the Litchfield Basic School, in the parish of Trelawny.	CDB/BNTF	Ricam Construction Company Limited	Works	ST	18,846,579.60
96	Jamaica Social Investment Fund (JSIF)	21.09.11	The renovation of existing school building and upgrade of the sanitation block of the Sawyers Primary School, in the parish of Trelawny.	CDB/BNTF	Ricam Construction Company Limited	Works	ST	19,362,669.00
97	National Land Agency (NLA)	21.09.11	The modernization of two (2) Schindler Passenger Elevators.	GOJ	Arel Limited	Works	DC	10,775,143.30
98	National Housing Trust (NHT)	21.09.11	Interior renovation of the National Housing Trust Mandeville Branch at Lot 22 Caledonia Mall, Mandeville, in the parish of Manchester.	NHT	MLO Services Limited	Works	ST	11,518,440.00

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# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
99	Jamaica Fire Brigade (JFB)	28.09.11	The procurement of one hundred and sixty-five (165) Bunker Gears.	GOJ	Bell Communications Limited	Goods	DC	22,535,493.75
100	Jamaica Fire Brigade (JFB)	28.09.11	The procurement of two thousand (2000) Leather Belts.	GOJ	Guaca	Goods	DC	5,504,000.00
101	National Solid Waste Management Authority (NSWMA)	28.09.11	The provision of General Insurance for a period of three (3) years - 2011 - 2014.	GOJ	Allied Insurance Brokers Limited	Services	ST	14,765,028.00
102	Urban Development Corporation (UDC)	28.09.11	The supply of Desktop Computers, CAD/GIS Workstations, Notebooks, IS Notebooks, Tough Notebooks and CAD Notebooks for the Urban Development Corporation.	UDC	Medianet Limited	Goods	ST	27,110,839.20
103	Urban Development Corporation (UDC)	28.09.11	The provision of Security Services for the Urban Development Corporation (UDC) and its Subsidiaries for a period of two (2) years.	UDC	Guardsman Limited	Services	ST	203,501,837.28
104	Urban Development Corporation (UDC)	28.09.11	Extension of existing contract for the provision of Security Guard Services the Urban Development Corporation (UDC) Downtown Kingston Complex for a period of six (6) months.	UDC	Allied Protection Limited	Services	ST	22,764,445.33
105	Jamaica Fire Brigade (JFB)	19.10.11	Direct Contracting for the rental of the Madge Saunders Conference Centre for the training of Fire Brigade recruits.	GOJ	Madge Saunders Conference Centre	Services	DC	25,596,000.00
106	Urban Development Corporation (UDC)	19.10.11	The supply of thirteen (13) Network Access Switches.	UDC	Syncon Technologies Limited	Goods	ST	10,427,013.81

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# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
107	Jamaica Fire Brigade (JFB)	26.10.11	The rehabilitation of the Jamaica Fire Brigade Santa Cruz Sub-Station, in the parish of St. Elizabeth.	GOJ	Seivwright Building Construction Supplies Limited	Works	ST	12,000,205.76
108	Post & Tele-Communications Department (PTD)	26.10.11	Mail Transportation Services for the Port Maria - Boscobel Central Sorting Office. (CR28)	GOJ	Sibron Company Limited	Services	ST	14,210,687.04
109	Post & Tele-Communications Department (PTD)	26.10.11	Mail Transportation Services for the Mandeville - Sawyers Central Sorting Office. (CR38)	GOJ	Sibron Company Limited	Services	ST	16,144,128.00
110	Post & Tele-Communications Department (PTD)	26.10.11	Mail Transportation Services for the Kingston Central Sorting Office. (K15)	GOJ	Kiwijah Transport Limited	Services	ST	15,840,000.00
111	Post & Tele-Communications Department (PTD)	26.10.11	Mail Transportation Services for the Buff Bay - Green Central Sorting Office. (CR22)	GOJ	Hugh Shirley	Services	ST	11,301,143.04
112	Post & Tele-Communications Department (PTD)	26.10.11	Mail Transportation Services for the Savanna-La-Mar - Frome Central Sorting Office. (CR37)	GOJ	Karleen Stephens	Services	ST	11,172,480.00
113	Post & Tele-Communications Department (PTD)	26.10.11	Mail Transportation Services for the Mandeville - Mayday Central Sorting Office. (CR39)	GOJ	Karleen Stephens	Services	ST	10,359,360.00
114	Post & Tele-Communications Department (PTD)	26.10.11	Mail Transportation Services for the Bull Bay - Kingston Central Sorting Office. (K14)	GOJ	Audrey Thompson	Services	ST	10,109,447.04

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# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
115	Urban Development Corporation (UDC)	02.11.11	The supply of IT Network/Office Equipment/Workstation for the Montego Bay Convention Centre. The items to be supplied include twenty (20) desktop computers, ten (10) laptop computers, two (2) domain controllers, one (1) mail server, one (1) file server, one (1) firewall, backup solution and anti-virus and one (1) barracuda and spam firewall.	UDC	Medianet Limited	Goods	ST	11,163,162.83
116	Jamaica Social Investment Fund (JSIF)	02.11.11	The upgrading and reinstatement of Infrastructure (water supply, fire hydrants, storm water drainage and road works) at Detroit, Central Village, in the parish of St. Catherine.	GOJ/IDB	Bacchus Engineering Works Limited	Works	ST	15,000,000.00
117	National Solid Waste Management Authority (NSWMA)	02.11.11	Emergency procurement to lease heavy equipment for the Riverton Disposal Site.	GOJ	KEMSHA Limited	Services	None Stated	7,326,400.00
118	National Solid Waste Management Authority (NSWMA)	02.11.11	Emergency procurement to lease heavy equipment for the Riverton Disposal Site.	GOJ	Alcar Construction and Haulage Company Limited	Services	None Stated	2,922,000.00
119	Development Bank of Jamaica Limited (DBJ)	02.11.11	Consultant to conduct a valuation on the Jamaica Bauxite Mining Limited (JBM) 7% Shareholding in Windalco. The contract includes the provision for an additional amount for expenses limited to US\$10,747.00.	DBJ	Deloitte Touché Tohmatsu	Services	LT	US \$255,563.90
120	National Solid Waste Management Authority (NSWMA)	02.11.11	Further Extension of contract for the Leasing of Heavy Equipment, one (1) D8 Bulldozer for the WPM Retirement Disposal Site for a period of six (6) months.	GOJ	Wayne Rich Limited	Services	DC	13,832,000.00

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# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
121	National Solid Waste Management Authority (NSWMA)	02.11.11	Further Extension of contract for the Leasing of Heavy Equipment, one (1) D8 Bulldozer for the WPM Retirement Disposal Site for a period of six (6) months.	GOJ	General Maintenance & Construction Services Limited	Services	DC	14,560,000.00
122	National Solid Waste Management Authority (NSWMA)	02.11.11	Further Extension of contract for the Leasing of Heavy Equipment, one (1) D8 Bulldozer for the SPM Martin's Hill Disposal Site for a period of three (3) months.	GOJ	Samson Equipment	Services	DC	6,320,000.00
123	National Solid Waste Management Authority (NSWMA)	02.11.11	Further Extension of contract for the Leasing of Heavy Equipment, one (1) D7 Bulldozer for the NEPM Hadden Disposal Site for a period of six (6) months.	GOJ	General Maintenance & Construction Services Limited	Services	DC	9,672,000.00
124	Post & Tele-Communications Department (PTD)	09.11.11	Mail Transportation Services for the Montego Bay - Darliston Central Sorting Office. (CR35)	PTD	Sibron Company Limited	Services	ST	11,806,757.95
125	Jamaica Social Investment Fund (JSIF)	09.11.11	The upgrading and reinstatement of Infrastructure (water supply, fire hydrants, storm water drainage and road works) at Little Lane, Central Village, in the Parish of St. Catherine.	GOJ/IDB	Bacchus Engineering Works Limited	Works	ST	39,149,500.00
126	Jamaica Social Investment Fund (JSIF)	09.11.11	The construction of bathroom facilities for twenty-two (22) houses inclusive of water closet, lavatory basin, shower and outdoor wash tub to assist with food preparation for the Crystal City Sanitation Project, in the parish of St. Thomas.	CDB/CIP/G OJ	Marshall Construction Company Limited	Works	ST	18,006,969.00

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# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
127	Jamaica Social Investment Fund (JSIF)	09.11.11	The construction of the Eric Malcolm Basic School, in the parish of St. Catherine.	CDB/BNTF	Sharecon Construction Limited	Works	ST	29,720,960.00
128	National Housing Trust (NHT)	09.11.11	The provision of Consulting Services for the Sevens Housing Development, Birds Hill, in the parish of Clarendon.	NHT	FCS Consultants Limited	Services	DC	24,247,300.00
129	National Housing Trust (NHT)	07.12.11	Emergency procurement for the installation of 5.8km of Ductile Iron Pipeline Materials and Appurtenances for the Longville Park Phase 3, Off-Site Water Supply.	NHT	Bacchus Engineering Works Limited	Works	DC	80,853,850.00
130	Jamaica Social Investment Fund (JSIF)	07.12.11	The upgrading and reinstatement of Infrastructure services (water supply, fire hydrants, storm water drainage and road works) at Andrews Lane, Central Village, in the parish of St. Catherine.	GOJ/IDB	Dwight's Construction Company Limited	Works	ST	32,670,664.00
131	Jamaica Social Investment Fund (JSIF)	07.12.11	The construction of U Drains and the rehabilitation of roads at Flankers, in the parish of St. James.	GOJ/IDB	Contraxx Enterprise Limited	Works	ST	57,424,600.00
132	Jamaica Social Investment Fund (JSIF)	07.12.11	The laying of water supply pipes and raw sewage pipes for the Fruitful Vale Water Supply, in the parish of Portland.	CDB/BNTF/ GOJ	Bacchus Engineering Works Limited	Works	ST	41,938,500.00
133	Jamaica Social Investment Fund (JSIF)	07.12.11	The construction of a four (4) classroom block, sick bay, kitchen, sanitation block and the renovation of the existing building to include the expansion of the infant department at the Mocho Primary & Infant Primary School, in parish of Clarendon.	CDB/CIP/G OJ	Surrey Paving & Aggregate Limited	Works	ST	38,043,955.00

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# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
134	Jamaica Social Investment Fund (JSIF)	07.12.11	The upgrading and reinstatement of Infrastructure services (water supply, fire hydrants, storm water drainage and road works) at Whitfield Town, in the parish of St. Andrew - (Zone B - Package 2).	GOJ/IDB	Alcar Construction and Haulage Company Limited	Works	ST	11,250,560.00
135	Jamaica Social Investment Fund (JSIF)	07.12.11	The upgrading and reinstatement of Infrastructure services (water supply, fire hydrants, storm water drainage and road works) at Whitfield Town, in the parish of St. Andrew - (Zone D - Package 6).	GOJ/IDB	Alcar Construction and Haulage Company Limited	Works	ST	30,098,060.00
136	Jamaica Social Investment Fund (JSIF)	07.12.11	The upgrading and reinstatement of Infrastructure services (water supply, fire hydrants, storm water drainage and road works) at Whitfield Town, in the parish of St. Andrew - (Zone D - Package 7).	GOJ/IDB	Alcar Construction and Haulage Company Limited	Works	ST	24,163,700.00

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**APPENDIX III - CONSTRUCTION CONTRACTS PRE AND POST MONITORING
ACTIVITIES**

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.	PPCM-5432							
MINISTRY	Ministry of Water and Housing							
PUBLIC BODY/ AGENCY	Housing Agency of Jamaica Limited							
PROJECT NAME	Housing & Infrastructure Works - Stadium Gardens (Phase 3), St. Andrew							
PROJECT DESCRIPTION	The construction of fifty (50) 2 bedroom townhouses (978 sq.ft.) with the requisite open spaces, parking facilities, and attendant infrastructure. The proposed infrastructure includes asphalted roadways, with kerb and channels, storm water drainage, potable water distribution network and a an NWC public sewerage system.							
PROJECT LOCATION(S)	Saint Andrew							
CONTRACTOR	Alcar Construction & Haulage Company Limited							
CONSULTANT	In - House							
SOURCE OF FUNDING	National Housing Trust Loan							
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Open Tender	2010-06-30	J\$333,101,881.00	2010-09-07	Yes	Yes	2010-10-06	2011-02-28	2011-03-14
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Ministry of Housing, Water and Local Government, under its National Housing Programme, had pre-qualified Grade 1 Contractors, in the Categories of Civil Engineering and Building Construction. The Housing Agency of Jamaica Limited (HAJL) invited the eleven (11) Contractors who had pre-qualified to submit tenders.</p> <p>Tender Documents were to be submitted by June 30, 2010 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Alcar Construction and Haulage Company Limited, in the sum of J\$349,854,520.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
J\$349,854,520.00	2011-03-28	2011-03-28	12 Month(s)	2012-03-28	0000-00-00	0	0	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	J\$144,938,266.76	\$0.00	12 Month(s)	
STATUS	Contract 50% Complete							

POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)

The project commenced on March 28, 2011 and is scheduled to be completed on March 28, 2012.

During the reporting period, documents which were obtained indicated that from the onset, progress on the project had been slow and was behind schedule. Justification for the slow progress are as follows:

1. Delays in the setting out activities by the Contractor due to lack of information from HAJL;
2. Delay in the payment of Mobilization sum to the Contractor;
3. Stop Order Notice served by the Kingston and St. Andrew Corporation as building approval had not been received due to the site condition at (4) below;
4. The discovery of compact garbage on the work site;
5. Change orders (stairs and internal walls);
6. The tardiness of the JPSCo, in responding to requests made by the Contractor;
7. General slow production rate by the Contractor; and
8. Re-works due to poor quality workmanship.

Documents which were obtained by the Office of the Contractor General (OCG) further indicated that the Contractor was consistently late in submitting, to the HAJL, data for concrete tests results and also some samples of materials and fixtures required for the project.

There were three (3) major changes to designs in the project, which are as follows:

1. The use of 75mm waste pipes instead of 100mm drain pipes for the water closets on the first floor;
2. Changes to the block wall in the rear bedroom with a wooden closet frame or drywall; and
3. Changes in the design of the stairs from concrete to wood.

Subsequent to these issues the Contractor gave the assurance that fifteen (15) Units would be handed over on December 20, 2011. As at the end of the 2011 reporting period, the Contractor did not achieve this milestone.

As at December 31, 2011, the project, though scheduled to be 83% complete, was only 50% complete and 23% behind schedule. The OCG notes that if the project is to be completed on the scheduled date of March 28, 2012, the Contractor will have to significantly improve the rate of progress of the relevant activities on the project.

The OCG will continue to monitor the execution of the contract.



Initial stages of Construction



Front view of units

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.	PPCM-4722							
MINISTRY	Ministry of Education							
PUBLIC BODY/ AGENCY	Ministry of Education							
PROJECT NAME	Construction of a Replacement School for Red Hills Primary School, Red Hills							
PROJECT DESCRIPTION	The Construction of one (1) three - storey building of reinforced-framed construction with a gross floor area of 2,449 sq. metres, together with ancillary external works for Red Hills Primary School. The number of classrooms to be constructed is eighteen (18) together with a performing arts room, library, administrative block and canteen.							
PROJECT LOCATION(S)	Saint Andrew							
CONTRACTOR	Alcar Construction and Haulage Company Limited							
CONSULTANT	NHL Engineering - Consulting Engineers							
SOURCE OF FUNDING	Government of Jamaica (GOJ) and the Inter-American Development Bank							
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Open Tender	2010-08-16	J\$289,936,000.00	2010-09-09	Yes	Yes	2010-09-29	2011-01-24	2011-03-22
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Invitation to Pre-qualify was advertised on November 8, 2009. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction, Grade 1, were invited to submit a Pre-qualification Questionnaire by December 16, 2009 at 1:30 p.m.</p> <p>Four (4) applicants submitted Pre-qualification Questionnaires.</p> <p>The submissions were opened and verified in accordance with the eligibility requirements which were outlined in the Pre-qualification Document.</p> <p>Subsequent to the evaluation, three (3) applicants qualified and were short-listed.</p> <p>The pre-qualified Contractors were invited to submit tenders, by way of a letter which was dated July 12, 2010. Tenders were to be submitted by Monday, August 16, 2010 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Alcar Construction & Haulage Company Limited, in the sum of J\$256,030,060.00, was recommended for the award of contract.</p> <p>The Consultant Quantity Surveyor, Burrowes & Wallace, assessed the evaluation process and prepared an evaluation report in September 2010, which was approved by the Head of Entity on September 9, 2010.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
J\$256,030,060.00	2011-04-11	2011-04-11	12 Month(s)	2012-04-11	0000-00-00	175 Day(s)	0 Day(s)	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
\$0.00	\$0.00	J\$318,600.00	J\$415,242.00	\$0.00	J\$52,176,000.00	\$0.00	6 Month(s)	
STATUS	Contract 20% Complete							
POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)								
<p>The Office of the Contractor General (OCG), during a routine site inspection on July 12, 2011, was advised by the Contractor that the Scope of Works on the project had been restricted to the construction of the retaining walls.</p> <p>The Contractor, during excavation works for the foundation of Blocks A and B, discovered large soil cavities that would affect the structural integrity of the foundation and, to a larger extent, the construction of the two (2) proposed Classroom Blocks. The Contractor was already instructed by the Ministry of Education (MOE) to halt all Works for the two (2) Classroom Blocks.</p>								

Subsequently, the OCG, by way of a letter to the MOE which was dated August 3, 2011, requested information regarding the Geotechnical Surveyor's Report and whether any soil investigations were conducted prior to the commencement of the Construction Works.

In documents which were obtained from the MOE, the OCG noted a letter dated January 6, 2006 from NHL Engineering (Consultant Engineers), which stated, *inter alia*, that "The previous investigations identified the presence of solution cavities within the rock formation. The extent and direction is uncertain however, and it is likely, depending on the findings of this investigation, that the site will have to be abandoned."

The field investigations conducted by the Consultant Engineer, were completed in November 2006 and a report prepared which stated that "The use of isolated shallow foundation on this site is therefore not recommended due to the possibility of undesirable localized settlement resulting in major differential deformation within the structure foundation...stiff raft or a short bored pile foundation is therefore required. Piles are unlikely because of drivability and placement issues based on the random distribution of isolated rocks within the depth of influence. We therefore recommend the use of a stiff raft or tied pad foundation."

Consequently, due to the discovery of several cavities by the Contractor, the major Infrastructural Works to the project had to be halted for two (2) months in order to facilitate further soil investigations on the site.

The MOE sought the technical expertise of the Mines and Geology Division to conduct a Seismic Refraction Survey in July 2011. The report prepared by the Mines and Geology Division strongly recommended the following:

- "1. With the advise of a suitably qualified engineer preferably with geotechnical expertise, conservatively designed raft foundation should be used as this will assist in spreading the load from the structures over a larger area. Also raft foundations have the advantage of reducing differential settlements as the concrete slabs resist differential movements between loading positions.
2. The buildings be restricted to 2-storey structures spread over larger areas. If 3-storey structures are to be used, it is recommended that light-weight building material be utilized to minimize the building loads that will be imposed on the foundation soil."

Based upon the foregoing recommendations, the Ministry had to prepare amended drawings and obtain the necessary approvals/permits from the regulatory agencies before the Infrastructural Works could resume in August 2011.

The Ministry issued instructions to the Contractor to clear and plug the cavities with concrete of a workable low-strength mix of 2500 psi, as stated in the Consultant Engineer's Report dated August 15, 2011. The Contractor was further instructed to grade the existing cut surface, and compact the area with the first 1.55mm layer of marl and then further compact the area in layers of 200mm thicknesses at 95% of the modified proctor density determined for the material.

The material being used was to be of granular marl, quarry waste or crushed stones. Then, the final 450mm layers were to be compacted in layers of 150mm each at 95% of the modified density determined for the material. The Engineer further instructed that the surface of the finished base shall be smooth and free from irregularities and deviations greater than plus or minus 6mm (1/4") in a 3 metre (10 Feet) area.

In October 2011, the contractor had filled all cavities, as per instructions issued by the Consulting Engineer, and began compaction of the marl for Blocks A and B. Regular compaction tests were conducted to ensure consistency in tandem with specifications given by the Engineer.

During a site inspection conducted by the OCG on November 24, 2011, it was observed that construction of the septic tank had commenced and that Block A was at the required marl pad level in order to begin lining out the foundation in preparation for steel work. Block B had reached the required level for U-drain and Rubble Wall construction to begin.

In the subsequent site meeting, the Contractor expressed concerns that the submitted claim for compensation for the under-utilization of site equipment during the two (2) months cessation of works, that facilitated the soil investigations was not yet honoured. The Contractor appealed to the Ministry, to come to a resolution on its claim, as it was not getting a favourable response from the Consultant Quantity Surveyor. The project was reported by the Contractor to be 17% complete.

At the site meeting which was held on December 8, 2011, the OCG observed that for Block A, steel fabrication and excavation work was well advanced. It was also observed that the septic tank was complete and piping for the plumbing works was approximately 50% complete. The lining out and excavation of the toe wall in front of Block A was ongoing.

The U-drain and retaining wall placed behind Block B was complete and the construction of the retaining wall to the right side of the block was ongoing. The HDPE pipes were to be placed when complete and were designed to terminate at a soakaway pit to facilitate site drainage.

The Contractor reported that the project was approximately 20% complete and the Ministry confirmed that the expenditure to date was J\$52,176,000.00. At the time of the referenced site inspection, the project was already eight (8) months into its programme schedule, and the project's monthly expenditure for this 12 month contract should have been approximately J\$21,335,838.33. Based on this, the expenditure to date should be approximately J\$170,686,706.64 and the project already 66% complete in order to meet the initial scheduled completion date of April 11, 2012.

The delays experienced by this project, to date, could have been averted if the initial recommendations given by the Consultant Engineer were observed. This would have resulted in the project drawings being prepared with the requisite raft foundation, and the Contractor would have been better informed as to how to execute the necessary Works to facilitate the construction of Blocks A and B. This oversight resulted in the projected completion date being revised from April 11, 2012 to a proposed completion date of January 19, 2013.

The Ministry has stated that even with these delays, the project will not go over budget. However, the project has the potential to go above budget in light of possible fluctuations in labour and material, over the projected extended period for completion, as well as the fact that to date, the cost attached to the variations due to revised scope for the excavation, concrete capping, backfilling, construction of the new raft foundations and other earth works have not yet been included.

As at December 31, 2011, the project was approximately 20% complete.

The OCG will continue to monitor the execution of the contract.



View of Site as at July 2011



View of Site as at December 2011

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-4011						
MINISTRY		Ministry of Education						
PUBLIC BODY/ AGENCY		Ministry of Education						
PROJECT NAME		Proposed Construction of Steer Town High School (Education Transformation Programme)						
PROJECT DESCRIPTION		Construction of five (5) classroom blocks, two (2) toilet blocks, other ancillary building and associated services & external works.						
PROJECT LOCATION(S)		St. Ann						
CONTRACTOR		Jatlin Construction Limited						
CONSULTANT		Apec Consultant Limited						
SOURCE OF FUNDING		Government of Jamaica (GOJ)						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Open Tender	2007-10-19	J\$465,352,105.00	2007-11-12	Yes	Yes	2007-11-21	2008-05-26	2008-10-09
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Invitation to Pre-qualify was advertised on October 29, 2006. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction, Grade 1, were invited to submit a Pre-qualification Questionnaire by November 10, 2006 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Seven (7) applicants submitted Pre-qualification Questionnaires.</p> <p>The submissions were opened and verified in accordance with the eligibility requirements which were outlined in the Pre-qualification Document.</p> <p>Subsequent to the evaluation, five (5) applicants qualified and were short-listed.</p> <p>The pre-qualified Contractors were invited to submit tenders, by way of a letter which was dated September 10, 2007. Tenders were to be submitted by October 12, 2007 at 12:00 noon. The Tender Opening Ceremony was extended to October 19, 2007 at 12:30 p.m. due to the issuance of an Addendum which revised the Pre-qualification Document.</p> <p>Five (5) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria outlined in the Tender Document. The lowest responsive tender, which was submitted by Jatlin Construction & Associates Limited, in the sum of J\$484,204,401.49, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
J\$484,204,401.49	2008-10-15	2008-10-16	12 Month(s)	2009-10-16	0000-00-00	154 Day(s)	24 Month(s)	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
J\$539,220,970.00	J\$55,016,568.51	\$0.00	\$0.00	J\$55,016,568.51	J\$539,220,970.00	\$0.00	6 Month(s)	
STATUS		Contract 67% Complete						

POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)

At the end of the 2010 reporting period, the project was 65% complete. The National Contracts Commission (NCC), at its meeting of November 24, 2010, endorsed a variation request from the Ministry, in the amount of J\$55,220,970.45, having exceeded the original Scope of Works. The endorsed sum represented an approximate 11.4% increase of the original contract sum. Due to the variations and other variables, the date of completion was extended to January 2011.

At the end of the extended contract period of January 2011, Jatlin Construction & Associates Limited was fifteen (15) months behind the initial scheduled completion date of October 16, 2009 and had completed 67% of the scheduled Works.

By way of a letter which was dated January 31, 2011, the Ministry terminated the contract with Jatlin Construction & Associates Limited due to poor performance.

Subsequently, by way of a submission to the NCC, on February 2, 2011, the Ministry requested the endorsement of the NCC to enter into negotiation with the second lowest Bidder from the initial tender exercise, which was D.T. Brown Construction.

The NCC, at its meeting of July 6, 2011, endorsed the Ministry's recommendation and directed the Ministry to utilise the Direct Contracting Procurement Methodology to negotiate a contract with D.T. Brown Construction and to impose the appropriate sanctions on Jatlin Construction & Associates Limited, based upon its failure to comply with the terms and conditions of Clause 25 of the contract.

The Ministry, by way of a letter which was dated June 27, 2011, recommended to the NCC that a six (6) month contract be awarded to D.T. Brown Construction Limited, in the amount of J\$270,857,037.00 to complete the Works. Further to this, the NCC at its meeting on July 6, 2011, endorsed said recommendation.

The OCG observed during site visits which were conducted between August to November 2011, that the site had been inactive for months and that it was being protected by a contracted security personnel.

On December 15, 2011, the Ministry advised that the project was awaiting the approval of the Cabinet in order to proceed with the signing of the contract with D.T. Brown Construction Limited.

As at December 31, 2011, the project had not resumed.

The OCG will continue to monitor the procurement process.



Progress of works as at September 2009



Progress of works as at November 2011

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-4872						
MINISTRY		Ministry of Education						
PUBLIC BODY/ AGENCY		Ministry of Education						
PROJECT NAME		Redevelop, Rehabilitate and Expand Foga Road Basic School & Clarendon Resource Centre						
PROJECT DESCRIPTION		The Renovation and Extension of an existing building of approximately 196 sq. metres into a 290 sq. metres Multi-purpose Block, the construction of a single storey Classroom Block of approximately 291 sq. metres and a Resource Centre of approximately 378 sq. metres gross floor area.						
PROJECT LOCATION(S)		Clarendon						
CONTRACTOR		KSA Engineering Consultants Limited						
CONSULTANT		Michael Robinson Associates						
SOURCE OF FUNDING		Government of Jamaica (GOJ)/Caribbean Development Bank (CDB)						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Open Tender	2008-12-30	J\$73,150,000.00	2009-02-06	Yes	Yes	2009-02-18	2010-06-28	2010-08-10
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Invitation to Tender was advertised on November 9, 2008. The Open Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grade 2. Tenders were to be submitted by December 30, 2008 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:20 p.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by KSA Engineering Consultants Limited, in the sum of J\$72,819,352.00, was recommended for the award of contract.</p> <p>The Ministry of Education, by way of a letter which was dated September 9, 2009, advised the Office of the Contractor General (OCG) that <i>"...the contract for the rehabilitation and expansion of the Four Paths Basic School and the Clarendon Resource Centre, was approved by the National Contracts Commission. However, this contract will be deferred as a result of a reduction in the Capital Budget for this fiscal year. In addition, please note that the information was later renamed as the 'Foga Roads Basic School'."</i></p> <p>As a result of the foregoing, the approval of the Cabinet was not obtained until June 28, 2010.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
J\$72,819,352.00	2010-08-12	2010-08-26	5 Month(s)	2011-01-25	0000-00-00	69 Day(s)	11 Month(s)	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	J\$46,922,103.71	J\$10,922,902.80	6 Month(s)	
STATUS		Contract 75% Complete						

POST-CONTRACT COMMENTS: Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)

At the end of the 2010 reporting period, the project was approximately 5% complete.

During the 2011 reporting period, the Ministry approved a 69 day extension of time to complete the project on April 4, 2011, which had an original scheduled completion date of January 25, 2011. The approved extension of time was granted three (3) months after the scheduled deadline.

In a Status Report, which was dated July 30, 2011, the Ministry of Education outlined a revised completion date of September 2011, and stated that the overall progress of the project, as at June 27, 2011, was 60.5% complete and behind schedule. This was due to (a) theft of material, (b) the re-design of the Sewage System and (c) general tardiness by Contractor.

During a site visit on October 6, 2011, the OCG found that the project was 8.5 months over the original scheduled completion date of January 25, 2011, and that the finishing works to several door and window openings were poorly done. During the inspection, the Contractor revealed that the project was again plagued with delays due to the following:

1. The soil composition of the site. The clay soil contributed to drainage issues, especially when it rained, and hence the foundation details for the school as well as the sewage and drainage details had to be revised to compensate for the variance in soil composition.
2. The community where the school is located proved difficult for the Contractor to use his labourers and the site was beset with theft of construction material. Even the zinc hoarding had significantly depleted since the commencement of the project due to same.
3. Design issues regarding the roof that was to be installed on the Resource Centre. The Contractor disclosed that the roof which was designed could not be installed based on the specifications and layout provided by the MOE. The project was hampered as the contractor had to await instructions from the MOE Project Architect to provide a workable solution.
4. The Contractor awaiting the honouring payment claims submitted to the MOE. Some of these claims were variations to the scope of the project, which resulted from an oversight on specifications on the part of MOE.

The MOE, by way of a Status Report which was dated November 21, 2011, stated that the variations to the project was as a result of the following:

- *"Due to the nature of the soil (clay) the foundation and designs of various items of external works were changed including the extensive use of river shingle.*
- *The sewage disposal system was also modified to connect to the existing sewage treatment plant on the property (for which significant work has not begun)*
- *The original layout was minimally modified, to be more functional including the addition of a slab roof for the administrative offices and the building relocated to be placed on the higher level of the site.*
- *Roof framing member sizes originally specified were inadequate for the expanse of the Resource Centre facility and therefore increased. Braces and splice supports were also added to the scope of works."*

To expedite the completion of the project, the MOE, by way of a letter which was dated November 22, 2011, expressed its intent to implement the following strategies:

- a. Meetings with the contractor to look at the challenges and to map out joint strategies to resolve issues and to speed up the rate of project execution;*
- b. Offered to utilize pre-purchase methods, as a means of providing added resources to boost cash-flow and assist in speeding up implementation, however to date this offer has not been acted on;*
- c. Offered to agree to the use of selected subcontractor(s) of proven track record to expedite the work, again this offer has not been acted on..."*

The MOE further stated, *inter alia*, that *"Having exhausted all of the above the Ministry is now exploring the option of termination, however we are cognizant of the many 'pros' and 'cons' in executing this option... One main factor, under consideration is that a major segment of the work, the renovation and extension of the basic school (84%) to date...be finished by December, in time for the reopening of school in January 2012."*

The MOE recovered the mobilisation payment, in the amount of approximately J\$10,922,902.80 and, to date, applied a total of thirty (30) days of Liquidated Damages on the project.

As at December 31, 2011, the project was approximately 75% complete and the Contractor was still executing the Works.

The OCG will continue to monitor the execution of the contract.



View of Site on April 12, 2011



View of Site on October 6, 2011

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-5612						
MINISTRY		Ministry of Education						
PUBLIC BODY/ AGENCY		Moneague College						
PROJECT NAME		Construction of Office Building Extension						
PROJECT DESCRIPTION		The construction of a Two storey Office Building with a total floor area of 214.38 sq. m. (2307.57 sq. ft.), consisting of reinforced concrete foundation, concrete blockwalls, reinforced concrete frame, suspended reinforced concrete floor, reinforced concrete roof, rendered and painted ceiling and walls, steel floated floor finish, V-Jointed external doors, solid core flush panel internal doors, Aluminium framed louvre windows, kitchen cupboards, sanitary fixtures and plumbing, and electrical installation, along with associated external works.						
PROJECT LOCATION(S)		St. Ann						
CONTRACTOR		BAJAD Limited						
CONSULTANT		Dennis Morrison & Associates						
SOURCE OF FUNDING		Moneague College						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Local Competitive Bidding	2011-04-29	J\$14,452,743.64	2011-05-05	Yes	Yes	2011-07-20	0000-00-00	2011-09-13
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Invitation to Tender was advertised on April 3, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grade 2. Tenders were to be submitted by April 29, 2011 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:30 a.m.</p> <p>Six (6) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by BAJAD Limited, in the sum of J\$14,987,575.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
J\$14,987,575.00	2011-09-19	2011-09-19	6 Month(s)	2012-03-19	0000-00-00	0 Day(s)	0 Day(s)	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
J\$15,932,930.00	J\$870,335.00	\$0.00	J\$75,000.00	\$0.00	J\$7,931,252.60	J\$0.00	6 Month(s)	
STATUS		Contract 75% Complete						
POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)								
<p>The Scope of Works includes the construction of a new two (2) storey extension to the existing classroom block, having a total floor area of 214.38 sq. metres (2308 sq. ft.). This six (6) months project commenced on September 19, 2011, and is scheduled to be completed on March 19, 2012.</p> <p>During the reporting period, the documents which were obtained by the Office of the Contractor General (OCG) indicated that issues encountered during the implementation of the project included the following:</p> <ul style="list-style-type: none"> • The necessity to build a new Fire Escape Staircase; and • Changing the specified aluminum jalousie louvre windows to glazed aluminum framed windows to accommodate the Air Conditioning of the offices. <p>It was reported that a total of six (6) variations have been issued to date, with an additional net amount of J\$870,335.00.</p> <p>As at December 31, 2011, the project was reported as being 75% complete and on schedule.</p> <p>The OCG will continue to monitor the execution of the project.</p>								

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-5932						
MINISTRY		Ministry of Education						
PUBLIC BODY/ AGENCY		Montego Bay Community College						
PROJECT NAME		The proposed erection of the Canteen/Student Services Building						
PROJECT DESCRIPTION		The construction of a new 450 sq. metre cafeteria, student and auxiliary services; with the building consisting of reinforced concrete pad and strip foundations, reinforced concrete blockwalls, suspended reinforced concrete floors and roof slab, timber roof frame and structural steel framed roof clad with alu-steel roof sheeting, components such as windows, doors, finishings, toilet facilities, kitchen facilities, engineering services and external works.						
PROJECT LOCATION(S)		St. James						
CONTRACTOR		N/A						
CONSULTANT		N/A						
SOURCE OF FUNDING		Government of Jamaica (GOJ)						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
International Competitive Bidding	2011-07-18	J\$64,486,855.70	2011-11-25	Yes	Yes	2011-12-14	0000-00-00	0000-00-00
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Invitation to Tender was advertised on May 30, 2011. The International Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grade 2. Tenders were to be submitted by June 27, 2011. The deadline for submission was extended to July 18, 2011, at 1:30 p.m., followed by the scheduled Tender Opening Ceremony at 1:45 p.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender was recommended for the award of contract.</p> <p>The NCC endorsed the recommendation on December 14, 2011.</p> <p>As at December 31, 2011, the project was awaiting the approval of the Cabinet.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
\$0.00	0000-00-00	0000-00-00	0 Day(s)	0000-00-00	0000-00-00	0 Day(s)	0 Day(s)	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	6 Month(s)	
STATUS		Cabinet Approval Pending						
POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)								
N/A								

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-5602						
MINISTRY		Ministry of Energy and Mining						
PUBLIC BODY/ AGENCY		Petrojam Limited						
PROJECT NAME		Design and Construction of a New 60,000 Barrel Ethanol Storage Tank						
PROJECT DESCRIPTION		To design a new 106 ft diameter x 40 ft high (60,000 Barrel) API 650 Ethanol Storage Tank. Construct/Erect new tank on foundations. Successfully execute non-destructive examination of tank. Prime and paint tank and all work must be as per the latest revision of the API 650 - Welded Steel Tanks for oil storage.						
PROJECT LOCATION(S)		Kingston						
CONTRACTOR		N/A						
CONSULTANT		In-house						
SOURCE OF FUNDING		Government of Jamaica (GOJ)						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
International Competitive Bidding	2011-01-17	US\$1,188,280.04	2011-02-23	Yes	Yes	2011-04-29	2011-09-05	0000-00-00
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Invitation to Tender was advertised on November 21, 2010. The International Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Tank Erection, Grade 1. Tenders were to be submitted by Thursday, December 30, 2010 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>The process had to be extended due to revisions to the Tender Document in the form of two (2) Addenda. All Bidders were formally advised electronically on December 17, 2010 of the amendments, and of the revised date of January 11, 2011 at 10:00 a.m. for the submission of tenders. However, based upon information obtained from Petrojam Limited, the tender closed on January 17, 2011 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender was recommended for the award of contract.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
\$0.00	0000-00-00	0000-00-00	0 Day(s)	0000-00-00	0000-00-00	0 Day(s)	0 Day(s)	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0 Day(s)	
STATUS		Contract Not Yet Signed						
POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)								
<p>As at December 31, 2011, information which was obtained from Petrojam Limited in December 2011 revealed that a draft copy of the contract was being reviewed by the lawyers representing CBI Jamaica Limited. The contract has not been finalized by either party.</p> <p>The OCG will continue to monitor the procurement process.</p>								

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-5882						
MINISTRY		Ministry of Energy and Mining						
PUBLIC BODY/ AGENCY		Petrojam Limited						
PROJECT NAME		Proposed Waste Water Treatment Plant (WWTP)						
PROJECT DESCRIPTION		Installation of an Equalization Tank(s). Dissolved Air Floatation Unit(s) and associated auxiliary systems and equipment to treat the existing refinery wastewater and spent caustic streams to meet trade effluent specifications acceptable to the National Environment and Planning Agency (NEPA).						
PROJECT LOCATION(S)		Kingston						
CONTRACTOR		N/A						
CONSULTANT		In-house						
SOURCE OF FUNDING		Government of Jamaica (GOJ)						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
International Competitive Bidding	2010-12-15	US\$1,573,623.00	2011-05-18	Yes	Yes	2011-07-27	0000-00-00	0000-00-00
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Invitation to Tender was advertised on December 1, 2010. The International Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Industrial, Construction Equipment and Machinery upgrade. Tenders were to be submitted by Wednesday, December 15, 2010 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>Nine (9) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender was recommended for the award of contract.</p> <p>The NCC endorsed the recommendation on July 27, 2011.</p> <p>As at December 31, 2011, the Office of the Contractor General (OCG) was informed by Petrojam Limited that the project was on hold, as the approval of the Cabinet was not obtained. The OCG noted that the approval of the Cabinet, which was scheduled for December 2011, was suspended, to facilitate the General Elections that was held on December 29, 2011.</p> <p>The OCG will continue to monitor the procurement opportunity.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
\$0.00	0000-00-00	0000-00-00	25 Month(s)	0000-00-00	0000-00-00	0 Day(s)	0 Day(s)	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0 Day(s)	
STATUS		Cabinet Approval Pending						
POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)								
N/A								

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-5652						
MINISTRY		Ministry of Energy and Mining						
PUBLIC BODY/ AGENCY		Petrojam Limited						
PROJECT NAME		Repair Work to HFO Storage Tank No. 112						
PROJECT DESCRIPTION		To supply supervision, manpower, equipment and transportation to replace floor and roof plates, replace top shell course of tank, execute non-destructive testing and sandblast, prime and paint tank. All work must be as per the latest revision of the API 650 - welded steel tanks oil storage and API 653 - tank inspection, repairs, alteration and reconstruction.						
PROJECT LOCATION(S)		Kingston						
CONTRACTOR		N/A						
CONSULTANT		In-house						
SOURCE OF FUNDING		Government of Jamaica (GOJ)						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
International Competitive Bidding	2011-05-12	US\$1,686,046.87	2011-06-10	Yes	Yes	2011-08-17	2011-11-07	0000-00-00
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Invitation to Tender was advertised on April 18, 2010. The Open Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Tank Erection, Grade 1. Tenders were to be submitted by Tuesday, May 12, 2010 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender was recommended for the award of contract.</p> <p>The National Contract Commission (NCC), by way of a letter which was dated December 30, 2010, stated, <i>inter alia</i>, that it "...considered the matter at its meeting held on 2010 December 22 and recommended that Petrojam abort and re-tender both contracts (i.e. storage tank #112 and replacement of gasoline storage tank #11)... [and that the] ...result of the tender process should be submitted to the NCC through the appropriate Sector Committee."</p> <p>Consequently, the process was aborted and Petrojam Limited advertised the Invitation for Bids (IFB) on April 10, 2011. The International Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the NCC, in the category of Tank Erection, Grade 1. Tenders were to be submitted by Thursday, May 12, 2011 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Five (5) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender was recommended for the award of contract.</p> <p>Subsequently, Petrojam Limited, by way of a Status Report, stated that the "...recommendation was endorsed by the National Contracts Commission at its meeting of August 17th, 2011, and subsequently by the infrastructure Sub-committee and Cabinet in letter dated November 7th, 2011."</p> <p>The requisite approvals were obtained, however, the award of contract is still pending at the time of this report.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
\$0.00	0000-00-00	0000-00-00	198 Day(s)	0000-00-00	0000-00-00	0 Day(s)	0 Day(s)	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0 Day(s)	
STATUS		Contract Not Yet Signed						

POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)

N/A



View of existing HFO Storage Tank No. 112

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-5732						
MINISTRY		Ministry of Energy and Mining						
PUBLIC BODY/ AGENCY		Petrojam Limited						
PROJECT NAME		The Demolition and Replacement of Mogas Storage Tank No. 11						
PROJECT DESCRIPTION		The Works include demolition of the entire roof, floor and shell courses of the Mogas Storage Tank No. 11 and construction of a new ring beam tank foundation.						
PROJECT LOCATION(S)		Kingston						
CONTRACTOR		N/A						
CONSULTANT		In-house						
SOURCE OF FUNDING		Government of Jamaica (GOJ)						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
International Competitive Bidding	2011-05-12	US\$1,321,998.40	2011-05-30	Yes	Yes	2011-07-20	0000-00-00	0000-00-00
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Invitation to Tender was advertised on April 10, 2011. The International Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Tank Erection, Grade 1. Tenders were to be submitted by Thursday, May 12, 2011 at 9:00 a.m., followed by a scheduled Tender Opening Ceremony at 9:15 a.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender was recommended for the award of contract.</p> <p>The National Contracts Commission (NCC) endorsed the recommendation on July 20, 2011.</p> <p>As at December 31, 2011, the project was awaiting the approval of the Cabinet.</p> <p>The OCG will continue to monitor the procurement opportunity.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
\$0.00	0000-00-00	0000-00-00	200 Day(s)	0000-00-00	0000-00-00	0 Day(s)	0 Day(s)	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	365 Day(s)	
STATUS		Cabinet Approval Pending						
POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)								
N/A								



View of Existing Tank No. 11 as at December 2011

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-4972						
MINISTRY		Ministry of Housing, Environment, Water and Local Government						
PUBLIC BODY/ AGENCY		National Water Commission (NWC)						
PROJECT NAME		Essex Valley Water Supply Project Phase 1-Contract 1 B						
PROJECT DESCRIPTION		The project involves the Construction of some 11km of 300mm (12") Nominal Diameter Ductile Iron Potable Water Transmission Pipelines.						
PROJECT LOCATION(S)		St. Elizabeth						
CONTRACTOR		Bacchus Engineering Works Limited						
CONSULTANT		NWC Engineering Department						
SOURCE OF FUNDING		Government of Jamaica/National Water Commission						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2008-04-16	J\$67,564,750.00	2008-06-05	Yes	Yes	2008-08-20	2008-11-03	2008-12-29
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Invitation to Tender was advertised on March 14, 2008. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Civil Engineering and/or Pipe Laying, at a minimum of Grade 2. Tenders were to be submitted by April 16, 2008 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>Ten (10) tenders was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Bacchus Engineering, in the sum of J\$67,882,400.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
J\$67,882,400.70	2009-10-12	2009-10-15	9 Month(s)	2010-08-12	0000-00-00	15 Week(s)	16 Month(s)	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
J\$68,381,509.30	J\$499,109.30	\$0.00	\$0.00	\$0.00	J\$65,985,120.88	\$0.00	12 Month(s)	
STATUS		Contract 95% Complete						

POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)

At the end of 2010 reporting period, the project was approximately 85% complete and was significantly behind the revised completion date of October 25, 2010, which was granted by way of a 15 week extension of time, as a result of the following:

1. Delays in excavation, due to excessive rocky conditions;
2. Failure by the Entity to provide material for the works in a timely manner;
3. Vandalism of the Contractor's equipment;
4. Labour disputes; and
5. Delay in payments to the Contractor.

Of note, following the 15 week extension, adverse weather conditions associated with the passage of Tropical Storm Nicole, during the period of September 28-30, 2010, caused extensive damage to the completed Pipeline Works and the cessation of the Works.

The Contractor's Insurers took approximately 3-4 weeks to complete the assessment of the damages to the pipelines before the Works could be resumed.

The Contractor resumed working on November 15, 2010, one week after being instructed by its Insurers. At the end of 2010, the Contractor had completed 90% of the repairs and 60% of temporary reinstatement to the works corridor.

During the reporting period, documents which were obtained by the Office of the Contractor General (OCG) indicated that subsequent to a three (3) week closure of the site, during the Christmas period, the Contractor resumed the Works on January 17, 2011.

The Works, however, progressed slowly and in an intermittent manner due to the following:

1. The Contractor's inability to diligently resolve issues, particularly the testing and remedial works to leaking pipelines;
2. Theft of material and equipment, which included a Hydrostatic Test Pump, a Dewater Pump, etc. on the site; and
3. The National Water Commission experienced delays in the receipt of funds from the partners who collaborated in the financing of the project. In addition, in some instances, the timeliness to receive approvals from external entities to disburse other funds allotted for payment of the Contractor's Certificate, contributed to the delays.

The OCG has observed that notwithstanding, *inter alia*, the inclement weather and financial issues, which have affected the progress of the Works, the initial scheduled nine (9) months contract was poorly executed by the NWC and the Contractor, as there seemed to be no urgency by either party to conclude the project in a timely manner.

Consequently, the project has extended to approximately sixteen (16) months over the initial completion time and has failed to achieve the projected dates of completion.

As at December 31, 2011, the project was approximately 95% complete and is projected be completed within the first week of February 2012.

The OCG will continue to monitor the execution of the contract.



Permanent Reinstatement of Excavated Pipe Lines



Testing of Pipe Lines

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-5962						
MINISTRY		Ministry of Housing, Environment, Water and Local Government						
PUBLIC BODY/ AGENCY		National Water Commission (NWC)						
PROJECT NAME		Lot No. 2B Development of New Water Source for South East St. Catherine						
PROJECT DESCRIPTION		The project involves the supply, installation and commission of potable water supply pipeline material for the following: 1. Approximately 10km of 700mm (28") nominal diameter transmission main from Caymanas Estate to Braeton; 2. Approximately 2.5km of 300mm (12") nominal distribution reinforcement mains within Portmore; and 3. The installation of bulk flow meters at several locations, among other appurtenances.						
PROJECT LOCATION(S)		St. Catherine						
CONTRACTOR		Ashtrom Building Systems						
CONSULTANT		N/A						
SOURCE OF FUNDING		Government of Jamaica						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Local Competitive Bidding	2011-02-14	J\$1,525,263,303.43	2011-07-14	Yes	Yes	2011-07-27	2011-08-29	2011-10-05
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Invitation to Pre-qualify was advertised on August 23, 2010. Contractors registered with the National Contracts Commission (NCC), in the category of Civil Engineering or Pipe Laying, Grade 1, were invited to submit a Pre-Qualification Questionnaire by September 6, 2010.</p> <p>Six (6) applicants submitted Pre-qualification Questionnaires.</p> <p>The submissions were opened and verified in accordance with the eligibility requirements of the Pre-qualification Document.</p> <p>Subsequent to the evaluation, three (3) applicants qualified and were short-listed.</p> <p>The pre-qualified Contractors were invited to submit tenders, by way of a letter which was dated December 15, 2010. Tenders were to be submitted by January 31, 2011. The deadline for submission was extended to February 14, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Three (3) tenders was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Ashtrom Building Systems, in the sum of J\$1,274,056,071.47, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
J\$1,274,056,071.47	0000-00-00	0000-00-00	15 Month(s)	0000-00-00	0000-00-00	0	0	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	J\$127,405,607.15	\$0.00	365 Day(s)	
STATUS		Contract Being Executed / Implemented						
POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)								
<p>As at December 31, 2011, the Contractor had submitted the required bonds for the execution of the contract, however, the contract had not yet commenced.</p> <p>The OCG will continue to monitor the implementation of the contract.</p>								

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-6022						
MINISTRY		Ministry of Transport and Works						
PUBLIC BODY/ AGENCY		National Road Operating and Construction Company (NROCC)						
PROJECT NAME		Highway 2000 - Phase 1B - Sandy Bay to May Pen						
PROJECT DESCRIPTION		To Design and Construct the roadway from Sandy Bay to May Pen, which is approximately 10.3 km of roadway; Construction of the Vine Yard Toll Plaza and Maintenance Buildings; and Supply and Installation of all equipment for the Toll Plaza.						
PROJECT LOCATION(S)		Clarendon						
CONTRACTOR		Bouygues Travaux Publics Jamaican Branch						
CONSULTANT		Pell Frischman, Halcrow						
SOURCE OF FUNDING		Inter-American Development Bank/International Financing Corporation/Government of Jamaica						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Direct Contracting	0000-00-00	\$0.00	0000-00-00	Yes	Yes	2011-02-23	2010-12-23	2011-01-13
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Cabinet, via Cabinet Decision No. 22/01, which was dated June 18, 2001, approved TransJamaican Highway (TJH), as the preferred bidder, to design, finance, build, operate and maintain Phase 1 of Highway 2000. Subsequently, on November 21, 2001, National Road Operating and Construction Company (NROCC) and Bouygues Travaux Publics Jamaican Branch (BYTPJ) entered into a Concession Agreement in respect to the Highway 2000 project.</p> <p>As a result of significant developments occurring on the North Coast, the Cabinet, by way of Cabinet Decision which was dated March 20, 2006, approved the commencement of negotiations with TJH to modify the existing concession to bring forward the section of roadway from Spanish Town to Ocho Rios as part of the phases to be implemented immediately.</p> <p>Pursuant to Clause 6, Right of First Refusal, of the Concession Agreement, NROCC, in conjunction with their presentation on January 10, 2007, wrote to the National Contracts Commission (NCC) on April 23, 2007, requesting endorsement of a variation to the existing Concession Agreement, to provide the design and build construction for Mount Rosser Bypass to Moneague.</p> <p>Subsequently, the NCC endorsed the recommendation and the Cabinet granted its approval on April 30, 2007.</p> <p>During the execution of the contract for the Mount Rosser Bypass project, Geo-technical issues were identified by the Contractor within a particular Zone of the Works. As a result, works were suspended in the affected Zone and the matter was brought to the Cabinet for a possible resolution.</p> <p>This occurrence resulted in the Cabinet approving the Implementation of Phase 1B - Sandy Bay to May Pen (Early Works) as a Variation Order to the Concession Agreement on December 21, 2010.</p> <p>The NCC retroactively endorsed the recommended variation on February 23, 2011.</p> <p>NROCC, TJH and BYTPJ signed Variation Order No. 152 on January 13, 2011, for the implementation of Highway 2000 - Phase 1B - Sandy Bay to May Pen.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
US\$105,000,000.00	2011-02-28	2011-02-28	19 Month(s)	2012-09-28	0000-00-00	0	0	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	US\$22,400,000.00	\$0.00	12 Month(s)	
STATUS		Contract 45% Complete						

POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)

Construction activities on this scheduled 19 months project, commenced on February 28, 2011. In order for the project to be completed within schedule, a work output of approximately 5.3% monthly, would have to be achieved by the Contractor. The Contractor would also have to ensure that a monthly expenditure of approximately J\$5.52M is achieved.

During the reporting period, documents which were obtained by the Office of the Contractor General (OCG) have indicated that the works progressed steadily, with minor delays. Further, the Contractor placed major emphasis on issues such as Quality, Health, Safety and Environmental, on and about the corridors of the Works.

As at December 31, 2011, records indicate that 45% of the scheduled Works were complete whilst 52.6% of the project time had elapsed. This implies that the Works are behind schedule. The OCG notes that if the Contractor is to complete the remaining Works within the scheduled completion period, the pace of the Works will have to be significantly increased.

The OCG will continue to monitor the execution of the contract.



Road Construction Activities at Sandy Bay, Clarendon



Bridge Construction Activities at Sandy Bay, Clarendon

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-4902						
MINISTRY		Ministry of Transport and Works						
PUBLIC BODY/ AGENCY		National Road Operating and Construction Company (NROCC)						
PROJECT NAME		Mount Rosser to Moneague Bypass						
PROJECT DESCRIPTION		To Design and Construct approximately 24 km of Roadway from Linstead Bypass to Moneague. Construction of the Toll Plaza and Maintenance Buildings. Supply and Installation of all Equipment for the Toll Plaza.						
PROJECT LOCATION(S)		St. Catherine						
CONTRACTOR		TransJamaican Highway Limited/Bouygues Travaux Publics Jamaica (BYTPJ)						
CONSULTANT		Pell Frischman, Halcrow						
SOURCE OF FUNDING		Venezuela Loans/Government of Jamaica						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Direct Contracting	0000-00-00	\$0.00	0000-00-00	Yes	Yes	2007-04-25	2007-04-30	2007-05-03
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Office of the Cabinet, by way of Cabinet Decision No. 22/01 which was dated June 18, 2001, approved TransJamaican Highway Limited (TJH) as the preferred Bidder, to design, finance, build, operate and maintain Phase 1 of Highway 2000.</p> <p>Subsequently, on November 21, 2001, the National Road Operating and Construction Company (NROCC) and Bouygues Travaux Publics Jamaica (BYTPJ) entered into a Concession Agreement in respect to the Highway 2000 Project.</p> <p>As a result of significant developments occurring on the North Coast, the Cabinet, by way of Cabinet Decision dated March 20, 2006, approved the commencement of negotiations with TJH to modify the existing concession to bring forward the section of roadway from Spanish Town to Ocho Rios as part of the Phases to be implemented immediately.</p> <p>Pursuant to Clause 6 - Right of First Refusal, of the Concession Agreement, NROCC, in conjunction with its presentation on January 10, 2007, wrote to the National Contracts Commission (NCC) on April 23, 2007, requesting endorsement of a variation to the existing Concession Agreement, in the sum of US\$99,500,000.00.</p> <p>The NCC endorsed the recommended variation on April 25, 2007, to provide the design and build construction for Mount Rosser Bypass to Moneague in the amount of US\$99,500,000.00.</p> <p>The approval of the Cabinet was received on April 30, 2007.</p> <p>The Contract was signed on May 3, 2007.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
US\$99,500,000.00	2007-05-30	2007-05-30	30 Month(s)	2011-01-31	0000-00-00	14 Month(s)	11 Month(s)	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
US\$126,500,000.00	US\$27,000,000.00	\$0.00	\$0.00	US\$18,540,000	US\$118,040,000.00	\$0.00	12 Month(s)	
STATUS	Contract 90% Complete							

POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)

At the end of 2010 reporting period, the project was 92% complete, and the Works in Zone 2 were suspended due to poor and unstable soil conditions. Zone 2 is approximately 1.5 km long and is located between chainage 7+000 to 8+500 of the construction corridor.

There was discussion between NROCC and BYTPJ in regard to measures for resolving the problem faced in Zone 2. However, no solution was forthcoming and consequently, NROCC brought matter to the Cabinet for a possible solution.

During the reporting period, the Contractor continued Works in the following Zones:

- Zone 1 - Km 0+ 000 to 4+ 700. The Works include the Treadways Roundabout along the Linstead Bypass and the commissioning of the Toll Plaza;
- Zone 3 - Km 9+ 700 to 14+ 900. The Works include, *inter alia*, installation of Barriers & Fiber Optic Duct, Drainage Works, and Asphaltic Concrete Works;
- Zone 4 - Km 12+ 700 to 14+ 900. The Works include, *inter alia*, installation of Barriers & Fiber Optic Duct, Drainage Works, and Asphaltic Concrete Works;
- Zone 5 - Km 14+ 900 to 18+ 060. The Works include, *inter alia*, installation of Barriers & Fiber Optic Duct, Drainage Works and Asphaltic Concrete Works; and
- Zone 6 - Km 18+ 060 to 19+ 360. The Works include, *inter alia*, work at the roundabout at the Junction and Asphaltic Concrete Works.

Documents which were obtained by the Office of the Contractor General (OCG) indicated that the Works conducted in these Zones were substantially complete. An inspection of the Works was carried out, and a defects list prepared.

The OCG found that prior to NROCC informing the Cabinet of the problem faced in Zone 2, and requesting a solution to same, NROCC had conducted negotiations with China Harbour Engineering Company Limited (CHEC) for a Concession Agreement to implement the proposed North South Highway Project from Spanish Town to Ocho Rios, as a Design, Construct, Operate, Maintain and Finance contract.

The negotiations also included the completion of the outstanding Works on the Mount Rosser to Moneague Bypass Project and the refunding of the sum expended by NROCC, on the project.

A News Release from the Office of the Prime Minister on February 28, 2011, which was entitled "**Cabinet Approves MOU for Construction of Spanish Town to Ocho Rios Leg of Highway 2000**", stated, *inter alia*, that "*Cabinet recently approved a Memorandum of Understanding (MOU) between the Ministry of Transport and Works, the National Road Operating and Construction Company Limited (NROCC) and China Harbour Engineering Company for the construction of the north to south road link from Spanish Town to Ocho Rios.*"

The referenced News Release further stated the following:

"Minister with oversight for Information, Daryl Vaz said the MOU which was signed January 13, 2011 will include the completion of the Mount Rosser Bypass leg of Highway 2000, Linstead to Moneague..."

Mr. Vaz added that the proposed way forward entails TranJamaican [sic] Highway Limited/Bouyggues Travaux Public continuing works on all areas affected by the Geotechnical Conditions and NROCC continuing to pay for works done... these works are to be completed by June 30, 2011."

The MOU was, however, signed with the intention of allowing all parties to set out their firm commitments to undertake the contract without being legally bound.

Further, documents on the project status, which were obtained by the OCG, indicated that the preliminary designs for the affected area in Zone 2 were partially completed by BYTPJ. However, these or alternative designs would have to be completed by CHEC if they decided to complete the Mount Rosser to Moneague Bypass Project.

The OCG, under cover of letter dated November 30, 2011, that was addressed to NROCC regarding Highway 2000 - Spanish Town to Ocho Rios (Approximate cost for construction- US\$6000,000,000), stated, among other things, that "*In light of, inter alia, (a) the several concerns which have been raised about the securing of value for money on the current Jamaica Development Infrastructure Project (JDIP), which is being implemented by China Harbour Engineering Company (CHEC)...it brings into sharp focus the importance of securing an open and competitive process for all GOJ Contracts, so that the Tax Payers of Jamaica can get value for their money.*"

The foregoing letter also stated, *inter alia*, that "*In the circumstances, the National Road Operating Construction Company (NROCC) is requested to cease all direct negotiations with CHEC for the implementation of the Highway 2000-Spanish Town to Ocho Rios contract, consistent with the OCG's previously documented position, and subject the referenced contract to an open, international competitive tender process, regardless of the structure of the transaction, thereby ensuring that the selection of the main contractor is conducted in a fair and transparent manner, and that the Government of Jamaica secures, inter alia, value for money on the Project.*"

NROCC subsequently complied with the OCG's request and wrote to the Attorney General for an opinion on the OCG's request to cease all direct negotiations and to the Cabinet for a resolution.

As at December 31, 2011, the Contractor has demobilized and the Zone 2 matter remains unresolved.

The OCG will continue to monitor the execution of the contract.



Completed Mount Rosser to Charlemont Bypass Toll Plaza



Completed Section of the Toll Road

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.	PPCM-4261							
MINISTRY	Ministry of Transport and Works							
PUBLIC BODY/ AGENCY	National Works Agency							
PROJECT NAME	Construction of Dry River Bridge at Harbour View							
PROJECT DESCRIPTION	The bridge is built to accommodate four (4) lanes of traffic up from two (2) lanes on the old structure. In addition to the construction of the bridge, approximately 1.3 kilometres of the four (4) lane roadway will be rehabilitated, commencing from the Harbour View round-a-bout and extending eastwards to Coply Drive, where it transitions back into the existing two (2) lane roadway. Other features of the roadway include a 300 mm wide median, 2 no. 450 mm wide verges and 2 no. 2400 mm shoulders.							
PROJECT LOCATION(S)	Saint Andrew							
CONTRACTOR	KIER Construction Limited							
CONSULTANT	Jentech Consultants Limited & R.A. Murray International/ Bill Waugh Associates							
SOURCE OF FUNDING	Inter - American Development Bank - Loan No. 2026 - OC/JA							
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Limited Tender	2009-09-22	US\$13,067,680.23	2009-11-13	Yes	Yes	2009-12-02	2010-01-18	2010-03-19
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Ministry of Transport and Works (MTW), through the National Works Agency (NWA), shortlisted six (6) Contractors. The names of the shortlisted Contractors were submitted to the National Contracts Commission (NCC) for approval, which was subsequently received. Consequently, the Entity invited the six (6) Contractors to submit tenders.</p> <p>Five (5) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. Two (2) tenders were rejected for non-compliance.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. Subsequently, the lowest evaluated tender, which was submitted by KIER Construction Limited, in the sum of US\$8,897,474.00, was recommended for the award of the contract.</p> <p>The requisite approvals were received and the contract awarded accordingly.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
US\$8,897,474.00	2010-03-22	2010-03-24	550 Day(s)	2011-09-24	2011-10-31	35 Day(s)	0	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
US\$10,097,119.23	US\$1,199,645.23	\$0.00	\$0.00	US\$1,199,645.23	US\$10,097,119.23	\$0.00	0	
STATUS	Contract Completed							

POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)

At the end of the 2010 reporting period, the project was 31% complete and approximately 2% behind schedule.

However, during the 2011 reporting period, the scheduled completion date of September 24, 2011 was not achieved due to the numerous variations that occurred. Consequently, the Contractor requested an extension of time of 26 days, without Preliminaries, and same was granted by the Entity.

The NWA, on June 14, 2011, submitted a variation in the sum of US\$1,199,645.23, to the NCC for approval.

The reasons which were outlined for the variation and the respective amounts, are as follows:

1. To relocate JPS 69Kv Transmission Lines - US\$88,078.19;
2. To relocate LIME Cable Plant - US\$3,706.16;
3. To reimburse Stamp Duty on Performance Bond and Retention Bond - US\$53,391.07;
4. To carry out road repairs to detour roads - US\$2,054.50;
5. To relocate JPS poles and lines along roadway - US\$24,211.90;
6. To relocate LIME Cable Plant - US\$29,794.89;
7. Cost associated with Force Majeure - US\$118,879.04;
8. To re-construct NWC's Sewer Manholes - US\$6,608.46;
9. To install LED Technology in the form of Street Lights & Traffic Light Signals - US\$52,332.68;
10. Design fees for slip road into Harbour View Weight Scale Facility - US\$17,030.34;
11. Provision to suspend water main under the newly constructed bridge - US\$15,099.50;
12. Asphaltic concrete finish to hard shoulders - US\$112,461.83;
13. Installation of Traffic Signals at Donald Quarrie, Caribbean Terrace and Lunar Drive, Harbour View - US\$55,000.00;
14. Design cost for super elevation change - US\$15,332.39;
15. Installation of 2 no. Bus lay-bys - US\$61,663.70;
16. Construction cost for slip road into Harbour View Weigh-in-Motion System - US\$150,000.00;
17. Design and install Weigh-in-Motion System - US\$294,000.59; and
18. Provisional Sum - US\$100,000.00.

The variation request was approved by the NCC on June 22, 2011 and subsequently by the Cabinet, by way of Cabinet Decision No. 35/11, which was dated September 19, 2011.

Subsequent to the above-mentioned, there were two (2) additional variations which were valued at US\$60,747.57. The variations were due to the following changes in the Scope of Works:

1. Additional sidewalks and kerbs at Lunar Avenue; and
2. Sidewalks from the bridge to Orion Avenue.

Documents which were received by the Office of the Contractor General indicated that the 'Agreed Final Accounts' is US\$11,607,515.14.

As at December 31, 2011, the project was completed.



LED Street Light



Section of the Dry River Bridge and Rehabilitated Roadway

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-4081						
MINISTRY		Ministry of Transport and Works						
PUBLIC BODY/ AGENCY		National Works Agency						
PROJECT NAME		Jamaica Development Infrastructure Programme - Christiana Development Road						
PROJECT DESCRIPTION		The construction of 1.053 kilometre of a two (2) lane Asphaltic Concrete Carriageway, with hard shoulder on sides, inclusive of two (2) underpasses, HDPE pipe culverts, several retaining walls and other slope protection structures, traffic signals and concrete drainage channels.						
PROJECT LOCATION(S)		Manchester						
CONTRACTOR		China Harbour Engineering Company (CHEC)						
CONSULTANT		N/A						
SOURCE OF FUNDING		Export - Import Bank of China						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Sole Source	0000-00-00	\$0.00	0000-00-00			0000-00-00	2010-08-16	2009-08-20
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Government of Jamaica (GOJ), through the Road Maintenance Fund (RMF), entered into a loan agreement with the Export-Import Bank of China (EX-IM Bank) to finance the Jamaica Development Infrastructure Programme (JDIP). The Programme is the outcome of a Preferential Buyer's Credit Facility from the Government of China through the EX-IM Bank which provided funding in the amount of US\$400 Million, over a five (5) year period, to carry out Works which are located island-wide.</p> <p>The Sole Source Procurement Methodology was utilised to engage China Harbour Engineering Company Limited (CHEC) as Contractor for the JDIP. By way of Cabinet Decision No. 30/10, which was dated August 16, 2010, the Cabinet approved the award of contract to CHEC to implement the projects. The Christiana Development Road is categorized as one of the major projects under the Programme.</p> <p>On August 20, 2009, the contract was signed between the Ministry of Transport and Works (MTW) and CHEC.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
US\$10,336,969.67	2011-03-11	2011-03-11	12 Month(s)	2012-03-11	0000-00-00	0	0	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
\$0.00	US\$365,644.81	\$0.00	\$0.00	\$0.00	US\$5,667,738.33	\$0.00	12 Month(s)	
STATUS		Contract 90% Complete						
POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)								
<p>Based upon preliminary designs, the indicative budget for the project was estimated to cost US\$7 Million. However, the cost for the final design increased to US\$8,988,669.28, with a contingency sum of US\$1,348,300.39, due to re-alignment and a subsequent increase by 700 meters to the length of the road.</p> <p>The Works commenced on March 11, 2011 and progressed steadily with few disruptions. Several design changes were made to the road which included the re-alignment of the end of the roadway, installation of concrete guard rails and an increase in the number of retaining walls.</p> <p>Due to the re-alignment of the roadway, additional land acquisitions were necessary to facilitate same. The original sum that was set aside for the land acquisition was US\$650,000.00 or J\$56.1 Million and was approved by the Cabinet via Cabinet Decision No. 38/10, which was dated December 6, 2010. However, this sum was revised as additional lands were required.</p> <p>By way of Cabinet Decision No. 6/11, which was dated February 14, 2011, the Cabinet granted approval for a revised estimate of J\$86.1 Million to complete the entire land acquisition exercise.</p> <p>Documents which were obtained by the Office of the Contractor General (OCG), indicated that as at December 31, 2011, a total of ten (10) land acquisition transactions valued at J\$13,267,500.00, were formalized between the National Land Agency and the land owners involved.</p> <p>As at December 31, 2011, the project was 90% complete.</p> <p>The OCG will continue to monitor the execution of the contract.</p>								



Excavated Roadway



One of the Retaining Walls

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.	PPCM-5312							
MINISTRY	Ministry of Transport and Works							
PUBLIC BODY/ AGENCY	National Works Agency (NWA)							
PROJECT NAME	Construction of Permanent Truck Scale Facility							
PROJECT DESCRIPTION	The Construction of boundary walls and fence, concrete foundations for scales, operations building, parking areas, concrete access roads and installation of a Stand-By Generator, lighting and power supply to buildings including supply of all materials required.							
PROJECT LOCATION(S)	Saint Andrew							
CONTRACTOR	Tank-Weld Construction Company Limited							
CONSULTANT	Wallace Evans Jamaica Limited (WEJL)							
SOURCE OF FUNDING	Government of Jamaica							
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2008-11-28	J\$87,137,952.84	2009-04-19	Yes	Yes	2009-07-15	2009-10-12	2010-02-26
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Invitation to Tender was advertised on October 22, 2008. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grades 1 or 2.</p> <p>Tenders were to be submitted by November 28, 2008 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:30 a.m.</p> <p>Five (5) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Tank-Weld Construction Company Limited, in the sum of J\$100,110,425.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
J\$100,110,425.00	2010-03-17	2010-04-06	6 Month(s)	2010-10-06	2011-03-31	176 Day(s)	0	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
\$0.00	JMD - \$2,544,495.25	\$0.00	\$0.00	\$0.00	J\$83,249,665.41	\$0.00	6 Month(s)	
STATUS	Practical Completion							

POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)

The project was scheduled to commence on March 22, 2010, however, Works by the Contractor commenced on April 6, 2010. This delay was due to illegal mining being carried out on the proposed site. Due to the illegal mining activities the following changes to the design were instituted:

1. The level of the site;
2. The design for the tile field; and
3. The associated drainage works.

Throughout the duration of the project, there were no labour relation issues, however, there were various delays to the timely execution of the Works. These delays were attributed to the following:

1. Re-design of the drains to extrude to the sea, resulting from the National Water Commission's acquisition of the adjacent property for the construction of a Sewage Treatment Plant;
2. Design of the tile field;
3. Relocation of existing electrical poles to facilitate the incorporation of the Main Entrance of the Weighing Station (Truck Scale Facility) into the Dry River Construction project;
4. The omission of quantities for Wind Braces for the Structural Steel Building from the Bills of Quantities;
5. The timely honouring of Payment Certificates and approval of the requisite variations; and
6. Force Majeure (Tropical Storm Nicole).

Subsequent to the delays, the Contractor requested an extension of time on two (2) occasions. The first was from October 5, 2010 to January 19, 2011, which was granted, and the second was from January 19, 2011 to March 18, 2011.

The Consultant, Wallace Evans Jamaica Limited (WEJL), presented a revised design for the on-site drainage problem, by way of letter which was dated January 13, 2011.

The Contractor subsequently provided an estimate for the Works on January 18, 2011, however, the Client stated on February 2, 2011 that the implementation of this drainage design would not be undertaken for the duration of the current contract. The Consultant urged the Client to implement the revised drainage proposal as soon as funding was available.

Documents which were obtained by the Office of the Contractor General (OCG) indicated that interests incurred, due to late payment to the Contractor by the Client, amounted to J\$581,779.75.

The project experienced a negative net variation due to the change in the Scope of Works from using micro-surfacing to double surface dressing. This resulted in an approximate reduction of J\$4,500,045.00. Additionally, there was a combined fluctuation in Labour and Material Cost of J\$12,253,300.63.

The project achieved Practical Completion on March 31, 2011, with the following Works to be undertaken during the Defects Liability Period:

1. Correction of all defects outlined;
2. Supply and installation of 800 US gallon Water Storage Tank; and
3. Supply and installation of generator.

As at December 31, 2011, defects liability assessment was still outstanding.



Entrance to the Truck Scale Facility



Completed Truck Scale Facility

ANNUAL REPORT 2011									
Pre and Post-Contract as at December 2011									
REFERENCE NO.	PPCM-5332								
MINISTRY	Ministry of Transport and Works								
PUBLIC BODY/ AGENCY	National Works Agency (NWA)								
PROJECT NAME	Fifth Road (Washington Boulevard Improvement) Project								
PROJECT DESCRIPTION	The widening of 2.75 km of the existing two (2) lanes to six (6) lanes along the Washington Boulevard and Dunrobin Avenue, between Molyne's Road Intersection and Constant Spring Road Intersection.								
PROJECT LOCATION(S)	Saint Andrew								
CONTRACTOR	Surrey Paving and Aggregates Company Limited								
CONSULTANT	Mott MacDonald								
SOURCE OF FUNDING	Caribbean Development Bank (CDB)								
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE	
				TCC	NCC				
Open Tender	2009-03-06	J\$1,070,050,040.00	2009-04-01	Yes	Yes	2009-04-14	2009-06-23	2009-10-09	
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).									
<p>A Pre-qualification exercise was conducted by way of the Open Tender Procurement Methodology. Pre-qualification Questionnaires were scheduled to be returned on October 29, 2007. Two (2) Pre-qualification Questionnaires were received and a detailed evaluation was conducted.</p> <p>By way of a letter which was dated December 22, 2008, the two (2) shortlisted Bidders were invited to submit tenders by February 13, 2009. Addenda, which were issued, extended the deadline for submission to March 6, 2009.</p> <p>Two (2) tenders were opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Surrey Paving & Aggregate Limited, in the sum of J\$1,176,184,636.05, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p>									
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN		
J\$1,176,184,636.05	2009-12-04	2010-01-04	16 Month(s)	2011-05-03	2011-10-11	61 Day(s)	0		
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD		
J\$1,737,440,334.19	J\$561,255,698.14	LABOUR	MATERIAL				\$0.00	\$0.00	\$0.00
STATUS	Contract Completed								

POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)

At the end of the 2010 reporting period, this project was approximately 48% completed. The Office of the Contractor General (OCG) was advised that 75% of the project time had elapsed and was behind schedule as a result of the following delays:

1. Inclement weather;
2. Inadequate supply of sub-base material by the quarry;
3. Relocation of utilities; and
4. Variations in the Scope of Works.

During the reporting period, documents which were obtained by the OCG indicated that the Contractor was awarded a 61 day extension of time, due to the following:

1. Changes in the Scope of Works - J\$63,814,121.97;
2. Claims for components that were omitted from the Bills of Quantity - J\$21,238,600.00; and
3. Re-measurement of Works - J\$70,671,544.60.

The contract amounted to \$561,255,698.14, which represents a 48% increase to the contract sum. The variation was submitted to the National Contracts Commission for endorsement.

The Contractor applied for a second extension to the date of completion. This would have revised the date of completion to September 2011. This application for approval of the extension was still being assessed as at the end of the 2011 reporting period.

At the time of the take-over, the Contractor had a total of 139 minor outstanding Works which are scheduled to be completed by February 11, 2012. In addition to these outstanding Works, there was a total of 260 items of defect to be corrected by March 11, 2012.

As at December 31, 2011, the project was completed. However, the Final Accounts was outstanding.



One of the intersections along the newly constructed Washington Boulevard



A section of the newly constructed Washington Boulevard

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-5792						
MINISTRY		Ministry of Transport and Works						
PUBLIC BODY/ AGENCY		National Works Agency (NWA)						
PROJECT NAME		Infrastructure Works (Phase 3) - Lilliput, St. James						
PROJECT DESCRIPTION		Rehabilitative Construction Works to infrastructure at Lilliput, St. James, on existing roads and the installation of kerbs and channels.						
PROJECT LOCATION(S)		St. James						
CONTRACTOR		D.R. Foote Construction Company Limited						
CONSULTANT		N/A						
SOURCE OF FUNDING		Tourism Enhancement Fund (TEF)						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Limited Tender	2010-09-20	J\$229,506,259.89	2010-10-21	Yes	Yes	2010-11-24	2010-12-21	2011-01-11
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Ministry of Housing, Water and Local Government, under its National Housing Programme, had pre-qualified Grade 1 Contractors, in the Category of Civil Engineering or General Road Works.</p> <p>The Housing Agency of Jamaica Limited (HAJL) subsequently invited nine (9) Contractors who had pre-qualified, to submit tenders.</p> <p>Tender Documents were to be submitted by September 20, 2010 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by D.R. Foote Construction Company Limited, in the sum of J\$190,096,630.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
J\$190,096,630.00	2011-01-26	2011-01-26	270 Day(s)	2011-10-23	0000-00-00	65 Day(s)	0	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
J\$201,443,510.00	J\$11,346,880.00	\$0.00	\$0.00	\$0.00	J\$137,562,136.25	\$0.00	12 Month(s)	
STATUS		Contract 91% Complete						

POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)

The project commenced on January 26, 2011, and was to be executed in 270 days, with a scheduled completion date of October 23, 2011. The completion date was not realized due to several issues. The issues include the following:

1. Security concerns;
2. General slow progress of the Contractor;
3. Inadequate supply of marl for roadworks;
4. Re-works due to poor quality workmanship for example on kerbs;
5. Inclement weather; and
6. Excavation of rocks which were not originally part of the Scope of Works.

The Contractor applied for a 73 day extension of time, which included Preliminaries, and proposed a revised completion date of January 31, 2012.

Subsequently, HAJL conducted a detailed evaluation of the claim, and the Contractor was awarded a total of 65 days extension of time, which included 55 days with Preliminaries. This extended the project completion date to December 27, 2011.

At the end of the reporting period, the project incurred a net variation of J\$11,346,880.00 which was due to a change in the Scope of Works.

As at December 31, 2011, the project was 91% complete.

The OCG will continue to monitor the execution of the contract.



Initial stages of road works



Road partially paved

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-5682						
MINISTRY		Ministry of Transport and Works						
PUBLIC BODY/ AGENCY		National Works Agency (NWA)						
PROJECT NAME		Palisadoes Shoreline Protection and Rehabilitation Works						
PROJECT DESCRIPTION		Construction of Boulder Revetment and Road Rehabilitation inclusive of drainage, earthworks and paving works.						
PROJECT LOCATION(S)		Kingston						
CONTRACTOR		China Harbour Engineering Company (CHEC)						
CONSULTANT		Civil Environment and Coastal (CEAC) Solutions Company Limited						
SOURCE OF FUNDING		China Ex-Im Bank/ Loan						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Sole Source	0000-00-00	US\$61,817,093.55	0000-00-00			2009-12-16	2009-08-03	2009-07-22
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<u>Genesis of Project & China Harbour Engineering Company Limited (CHEC)</u>								
<u>Design Stage</u>								
Subsequent to the passage of Hurricane Ivan in 2004, the Ministry of Transport and Works (MTW), in December 2006, commissioned Gamma S.A (Gamma), a Cuban company, to design Emergency Protection Works for the Palisadoes Peninsula.								
The final designs, that were completed and presented in February 2007, indicated shoreline protection and dune rehabilitation to be carried out by 310 metres of revetment along a critical stretch and dune rehabilitation by beach nourishment in 6,583 metres of the Peninsula.								
The designs for the Works were to resist Category 3 storms with an approximate 22 - year Return Period. The primary objective of the designs was to provide a rapid solution to shoreline protection and dune rehabilitation that was cost effective and did not prejudice any future permanent Works.								
Consequently, in keeping with the Terms of Reference, the Ministry of Local Government and Environment, the Ministry of Housing and the MTW decided to commence the execution of the project.								
In 2008/2009 the Caribbean Development Bank (CDB) retained the services of Sandwell, a Canadian Company, to re-design the protection works for the Palisadoes Peninsula that was done by Gamma S.A. This design was finalized by the National Works Agency (NWA) and Civil Environment and Coastal (CEAC) Solutions Company Limited in 2009. The differences in the proposals are as follows:								
<ul style="list-style-type: none"> • The Caribbean Sea-side Works have been upgraded from a 22 - Year Return Period design event to a 100 - Year Return Period; • The number of lanes have increased from two (2) lanes to four (4) lanes, which will be raised from 0.6 to 1.0 metre at present to 3.2 metres above Mean Sea Level, so as to facilitate the future development of Port Royal and the Norman Manley International Airport; and • The inclusion of revetment protection along the Harbour Side. 								
<u>China Harbour Engineering Company Limited (CHEC) Proposal.</u>								
CHEC, through the Chinese Embassy in Kingston, submitted an unsolicited proposal to the MTW addressing how it could assist in the financing of projects. This proposal led to a Preliminary Cooperation Agreement between MTW and CHEC, which was signed on February 12, 2009, regarding the following projects:								
<ul style="list-style-type: none"> • Project 1 - The Corridor from Port Antonio to Kingston. • Project 2 - The design and construction of the tolled Highway from Spanish Town to Bog Walk. 								
Subsequently, the aforementioned Agreement was submitted to the Cabinet, and was approved by way of Cabinet Decision No. 9/09, which was dated March 2, 2010. Following comments from the Attorney General's Department (AGD), the Planning Institute of Jamaica (PIOJ), the Ministry of Finance and the Public Service (MoF&PS) and the Ministry of Foreign Affairs and Foreign Trade (MFAFT) issued an Addendum to the Agreement for the incorporation of the Palisadoes Shoreline Protection Works as Project 3.								
Following the execution of the Preliminary Cooperation Agreement, the Cuban Study and the NWA design were made available to CHEC. Subsequently, in April 2009, CHEC submitted a proposal to the NWA to carry out the Palisadoes Shoreline Protection and Rehabilitation Works in eighteen (18) months, at a cost of US\$77,080,436.80. Negotiations were undertaken in May 2009, and the proposed contract value was reduced to US\$68,349,232.93.								

Consequently, a Memorandum of Understanding (MOU) between the MTW and the CHEC, which was dated May 11, 2009, was submitted to the Cabinet. By way of Cabinet Decision No. 21/09, which was dated August 3, 2009, the Cabinet granted approval for the Government of Jamaica (GOJ) to seek financing from the Export-Import Bank of China (EX-IM Bank) for the Design and Construction of the Palisadoes Shoreline Protection and Rehabilitation Works.

Under the Preferential Buyer's Credit Facility of the EX-IM Bank, a Chinese Contractor had to be engaged. In this regard, the Cabinet instructed the MTW to seek permission from the National Contracts Commission (NCC) for the use of the Sole Source Procurement Methodology.

Subsequently, the NCC, by way of letter which was dated December 17, 2009, offered no objection to the use of the Sole Source Procurement Methodology to award the contract to CHEC for the execution of the Works. It was further noted that the contract emerged out of a bilateral agreement and, therefore, was assumed to have fallen within the ambit of Section No. S-1000 Subsection III of the GOJ Handbook of Public Sector Procurement Procedures (November 2008).

Following further negotiation, CHEC agreed to execute the project at a cost of US\$65,377,404.62.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
US\$65,377,404.62	2010-09-02	2010-09-02	24 Month(s)	2012-09-03	0000-00-00	0	0
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	US\$20,358,088.68	\$0.00	12 Month(s)

STATUS Contract 50% Complete

POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)

Documents which were obtained by the Office of the Contractor General (OCG) indicated that Y.P. Seaton and Associates Limited was engaged as the Sub-Contractor on the project. However, the OCG was not in receipt of documentary evidence of the terms of this engagement.

At the end of the 2010 reporting period, this project was reported to be 6.3% complete and had progressed at a monthly rate of 2%, which was below the average 4.1% required for it to be completed within the scheduled period.

The OCG observed that the reasons for delays were attributed to both Entity and Contractor/Sub-Contractor. During the reporting period, documents which were obtained by the OCG indicated that the output work rate increased to an average of 3.3% monthly, which was still below the rate required for the project to be completed on schedule. The justifications for the continued poor progress of the works were stated to be the following:

1. Delays in payment to the Sub-Contractor by the Main Contractor;
2. Ineffective site management;
3. Lack of supervision of various aspects of the Works;
4. Inadequate material delivery to the site;
5. Inadequate equipment on site;
6. Security and safety of workers on site; and
7. Labour disputes.

Subsequent to meetings among representatives from the NWA, the Contractor and the Sub-Contractor, the aforementioned issues were either resolved or significantly improved. This is evident by the fact that in the latter part of 2011, CHEC assumed the major implementation responsibilities of the project from Y.P. Seaton and Associates Limited and it was reported that progress had increased marginally. Notwithstanding this, the progress as at the end of the reporting period was still lagging behind schedule.

Documents which were received by the OCG indicated the following:

1. There was a review in the quantities for the utilities and the boardwalk components of the project. As at November 2011, this variation was still not approved.
2. There were several quality assurance issues such as the use of unwashed boulders in the revetments, cracks developing in the 300 kg boulders, and the failure by the Contractor to carry out the required drop tests for boulders used in the revetments.
 To remedy the situation of the use of unwashed boulders, the NWA declared that for every unwashed boulder used in the revetments, a sum of money would be deducted from each subsequent claim made by CHEC. The Contractor and Sub-Contractor agreed to this and the occurrence of unwashed boulders in the revetments has been reduced significantly since.
 The Contractor was advised that drop testing should commence in December 2011, under the supervision of CEAC Solutions Company Limited.
3. On September 21, 2011 the National Environment & Planning Agency (NEPA) served an Enforcement Notice on the NWA regarding several breaches by CHEC on the project site. The breaches outlined in the letter are specific to the dunes and beach area between the NWA/CHEC Site Offices and the Road Work Improvement Site within the Protected Area located at Palisadoes, in the Parish of Kingston. The breaches are as follows:
 - a) The clearance of coastal vegetation in the identified areas; and
 - b) The use of motorized heavy-duty equipment/vehicles in the identified areas.

Consequently, the NEPA outlined that within twenty-eight (28) days of the Enforcement Notice, the following remedial actions were to be taken by the NWA:

- a) Immediately cease the clearance of coastal vegetation in the affected dunes and beach areas;
- b) Immediately cease the use of heavy motorized equipment/vehicles in the dunes and beach areas;
- c) Restore, to the satisfaction of NEPA, the dune and beach areas impacted by the removal of coastal vegetation;
- d) Erect "No Vehicular Access", signs at every 15 meter interval, along the dune and beach area and throughout the entire project site eastwards to Harbour View, St. Andrew. All signs should be written in both English and Chinese;
- e) Access roads to the beach from the Site Office should be cordoned off to prevent vehicular access to the beach by workers and other personnel; and
- f) Prepare and submit a Site Plan showing the NWA and CHEC Site Offices located at Palisadoes, Kingston to include buildings "As Built" and any proposed structures that may fall within the existing footprint.

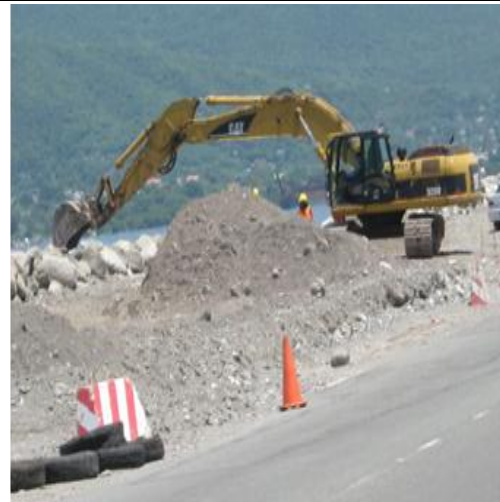
4. The NWA made objections to item (d) and a subsequent agreement was made to place the "No Vehicular Access" signs at 100 meter intervals. Documents which were obtained by the OCG indicated that the remedial actions stipulated by NEPA, have all been implemented by the Contractor.

As at December 31, 2011, the project was reported as being 50% complete and approximately 25.4% behind schedule.

The OCG will continue to monitor the execution of the contract.



Revetment on the side to the Caribbean Sea, due East



Excavator at work on Harbour Side

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-5392						
MINISTRY		Ministry of Transport and Works						
PUBLIC BODY/ AGENCY		National Works Agency (NWA)						
PROJECT NAME		Portmore Villas 2B Housing Construction						
PROJECT DESCRIPTION		The construction of 100 Starter/Studio Units to include the installation of the requisite plumbing and electrical fixtures.						
PROJECT LOCATION(S)		St. Catherine						
CONTRACTOR		Build-Rite Construction Company Limited						
CONSULTANT		In-House						
SOURCE OF FUNDING		Housing Agency Jamaica Limited						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Direct Contracting	0000-00-00	J\$169,703,000.00	2009-12-15	Yes	Yes	2010-01-20	2010-03-22	2010-04-15
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>A Pre-qualification Notice was published on September 24, 2008. Pre-qualification Questionnaires were to be submitted by October 17, 2008 at 4:00 p.m., followed by a public opening. Five (5) Pre-qualification Questionnaires were received, opened and verified in accordance with the eligibility requirements.</p> <p>Three (3) companies were shortlisted and were invited to submit tenders to the Requests for Proposal (RFP), for the proposed Works by January 16, 2009.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the RFP.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the RFP. The lowest responsive tender, which was submitted by Build-Rite Construction Limited, in the sum of J\$1,177,306,000.00, was recommended for the award of contract.</p> <p>The recommendation for the award of contract was endorsed by the National Contracts Commission (NCC) on June 17, 2009.</p> <p>Subsequently, a decision was taken by the Housing Agency of Jamaica Limited (HAJL) to revise the project's Scope of Works, from two hundred and sixty (260) 2 Bedroom Units to one hundred (100) 1 Bedroom Studio Units. This revision thereby decreased the proposed contract sum of J\$1,177,306,000.00 to J\$230,000,000.00 and, as such, the HAJL requested permission from the NCC to negotiate the contract sum with the recommended Bidder.</p> <p>The NCC, on August 19, 2009, advised the HAJL to utilize the Direct Contracting Procurement Methodology to negotiate a contract with Build-Rite Construction Company Limited.</p> <p>Following negotiations, details of the same were submitted to the NCC. The NCC on January 20, 2010, endorsed the recommendation for the award of contract to Build-Rite Construction Limited, in the sum of J\$157,338,000.00</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
J\$157,338,000.00	2010-05-06	2010-05-06	10 Month(s)	2011-03-05	2011-03-07	0	0	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
J\$168,705,999.62	J\$9,765,434.00	J\$9,602,968.82	J\$5,575,496.80	J\$11,367,999.62	J\$168,705,999.62	\$0.00	12 Month(s)	
STATUS		Project Within its Defects Liability Period						

POST-CONTRACT COMMENTS: Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)

At the end of the 2010 reporting period, the project was 80% complete and progressed steadily, with an average monthly output of approximately ten percent (10%). There were no delays or labour relation issues during the execution of the project.

During the 2011 reporting period, documents which were obtained by the Office of the Contractor General (OCG) indicated that the project in general progressed on schedule. Practical Completion was received on March 7, 2011.

The project incurred additional costs of J\$9,765,434.00 and J\$15,178,465.62 as a result of variations and fluctuations, respectively.

As at December 31, 2011, the project was in its Defects Liability Period and the Contractor was reportedly carrying out remedial works in a timely manner.



Houses in Portmore Villas



A Studio Unit in Portmore Villas

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-6172						
MINISTRY		Ministry of Transport and Works						
PUBLIC BODY/ AGENCY		National Works Agency (NWA)						
PROJECT NAME		The Construction of Two (2) Reinforced Box Culverts, John's Hall, St. James						
PROJECT DESCRIPTION		The project entails the construction of two (2) reinforced box culverts, one structural steel bridge, 600 metres of double surface dressed roadway, retaining walls and protective works. Additionally, a temporary Bailey Bridge is to be constructed for vehicular traffic during the execution of the planned Works.						
PROJECT LOCATION(S)		St. James						
CONTRACTOR		China Harbour Engineering Company (CHEC)						
CONSULTANT		N/A						
SOURCE OF FUNDING		China Export - Import Bank						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Sole Source	0000-00-00	\$0.00	0000-00-00			0000-00-00	2010-08-16	2009-08-20
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Government of Jamaica (GOJ), through the Road Maintenance Fund, entered into a loan agreement with the Export-Import Bank of China (EX-IM Bank) to finance the Jamaica Development Infrastructure Programme (JDIP). The Programme is the outcome of a Preferential Buyer's Credit Facility from the Government of China, through the EX-IM Bank, which provided funding in the amount of US\$400 Million, over a five (5) year period to carry out Works which are located island-wide.</p> <p>The Sole Source Procurement Methodology was utilised to engage China Harbour Engineering Company Limited (CHEC) as Contractor for the JDIP. By way of Cabinet Decision No. 30/10, which was dated August 16, 2010, the Cabinet approved the award of contract to CHEC for the implementation of the projects.</p> <p>The Office of the Contractor General (OCG) was informed by the National Works Agency (NWA), that CHEC had engaged Y.P. Seaton and Associates Limited as the Sub-Contractor on the project. The sub-contract between CHEC and Y.P. Seaton and Associates Limited, was signed on October 11, 2010, for a duration of twelve (12) months.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
J\$384,026,081.51	2010-10-25	2010-11-18	12 Month(s)	2011-10-25	0000-00-00	5 Month(s)	0	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
J\$425,383,036.20	J\$41,356,954.69	\$0.00	\$0.00	\$0.00	J\$229,488,412.50	\$0.00	12 Month(s)	
STATUS	Contract 47% Complete							

POST-CONTRACT COMMENTS: Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)

The project commenced on November 18, 2010 and was scheduled to be completed on October 25, 2011. Documents which were obtained by the OCG indicated that since the commencement of the project, the progress of the Works has been slow and continued to be behind schedule throughout the period. The following are the given reasons for the slow progress:

1. Relocation of informal settlers and business operators;
2. Land acquisition;
3. Inclement weather conditions;
4. Tardiness of the Sub-Contractor;
5. Unavailability of material (River Shingle);
6. Design issues;
7. Financial constraints of the Sub-Contractor;
8. Poor project management;
9. Defective equipment on site;
10. Relocation of JPS poles;
11. Poor quality workmanship; and
12. Safety issues (proper signage and safety gears for workers).

The referenced documents also indicated that:

1. As at June 10, 2011, the Sub-Contractor was yet to construct a proper Site Office, despite being paid for Preliminaries. Subsequently, the NWA threatened to withhold the further payment of Preliminaries from all subsequent Payment Certificates until the Sub-Contractor constructed an acceptable and functional Site Office.
2. Subsequent to an assessment by the Estate and Property Unit of the NWA, a Variation Order was approved to compensate for the relocation of the informal settlers and business operators. However, there was a delay in payments made to the informal settlers due to problems the Sub-Contractor experienced regarding cash flow. The payments were eventually made during the month of July 2011.
3. On May 5, 2011, a major accident, involving a truck being operated on behalf of the Sub-Contractor, occurred along the Corridor of the project and resulted in the death of a resident from the community. On May 10, 2011, this incident sparked a demonstration by the residents. Consequently, on May 11, 2011, the NWA ordered a Suspension of Works pending the submission of a Traffic Management Plan by the Contractor/Sub-Contractor.
4. Activities on the project resumed on May 19, 2011 after various recommended safety measures, among other measures, were implemented by the Sub-Contractor to improve health and safety on the work site. However, to date, there are still several outstanding safety issues which were not implemented.
5. A five (5) month extension of time was granted to the Sub-Contractor which resulted in the revision of the completion date to March 31, 2012.

As at December 31, 2011, the project was 47% complete with 116.7% of the original contract period having expired. Based upon the average 3.4% output over the period, the Contractor will have to significantly increase the Works output to achieve the revised completion date of March 31, 2012.

The OCG will continue to monitor the execution of the contract.



Bailey Bridge at John's Hall



Reinforced Box Culvert under construction

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-5472						
MINISTRY		Ministry of Transport and Works						
PUBLIC BODY/ AGENCY		Port Authority of Jamaica (PAJ)						
PROJECT NAME		Falmouth Cruise Ship Pier Development Project						
PROJECT DESCRIPTION		The Falmouth Cruise Ship Terminal Development.						
PROJECT LOCATION(S)		Trelawny						
CONTRACTOR		Royal Caribbean Cruise Line (RCCL)						
CONSULTANT		Mott MacDonald Limited						
SOURCE OF FUNDING		Government of Jamaica (GOJ) and Royal Caribbean International (RCI)						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Sole Source	2006-07-21	US\$125,000,000.00	2008-11-07	Yes	Yes	2008-09-11	2008-11-10	2008-11-07
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Port Authority of Jamaica (PAJ) invited suitably qualified Engineering firms, which were registered with the National Contracts Commission (NCC), to submit proposals for conducting a feasibility study, in a effort to provide the PAJ with sufficient data and guidance to facilitate sustainable development.</p> <p>The PAJ published an advertisement in the Daily Gleaner, the Jamaica Observer and on the PAJ website on June 18 & 21, 2006 inviting Engineering firms to indicate an "Expression of Interest", for the conduct of a feasibility study for the Ocho Rios Cruise Terminal Development. This was subsequently revised, and an amended advertisement was published on June 25 & 28, 2006, respectively.</p> <p>Five (5) companies submitted proposals by the stipulated date of July 21, 2006, which were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Mott MacDonald Limited (MML), in the sum of US\$254,702.00, was recommended for the award of contract.</p> <p>The PAJ, by way of a letter which was dated December 18, 2006, informed the NCC of its decision to engage MML. The NCC offered its no objection to the PAJ negotiating the terms with MML, to conduct an additional feasibility study on the Falmouth Harbour in Trelawny. This was on the condition that, upon completion of the negotiations, the appropriate recommendations would be submitted through the Sector Committee.</p> <p>The recommendation to award the contract to MML, in the sum of US\$248,150.00, was outlined in a Tender Report which was dated March 2007.</p> <p>The contract was to be conducted in two (2) phases, as follows:</p> <ol style="list-style-type: none"> 1. Phase 1 - to conduct a feasibility study to determine capacity for Reynolds Pier Ocho Rios valuing US\$59,500.00; and 2. Phase 2 - to conduct a feasibility study to establish the viability of the configuration of the proposed Berth for Reynolds Pier valuing US\$195,202.00. <p>Based upon an evaluation, which was completed by MML, four (4) companies were invited to submit tenders. Subsequently, the PAJ conducted negotiations with the two (2) most technically compliant Bidders. However, the lowest responsive tender was found to be above the Comparable Viability Analysis Estimate of US\$125,000,000.00.</p> <p>Consequently, the PAJ, by way of a letter which was dated September 10, 2008, requested the NCC's permission to annul the tender process and utilise the Sole Source Procurement Methodology to negotiate a contract with Royal Caribbean Cruise Line (RCCL) to develop the Cruise Ship Terminal. The NCC, by way of a letter which was dated September 11, 2008, offered its no objection and advised the PAJ that the approval of the Cabinet was to be sought based upon the value of the proposed development.</p> <p>The Office of the Contractor General (OCG) found that on November 7, 2008, a contract, which was valued at US\$224,000,000.00, was signed between the PAJ and Royal Caribbean International (RCI). Under this Agreement, the Government of Jamaica will invest US\$122,000,000.00 to dredge the Harbour and construct the Pier. RCI will then develop the land based facilities which includes shops and attractions.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
US\$122,000,000.00	2009-02-05	2009-02-26	26 Month(s)	2011-05-10	0000-00-00	0 Day(s)	0 Day(s)	

REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	US\$107,305,926.04	\$0.00	12 Month(s)
STATUS	Contract 90% Complete						
POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)							
<p>At the end of the 2010 reporting period, this project was approximately 27% complete and was progressing at a steady pace and within the scheduled programme.</p> <p>The OCG observed at site meetings, which were held on January 6, 2011 and February 17, 2011, that an outstanding issue regarding E. Pihl & Son A.S. producing a satisfactory programme schedule which outlined the revised critical path and baseline programme to facilitate the revised completion date of June 2011, was still unresolved.</p> <p>In this regard, the OCG at several site meetings expressed concerns regarding the tardiness of the Sub-Contractor to make the necessary amendments to the programme schedule, which has been an issue of contention with the PAJ and RCCL since August 2010. It is the OCG's position that if the programme schedule could not be finalized, then the claims for payment to the Sub-Contractor could not be accurately measured or validated.</p> <p>The OCG further noted that during the site meeting of March 11, 2011, the PAJ was still not satisfied with the programme schedule which was submitted by E. Pihl & Son A.S., as the necessary additions such as the Infrastructural Works for the CCTV and the AC for the Terminal Building were not included. PAJ also expressed dissatisfaction with the pace of the Works to the Terminal Building, as the roof of the building was not put in place as outlined in the programme schedule. At the time of the referenced meeting, the project had expended approximately US\$105 million.</p> <p>On March 22, 2011, the then Prime Minister, the Hon. Bruce Golding, officially opened the Falmouth Cruise Ship Pier, in tandem with the arrival of the world's largest cruise vessel, the 'Oasis of the Seas', making its inaugural stopover in Jamaica. At this juncture, the project was approximately 91% complete.</p> <p>On May 25, 2011, the NCC endorsed the request from the PAJ to award contracts by way of the Emergency Procedures to Falmouth Heritage Renewal and E. Pihl & Son A.S., in the amounts of US\$100,000.00 and US\$1,133,647.00, respectively.</p> <p>This was as a result of the necessary preparations being made for the inaugural visit of the referenced Cruise Ship, which entailed advancing the Works to the streetscape improvement to the Town of Falmouth (awarded to E. Pihl & Son A.S.) and Renovation/Stabilization of Tharpe House property (awarded to Falmouth Heritage Renewal), located at the south west end of the Pier.</p> <p>The PAJ, by way of a letter which was dated July 19, 2011, stated <i>inter alia</i>, that "<i>Expenditure to date was US\$105,280,500.16</i>" and that the "<i>...project has not yet achieved practical completion</i>". Based upon the foregoing, the project was approximately a month over its revised completion date of June 10, 2011.</p> <p>Subsequently, MML, by way of a letter which was dated October 5, 2011, asserted, <i>inter alia</i>, that "<i>...as Reviewing Engineer we issue this Certificate of Substantial Completion for works (excluding the Terminal Building, the Small Craft Jetty, the Potable Water Storage Tank and Pumping Station, the New Bend Down Market and the Terminal Lighting)</i>." A further partial completion was attained by way of MML's letter, which was dated December 7, 2011, and which stated, <i>inter alia</i>, that "<i>...as Reviewing Engineer we issue this Certificate of Substantial Completion for part of the works, the Terminal Building.</i>"</p> <p>The PAJ, on November 4, 2011, issued its last Payment Certificate for the year 2011, in the amount of US\$421,463.57, honouring claims for works which had been carried out by the Contractor.</p> <p>As at December 31, 2011, the project had not achieved Final Completion.</p> <p>The OCG will continue to monitor the execution of the contract.</p>							
							
View of the Falmouth Pier in December 2010				View of the Falmouth Pier in May 2011			

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-6052						
MINISTRY		Ministry of Transport and Works and Housing						
PUBLIC BODY/ AGENCY		Housing Agency of Jamaica (HAJL)						
PROJECT NAME		Infrastructure Works, Whitehall Phase 3						
PROJECT DESCRIPTION		The construction of infrastructure for five hundred and seventy-six (576) Lots. To include the construction of roads, the installation of storm water drainage, sewage and water supply.						
PROJECT LOCATION(S)		Westmoreland						
CONTRACTOR		Ashrom Building Systems Limited						
CONSULTANT		HAJL						
SOURCE OF FUNDING		Loan from the National Housing Trust						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2010-10-01	J\$551,656,010.00	2010-11-15	Yes	Yes	2011-01-19	2011-05-16	2011-06-28
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Invitation to Tender was advertised on August 25, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Civil Engineering and General Road Works, Grade 1. Tenders were to be submitted by October 1, 2010 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Five (5) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, after arithmetic corrections in the sum of J\$502,015,767.76, which was submitted by Ashrom Building Systems Limited, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
J\$502,015,767.76	2011-07-04	2011-07-12	18 Month(s)	2013-01-12	0000-00-00	0 Day(s)	0 Day(s)	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
\$0.00	\$0.00	J\$1,031,094.52	J\$58,624.65	\$0.00	J\$93,578,372.77	\$0.00	12 Month(s)	
STATUS		Contract 11% Complete						
POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)								
<p>During the reporting period, the documents which were obtained by the Office of the Contractor General (OCG) from the Housing Agency of Jamaica Limited (HAJL) indicated that notwithstanding the official start date of July 12, 2011, physical work on the site did not commence until August 8, 2011. This was due primarily to the Contractor finalizing contractual arrangements with the Sub-Contractors.</p> <p>In a Status Report, the OCG was advised that "Upon commencement of work on site, it was discovered that "designed" control values were not in keeping with those on the ground which resulted in further delays as new values were provided for setting out. During this exercise, it was further discovered that a number of proposed roadways had to be redesigned to accommodate these discrepancies. The revised layout took into consideration problematic lots and roadways that would be too costly to construct by realigning a few roads and adding a few new roads. Revised drawings were supplied to the Contractor in a manner so as not to cause further delays."</p> <p>HAJL also reported that the "...Contractor's work rate was significantly affected by equipment not working at maximum efficiency and delays in replacing and providing much needed additional earthworks equipment."</p> <p>Despite the foregoing issues and delays, the HAJL reported that all works under the period of review were acceptable and in keeping with the contract specifications and on that premise the Contractor's work output was considered fair.</p> <p>As at December 31, 2011, the project was reported as being 11% complete, which was behind the planned schedule of 20%.</p> <p>The OCG will continue to monitor the execution of the contract.</p>								



Excavation for Lateral Sewer Pipes - Sector A



Road Cut - Sector A

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-5832						
MINISTRY		Ministry of Water and Housing						
PUBLIC BODY/ AGENCY		Housing Agency of Jamaica Limited						
PROJECT NAME		Design and Construction of 108 Two Bedroom Townhouses and Related Infrastructure Works at Congreve Park Manor, St. Catherine						
PROJECT DESCRIPTION		The design and construction of 108 two (2) bedroom townhouses and attendant infrastructure to include construction of roadways, installation of water supply system, sewage, electrical system and storm water drainage.						
PROJECT LOCATION(S)		St. Catherine						
CONTRACTOR		West Indies Home Contractors Limited (WIHCON)						
CONSULTANT		N/A						
SOURCE OF FUNDING		Government of Jamaica						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Sole Source	0000-00-00	J\$863,763,352.43	2010-03-31	Yes	Yes	2010-05-05	2010-08-16	2010-09-15
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>This project falls under the Ministry of Water & Housing (MWH) National Housing Programme, and was transferred to the Housing Agency of Jamaica Limited (HAJL) for implementation.</p> <p>Prior to the transfer of the project, on June 17, 2009, the MWH received permission from the National Contracts Commission (NCC) to utilize the Sole Source Procurement Methodology to engage West Indies Home Contractors (WIHCON), to execute the project. Negotiations between WIHCON and MWH commenced in August 2009, and the following were agreed between the two (2) entities:</p> <ol style="list-style-type: none"> 1. Employer's Requirements formulated; 2. Project concept agreed and designs were substantially completed; and 3. Design and construction cost of J\$973,970,248.54 (August 20, 2009) was negotiated and reduced to J\$835,327,281.20 (October 27, 2009). <p>The revision in construction cost was due to the reconfiguration of the designs for the Units and the Subdivision Plan. A contract was subsequently signed between WIHCON and HAJL, in the sum of J\$802,168,363.38.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
J\$802,168,363.38	2010-09-30	2010-09-30	12 Month(s)	2011-09-29	2011-10-11	0	0	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
\$0.00	J\$3,997,097.90	\$0.00	\$0.00	\$0.00	J\$797,753,663.17	\$0.00	6 Month(s)	
STATUS		Project Within its Defects Liability Period						

POST-CONTRACT COMMENTS: Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)

At the end of the 2010 reporting period, the project was 22% complete and on schedule.

During the 2011 reporting period, documents which were obtained by the Office of the Contractor General (OCG) indicated that the project experienced a total of fourteen (14) days delay due to inclement weather. However, the progress of the project was not significantly impacted by this delay.

Additionally, there were four (4) Variation Orders totalling J\$3,997,097.90 which were due to the following:

1. The construction of a concrete Boundary Fence; and
2. The provision of Security Services to the finished Units.

The Contractor obtained Practical Completion on October 11, 2011 and proceeded to correct defects found in the Units in a timely manner.

As at the end of November 2011, twenty-five (25) Units were handed over to homeowners. The Security Services for the complex continued to be provided by WIHCON.

As at December 31, 2011, the project was completed and in its Defects Liability Period.



Congrieve Park Manor



Cluster of Town Houses

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-6191						
MINISTRY		Office of the Prime Minister						
PUBLIC BODY/ AGENCY		Jamaica Social Investment Fund (JSIF)						
PROJECT NAME		Africa Drainage - Phase 1 - (# 072269)						
PROJECT DESCRIPTION		The construction/rehabilitation of drains and related features to the overall drainage area in and around the Africa community.						
PROJECT LOCATION(S)		St. Catherine						
CONTRACTOR		Champion Industrial Equipment Limited						
CONSULTANT		Ultracon (Jamaica) Limited						
SOURCE OF FUNDING		World Bank - Inner City Basic Services Project						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2009-10-23	J\$9,141,300.00	2010-01-28	Yes	Yes	0000-00-00	0000-00-00	2010-06-09
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Invitation to Tender was advertised on September 20, 2009. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of General Road Works, Grade 4 or higher. Tenders were to be submitted by October 23, 2009 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:05 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Champion Industrial Equipment Limited, in the sum of J\$8,506,310.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
J\$8,506,310.00	2010-11-01	2010-11-01	4 Month(s)	2011-03-01	2011-04-01	1 Month(s)	1 Month(s)	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
J\$7,829,060.00	J\$677,250.00	\$0.00	\$0.00	\$0.00	J\$7,829,060.00	\$0.00	6 Month(s)	
STATUS		Contract 90% Complete						
POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)								
<p>At the end of the 2010 reporting period, documents which were obtained by the OCG indicated that the project was on schedule and approximately 44% complete, with an expenditure of J\$3,307,147.20.</p> <p>During the 2011 reporting period, the Jamaica Social Investment Fund (JSIF) Supervisor's Report, for the period February 1, 2011 to March 1, 2011, indicated that the Contractor was on schedule with the construction programme. The JSIF also reported that modifications to respective concrete drains and the clearing of respective earth drains were complete.</p> <p>The JSIF, however, advised that the construction of culverts at one of the drains (<i>Drain # 1</i>) required additional work and that the contract period had expired. It was also indicated that external factors such as gang related activities, which resulted in homicides and curfews in the area by the police, affected the construction activities.</p> <p>Documents further indicated that the Contractor subsequently requested an extension of four (4) weeks to facilitate the completion of the Works. This was primarily due to the referenced civil unrest, which resulted in a three (3) week delay and JSIF's decision for the Contractor to proceed with the construction of the required storm water drains.</p> <p>The JSIF having taking into account all the foregoing factors granted an extension of one (1) month.</p> <p>As at December 31, 2011, the project was reported as being 90% complete.</p> <p>The OCG will continue to monitor the execution of the project.</p>								

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-5052						
MINISTRY		Office of the Prime Minister						
PUBLIC BODY/ AGENCY		Jamaica Social Investment Fund (JSIF)						
PROJECT NAME		Albion Basic School Construction (#072317)						
PROJECT DESCRIPTION		The construction of a Standard Three (3) Classroom Basic School, equipped with Sanitary Amenities, Kitchen Facility, Administrative Area, all necessary Sewer and Drainage Systems, the construction of perimeter fencing and a retaining wall.						
PROJECT LOCATION(S)		St. James						
CONTRACTOR		Marshall Construction Company Limited						
CONSULTANT		Centreline Project Solutions						
SOURCE OF FUNDING		The European Union (EU)/Government of Jamaica (GOJ)						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2010-04-09	J\$28,285,244.93	2010-04-29	Yes	Yes	2010-05-26	0000-00-00	2010-07-21
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Invitation to Tender was advertised on March 7, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grade 3 or higher. Tenders were to be submitted by April 9, 2010 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:05 p.m.</p> <p>One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The responsive tender, in the sum of J\$29,737,735.00, which was submitted by Marshall Construction Limited, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
J\$29,737,735.00	2010-08-23	2010-08-23	4 Month(s)	2010-12-23	2011-02-15	51 Day(s)	51 Day(s)	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	J\$29,737,735.00	\$0.00	6 Month(s)	
STATUS		Contract Completed						
POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)								
<p>At the end of the 2010 reporting period, the project was reported as 70% complete and behind schedule as a result of the following issues encountered during implementation of the project:</p> <ul style="list-style-type: none"> • Items in the Bill of Quantities were not reflected on the Working Drawings; • The final decision on the location of the Absorption Pit; • The construction of the Retaining Wall; and • Frequent delays in the construction programme. <p>During the reporting period, documents which were received by the Office of the Contractor General (OCG) indicated that the Contractor was awarded an extension of time due to the referenced issues. The scheduled completion time was extended by 51 days.</p> <p>Practical Completion was obtained on February 15, 2011, which was also the commencement date of all warranties and guarantees, as provided in the Contract Document.</p> <p>The project obtained Final Completion on August 15, 2011, which was also the date of expiration for all warranties and guarantees in accordance with the Final Completion Certificate.</p> <p>As at December 31, 2011, the project was completed.</p>								



Project During Construction



Final Completion

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-6032						
MINISTRY		Office of the Prime Minister						
PUBLIC BODY/ AGENCY		Jamaica Social Investment Fund (JSIF)						
PROJECT NAME		Bucknor Community Centre Construction (#71617)						
PROJECT DESCRIPTION		The construction of a multipurpose building with a "foot print" area of approximately 630 sq. meters. The main Hall/Auditorium construction is steel frame encased in reinforced concrete with an Alu-steel Sheeting roof. The areas to house the library, office, kitchen, shops and bathroom facilities are of reinforced concrete block walls. The external works include a Car Park and a Sewage Treatment Facility.						
PROJECT LOCATION(S)		Clarendon						
CONTRACTOR		KSA Engineering Consultants Limited						
CONSULTANT		Quality Surveying Consultants Limited						
SOURCE OF FUNDING		Loan Agreement - Government of Jamaica (GOJ)/ International Bank for Reconstruction and Development (IBRD)						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2008-01-08	J\$46,437,019.32	2008-04-08	Yes	Yes	2008-05-28	2008-10-13	2009-01-16
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Invitation to Tender was advertised on December 5, 2007. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grade 2. Tenders were to be submitted by January 8, 2008 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:05 p.m.</p> <p>One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The responsive tender, which was submitted by KSA Engineering Consultants Limited, in the sum of J\$52,028,039.31, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
J\$52,028,039.31	2009-01-30	2009-06-29	12 Month(s)	2010-06-29	0000-00-00	0	3 Year(s)	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	J\$52,027,953.51	\$0.00	6 Month(s)	
STATUS		Contract 98% Complete						

POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)

At the end of the 2010 reporting period, the project was reported as being 53% complete and behind schedule, as a result of the following factors:

- Inadequate material supply;
- Financial difficulties experienced by the Contractor;
- Issues with the material delivered to the site; and
- Community related social issues.

During the 2011 reporting period, the Jamaica Social Investment Fund (JSIF) reported that *"...as a result of the design check of the superstructure to accommodate the vertical expansion, there was the need to reinforce elements of the structural frame, columns and concrete beams... Associated with this was the additional wall finishes and plumbing revision. Additionally, based on requests for sectional use of the space, it was necessary to provide separate meters for electricity, in the various offices and shops in the building."*

The technical revisions included the following:

- Land surveying and setting out of floor level to ascertain "cut-and-fill" quantities;
- Re-design of the superstructure to allow for increased floor area for future expansions; and
- Provision of superstructure drawings, minor revision to plumbing services, and electrics.

By way of a Status Report from the JSIF, the Office of the Contractor General (OCG) was advised that *"Given the challenges in regards to labour dispute, intimidation and associated diminished availability of skilled labour, punitive action was not considered against the Contractor."*

The JSIF has however indicated that they take no responsibility for the delays in the completion of the Works and stated that the *"...designs were undertaken by a United Kingdom Firm, based on International Tendering as stipulated by the World Bank."*

As at December 31, 2011, the project was reported as 98% complete, with a projected completion date of March 31, 2012.

The OCG will continue to monitor the execution of the project.



Front View as at December 31, 2010



Side View as at December 31, 2011

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-6201						
MINISTRY		Office of the Prime Minister						
PUBLIC BODY/ AGENCY		Jamaica Social Investment Fund (JSIF)						
PROJECT NAME		Central Village Community Centre Construction (#71621)						
PROJECT DESCRIPTION		The construction of a Community Centre, approximately 693 square metre, with bathroom facilities, shops and a Multi-purpose area.						
PROJECT LOCATION(S)		St. Catherine						
CONTRACTOR		KSA Engineering Consultants Limited						
CONSULTANT		Quantity Surveying Consultant Limited						
SOURCE OF FUNDING		World Bank - Inner City Basic Needs Project						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2008-01-08	J\$64,053,817.50	2008-04-08	Yes	Yes	2008-05-28	2008-10-13	2009-01-16
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Invitation to Tender was advertised on December 2, 2007. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grade 2 or higher. Tenders were to be submitted by January 8, 2008 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:05 p.m.</p> <p>One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The responsive tender, which was submitted by KSA Engineering Consultants Limited, in the sum of J\$53,201,570.38, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
J\$53,201,570.38	2009-01-27	2009-03-04	12 Month(s)	2010-03-04	0000-00-00	24 Month(s)	21 Month(s)	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
J\$72,832,566.57	J\$19,630,996.19	\$0.00	\$0.00	J\$19,630,996.19	J\$53,201,570.38	\$0.00	6 Month(s)	
STATUS		Contract 85% Complete						
POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)								
<p>During the reporting period, documents which were obtained by the Office of the Contractor General (OCG) indicated that the project was significantly affected by changes in the Scope of Works. The changes subsequently resulted in variations that amounted to J\$19,630,996.19 or 10.4% of the original contract sum.</p> <p>The Jamaica Social Investment Fund (JSIF) advised the OCG that a portion of the variation, which amounted to J\$11,650,760.64, was approved by the Cabinet in December 2011, however, the prolonged period for approval severely delayed the progress of the project.</p> <p>Upon receipt of the approval for the referenced variation, the Contractor re-mobilized and resumed the Works. The projected completion date is March 31, 2012.</p> <p>As at December 31, 2011, the project was reported as being 85% complete.</p> <p>The OCG will continue to monitor the execution of the project.</p>								



Front Elevation



Multi-Purpose Area Interior

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.	PPCM-6072							
MINISTRY	Office of the Prime Minister							
PUBLIC BODY/ AGENCY	Jamaica Social Investment Fund (JSIF)							
PROJECT NAME	Glendevon Primary and Junior High School Rehabilitation and Playground Construction (#72313)							
PROJECT DESCRIPTION	The expansion of the existing school kitchen to include a serving area and adequate storage, the repainting of the existing school building, replacement of damaged windows and doors, and the installation of new lighting fixtures. The Works also include the construction of a standard size multipurpose court and mini football fields.							
PROJECT LOCATION(S)	St. James							
CONTRACTOR	Alcar Construction & Haulage Company Limited							
CONSULTANT	N/A							
SOURCE OF FUNDING	GOJ and the Caribbean Development Bank							
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2010-09-08	J\$28,048,078.02	2010-12-02	Yes	Yes	2010-12-22	2011-05-02	2011-06-27
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The procurement opportunity was originally advertised on March 7, 2010. Tenders were to be submitted by April 9, 2010 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:05 p.m. The Office of the Contractor General (OCG) was advised by the Jamaica Social Investment Fund (JSIF) that the procurement process was subsequently terminated.</p> <p>The procurement opportunity was re-advertised on August 8, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, at a minimum of Grade 2. Tenders were to be submitted by September 8, 2010 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. Subsequent to the corrections which were made to an arithmetic error, the lowest responsive tender, which was submitted by Alcar Construction & Haulage Company Limited, in the sum of J\$32,527,225.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
J\$32,527,225.00	2011-07-06	2011-08-29	3 Month(s)	2011-11-29	0000-00-00	0 Month(s)	1 Month(s)	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
J\$34,367,315.00	J\$1,840,090.00	\$0.00	\$0.00	J\$1,840,090.00	J\$27,544,915.00	\$0.00	6 Month(s)	
STATUS	Contract 90% Complete							

POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)

During the reporting period, documents which were obtained by the OCG indicated that the Project Supervisor reported that the Contractor was making good progress with the overall completion of the Works. It was also found that the steel frame structure for the storage facility and the framing for the partitions of the canteen walls were complete as at September 1, 2011. The painting of the exterior of the building and the excavation of the play areas were reported to be more than 50% complete.

It was also reported that the Bill of Quantities which was submitted by the Project Supervisor for the painting of the building had not included all areas, specifically the "Library Area", and there was also a change in the Scope of Works from rubble stone walls at the Hard Court to concrete block wall.

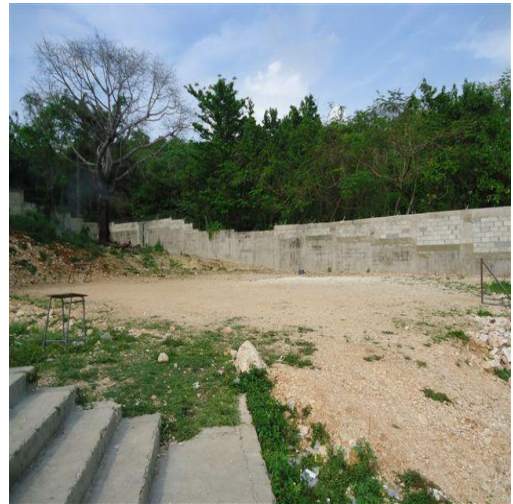
By way of the Minutes of the Site Meeting of the JSIF, which was dated September 1, 2011, the OCG was advised that the Contractor had submitted rates for additional Works to be undertaken, in which a preliminary assessment was made and was to be finalized between JSIF and the Contractor.

As at December 31, 2011, the project was reported as being 90% complete.

The OCG will continue to monitor the execution of the contract.



Expansion to School Kitchen



Incomplete Mini Football Fields

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-6291						
MINISTRY		Office of the Prime Minister						
PUBLIC BODY/ AGENCY		Jamaica Social Investment Fund (JSIF)						
PROJECT NAME		Glendevon Trade/Skills Training Centre Renovation & Rehabilitation - (#72488)						
PROJECT DESCRIPTION		The renovation of the Day Care Centre and existing Training Centre, which includes replacing the roof covering, doors and windows, and plumbing and electrical works. The Works also included the construction of a Computer Laboratory and a perimeter fence.						
PROJECT LOCATION(S)		St. James						
CONTRACTOR		Share Con Limited						
CONSULTANT		Quantity Surveying Consultant Limited						
SOURCE OF FUNDING		Basic Needs Trust Fund						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2010-11-01	J\$34,539,977.96	2010-12-02	Yes	Yes	2011-01-12	2011-05-02	2011-06-24
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Invitation to Tender was advertised on September 26, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grade 2 or higher. Tenders were to be submitted by November 1, 2010 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Share Con Limited, in the sum of J\$36,816,275.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
J\$36,816,275.00	2011-08-01	2011-08-01	4 Month(s)	2011-12-01	0000-00-00	0	0	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	J\$33,180,475.68	\$0.00	6 Month(s)	
STATUS		Contract 99% Complete						
POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)								
<p>During the reporting period, documents which were obtained by the Office of the Contractor General (OCG) indicated that during the implementation of the Works, the Contractor adhered to the scheduled work programme and experienced minimal issues. This resulted in the project being substantially complete within the scheduled completion time.</p> <p>As at December 31, 2011, the project was reported as being 99% complete. The JSIF awaits the issuance of the Practical Completion Certificate and the Final Completion Certificate.</p> <p>The OCG will continue to monitor the execution of the project.</p>								



As at December 31, 2011



Newly Constructed - Computer Laboratory

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-6082						
MINISTRY		Office of the Prime Minister						
PUBLIC BODY/ AGENCY		Jamaica Social Investment Fund (JSIF)						
PROJECT NAME		Haddington Basic School Rehabilitation and Expansion (#072039)						
PROJECT DESCRIPTION		The rehabilitation and expansion of the School Building to accommodate three (3) classrooms, the construction of a cafeteria, a covered ramp, a play area with fencing and the upgrading of the school kitchen, storage area, and student bathrooms.						
PROJECT LOCATION(S)		Hanover						
CONTRACTOR		Share Con Limited						
CONSULTANT		Quantity Surveying Consultants Limited						
SOURCE OF FUNDING		Basic Needs Trust Fund						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2010-06-18	J\$23,434,630.51	2010-10-07	Yes	Yes	2010-12-08	0000-00-00	2011-05-12
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Invitation to Tender was advertised on May 16, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grade 3 or higher. Tenders were to be submitted by June 18, 2010 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Share Con Limited, in the sum of J\$26,845,557.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
J\$26,845,557.00	2011-06-03	2011-06-27	4 Month(s)	2011-10-27	0000-00-00	3 Month(s)	2 Month(s)	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
J\$29,446,647.00	J\$2,601,090.00	\$0.00	\$0.00	J\$2,601,090.00	J\$22,728,498.00	\$0.00	6 Month(s)	
STATUS		Contract 99% Complete						

POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)

During the reporting period, documents which were obtained by the Office of the Contractor General (OCG) indicated that the Works were executed in a less than diligent manner, throughout the preliminary stages of the project (June/July 2011). This was due to the Contractor not adhering to the Construction Work Programme, amongst other factors which included, inadequate site access, shortage of workers and the lack of required equipment.

A site visit by an OCG representative in July 2011, which was during the initial stages of the building demolition activities, revealed that the building was being demolished with a sledge hammer. This was due to the Contractor being unable to access the site with mechanical equipment, as an existing church building porch partially impeded the access road.

By way of the Minutes of the Meeting of the Jamaica Social Investment Fund (JSIF), which was dated July 7, 2011, it was reported that the church expressed reservations with respect to the referenced porch being destroyed. However, it was reported that based upon negotiations it was agreed that the porch be demolished and reconstructed at the end of the construction period.

Reports further indicated that throughout the construction period, the project in general progressed slowly. The OCG was advised that the progress of the project was affected by the following:

- Revisions to the construction programme;
- A change in the project scope to include the construction of a retaining wall at the front of the building;
- Water shortages; and
- Inclement weather conditions.

In September 2011, the Contractor requested a three (3) month extension to the scheduled completion date of October 27, 2011. This was subsequently granted by the JSIF.

As at December 31, 2011, the project was reported as being 99% complete. The JSIF awaits the issuance of the Practical Completion Certificate and the Final Completion Certificate.

The OCG will continue to monitor the execution of the project.



During Construction



As at December 31, 2011

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-6042						
MINISTRY		Office of the Prime Minister						
PUBLIC BODY/ AGENCY		Jamaica Social Investment Fund (JSIF)						
PROJECT NAME		Knollis Community Centre Construction - (#071616)						
PROJECT DESCRIPTION		The construction of a Community Centre equipped with bathroom facilities, shops and a Multi-Purpose Area.						
PROJECT LOCATION(S)		St. Catherine						
CONTRACTOR		KSA Engineering Consultants Limited						
CONSULTANT		Quantity Surveying Consultants Limited						
SOURCE OF FUNDING		Government of Jamaica (GOJ)						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2007-09-21	J\$51,865,242.95	2008-02-25	Yes	Yes	2008-03-26	2008-08-11	2008-10-08
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Invitation to Tender was advertised on August 19, 2007. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grade 2. Tenders were to be submitted by September 21, 2007 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by KSA Engineering Consultants Limited, in the sum of J\$57,727,498.30, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
J\$57,727,498.30	2009-03-04	2009-03-04	12 Month(s)	2010-03-04	2011-12-19	0	21 Month(s)	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
J\$67,187,081.26	J\$9,459,562.96	\$0.00	\$0.00	\$0.00	J\$57,573,824.30	\$0.00	6 Month(s)	
STATUS		Contract 95% Complete						
POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)								
<p>At the end of the 2010 reporting period, the project was 65% complete and behind schedule as a result of community related issues and a less than diligent performance by the Contractor.</p> <p>During the 2011 reporting period, documents which were obtained by the Office of the Contractor General (OCG) indicated that the project was not completed within the revised scheduled completion date as the project was on hold pending the approval of a variation by the Cabinet. Cabinet approval was received in December 2011.</p> <p>The Jamaica Social Investment Fund (JSIF), advised the OCG of the following:</p> <p style="padding-left: 40px;"><i>"...the unforeseen Works were not the fault of the Contractor.</i></p> <p style="padding-left: 40px;"><i>The JSIF is not responsible for the delays in the completion of the Works. The designs were undertaken by a United Kingdom firm, based on International Tendering as stipulated by the World Bank. The cost increase resulting from the design changes took a long time for approval."</i></p> <p>Practical Completion was obtained on December 19, 2011, with Final Completion projected for March 31, 2012.</p> <p>As at December 31, 2011, the project was reported as being 95% complete.</p> <p>The OCG will continue to monitor the execution of the project.</p>								



As at December 31, 2010



As at December 31, 2011

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-5992						
MINISTRY		Office of the Prime Minister						
PUBLIC BODY/ AGENCY		National Housing Trust						
PROJECT NAME		Bushy Park Housing Development Phase 2						
PROJECT DESCRIPTION		The project involves the development of 3.68 hectares (9.1 acres) of land located in Bushy Park Clarendon to include the construction of 67 Housing Units.						
PROJECT LOCATION(S)		Clarendon						
CONTRACTOR		Ashtrom Building System Limited						
CONSULTANT		Neville a Mills - Quantity System						
SOURCE OF FUNDING		Government of Jamaica (GOJ)/NHT						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Direct Contracting	0000-00-00	J\$232,567,595.00	2009-08-11	Yes	Yes	2009-09-23	2009-11-09	2010-02-16
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>In keeping with the Inter-City Housing Programme Framework Agreement (ICHP) between the National Housing Trust (NHT) and Ashtrom Building Systems (Ashtrom), which is to construct 3000 Housing Units, over a three (3) year period, Ashtrom was requested to submit a proposal to construct sixty-seven (67) Housing Units, which included Infrastructure Works at Bushy Park.</p> <p>Ashtrom, by way of a letter to the NHT, which was dated July 22, 2009, stated, <i>inter alia</i>, that the "...priced proposal for Bushy Park Phase 2 for the construction sixty-seven (67) units...takes into consideration that NHT will provide Ashtrom with all construction and infrastructure works at Hellshire Development Phase 4 project - "within the framework agreement"."</p> <p>The NHT, by way of a letter which was dated July 30, 2009, accepted Ashtrom's offer and, subsequently, on August 19, 2009, requested permission from the National Contracts Commission (NCC) to utilise the Direct Contracting Procurement Methodology to negotiate a contract with Ashtrom. Negotiations were undertaken and resulted in Ashtrom being recommended for the award of contract, in the sum of J\$229,250,000.00.</p> <p>The NCC endorsed the recommendation for the award of contract on September 23, 2009, and the Cabinet granted its approval on November 9, 2009. The contract was signed on February 16, 2010.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
J\$229,250,000.00	2010-01-06	2010-04-06	10 Month(s)	2011-02-28	2011-05-09	24 Day(s)	3 Month(s)	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
J\$24,843,813.00	\$0.00	J\$8,265,657.68	J\$10,923,155.10	\$0.00	J\$136,258,024.83	\$0.00	9 Month(s)	
STATUS		Contract Completed						
POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)								
<p>At the end of the 2010 reporting period, the project was approximately 82% complete and marginally ahead of schedule. Notwithstanding this, the Contractor submitted a claim for a seven (7) week extension of time, citing issues with the excessive rocky soil conditions which were identified in the areas for the sub-base of the marl pads for the Housing Units.</p> <p>During the 2011 reporting period, the NHT awarded the Contractor a further 24 working day extension of time, which revised the project completion date to March 24, 2011. During the period, the Works progressed in a diligent manner, but was marginally behind schedule. The delays were due to the additional Works which were associated with blasting, drilling and cut and fill activities, that were required for the sub-base of marl pads.</p> <p>On April 27, 2011, the Contractor gave the NHT notice of Taking-Over. Practical Completion was, however, received on May 9, 2011. The project is currently in its Maintenance Period.</p>								



Completed Housing Units



Completed Housing and Infrastructure Works

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-5072						
MINISTRY		Office of the Prime Minister						
PUBLIC BODY/ AGENCY		National Housing Trust						
PROJECT NAME		Creighton Hall Housing Development Infrastructure Construction Works						
PROJECT DESCRIPTION		The Infrastructure Works involves the construction development of approximately 24.3 hectares (60 acres) of land for residential use. The development will consist of 153 Housing and Lots ranging in size from 800 - 1850 square meters.						
PROJECT LOCATION(S)		St. Thomas						
CONTRACTOR		Build-Rite Construction Company Limited						
CONSULTANT		Engineer: Jentech Consultants; Land Surveyor: Leslie B. Mae & Associates						
SOURCE OF FUNDING		Government of Jamaica (GOJ)/ NHT						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2010-04-14	J\$147,541,102.00	2010-06-15	Yes	Yes	2010-07-07	2010-09-13	2011-03-16
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Invitation to Tender was advertised on March 14, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Civil Engineering, Grade 1. Tenders were to be submitted by April 14, 2010 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lower responsive tender, which was submitted by Build-Rite Construction Company Limited, in the sum of J\$165,844,556.50, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
J\$165,844,556.50	2011-01-31	2011-02-07	200 Day(s)	2011-08-26	0000-00-00	0	4 Month(s)	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
J\$154,205,131.50	- J\$ 11,639,425.00	\$0.00	\$0.00	\$0.00	J\$84,293,982.95	J\$3,300,000.00	6 Month(s)	
STATUS		Contract 72% Complete						

POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)

Construction activities for the project commenced on February 7, 2011, approximately one (1) month before the signing of the contract on March 16, 2011. This scheduled 200 calendar days contract was estimated to progress at an average output of 0.5% per day for the project to be completed within the scheduled period.

During the reporting period, the Works progressed at an average of 0.21% daily which was below the rate for a timely completion.

The following were identified as having contributed to the project not being completed in a timely manner:

1. The slow pace of the Works by the Contractors;
2. The drilling, blasting, cutting and removal of additional rocks;
3. Labour disputes;
4. The hiring of equipment required to undertake the Works from persons within the project area, which was indicated by way of a letter, dated May 2, 2011, from the Contractor; and
5. The supply of water tank components from the overseas supplier.

Consequently, the Contractor requested a 76-day extension of time, which was, however, rejected by the Consulting Engineer who informed the Contractor, by way of a letter which was dated June 6, 2011, *inter alia*, as follows: "That is much longer than the time you state is required to do the various aspects of the tank installation. Therefore, we cannot grant you the extension of time."

Notwithstanding the aforementioned rejection of the extension of time, the Contractor, by way of a letter which was dated November 1, 2011, requested a second extension for a total of 140 days to complete the project. This request was also rejected by the Consulting Engineer and was subsequently referred to the Dispute Adjudications Board (DAB) for a ruling.

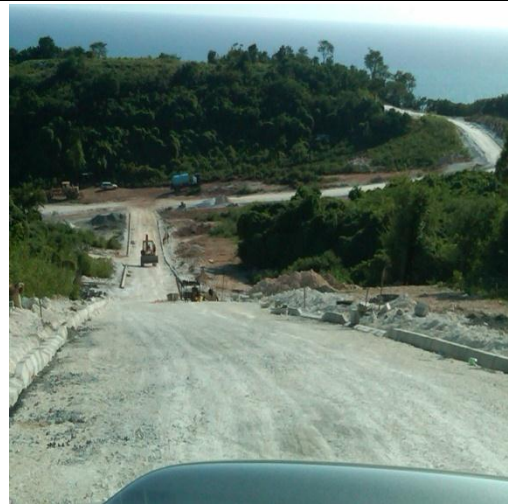
As a consequence of the Contractor's tardy performance and after being notified of same, the National Housing Trust (NHT) wrote to the Contractor, by way of a letter which was dated December 7, 2011, in which it effected the Liquidated Damages Clause of the contract. The referenced Clause was effective for the period of August 27, 2011 to October 31, 2011, a total of 66 days, at a rate of J\$50,000.00 per day, which amounted to J\$3,300,000.00.

As at December 31, 2011, the project was 72% complete and approximately 139 days behind the schedule completion date.

The OCG will continue to monitor the execution of the contract.



Excavation Activities on Creighton Hall Infrastructure Development



Construction Activities on Site

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.	PPCM-6012							
MINISTRY	Office of the Prime Minister							
PUBLIC BODY/ AGENCY	National Housing Trust							
PROJECT NAME	Hampden Sugar Housing Development							
PROJECT DESCRIPTION	The project involves the construction of Infrastructure Works for the development of 288 Serviced Lots, Commercial Area, Sewage Treatment and associated social amenities.							
PROJECT LOCATION(S)	Trelawny							
CONTRACTOR	D.R. Foote Construction Company Limited							
CONSULTANT	Jentech Consultants Limited							
SOURCE OF FUNDING	Government of Jamaica (GOJ)/NHT							
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2009-07-20	J\$199,908,891.00	2009-08-11	Yes	Yes	2009-08-26	2009-10-12	2010-03-04
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Invitation to Tender was advertised on July 24, 2009. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Civil Engineering, Grade 1. Tenders were to be submitted by July 17, 2009. The deadline for submission was extended to July 20, 2009 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Seven (7) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by D.R. Foote Construction Company Limited, in the sum of J\$199,908,891.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
J\$199,908,891.00	2010-03-01	2010-03-01	12 Month(s)	2011-02-28	0000-00-00	47 Day(s)	10 Month(s)	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
J\$302,362,396.85	J\$67,323,262.88	\$0.00	J\$13,113,437.60	J\$67,323,262.38	J\$267,232,153.38	\$0.00	12 Month(s)	
STATUS	Contract 98% Complete							

POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)

At the end of the 2010 reporting period, the project was approximately 60% complete and 23.33% behind schedule, as a result of the following:

1. Excessive rocks encountered in road excavation;
2. Malfunction of mechanical excavating equipment; and
3. During excavation activities, the discovery of sinkholes that required filling.

During the 2011 reporting period, work progress remained behind schedule and consequently the Contractor submitted two (2) claims for an extension of time. In this regard, the Consulting Engineer, for and on behalf of the National Housing Trust (NHT), granted a 47 day extension which revised the project completion date to May 4, 2011.

Further delays which affected the completion of the project includes the following:

1. Location of Jamaica Public Service Utility Poles at the entrance of the Development which impeded the Works; and
2. Supply of details by Consulting Engineer, for the construction of the Chlorination Chamber.

The Office of the Contractor General (OCG), by way of a letter to the NHT, which was dated August 22, 2011, sought to determine the Project Status.

In a Status Report, the NHT advised that work remained on the installation of equipment in the sewage lift station and the removal of utility pole by the JPS. The NHT indicated that the work was scheduled to commence in October 2011, subject to the receipt and processing of their quotation. The NHT also advised that no variation was issued to date on the contract, however, the expenditure to date was reported as amounting to J\$267,018,647.32, which was J\$102,453,505.85 above the contract sum.

In response to the OCG's request for clarification of the variance in the contract sum, the NHT submitted the following summary of the expenditure as at December 31, 2011:

1. Contract Sum - J\$199,908,890.50;
2. Re-measured Works - J\$73,180,853.53;
3. Fluctuation Material - J\$13,113,437.60;
4. Fuel - J\$6,163,765.70;
5. Sub-Total - J\$292,366,952.33;
6. Retention - J\$9,995,444.52; and
7. Expenditure to date - J\$267,018,647.32.

The NHT also advised that the Infrastructure Works were partially complete, however, the Contractor was not issued a Practical Completion Certificate, as inspection of the Works were incomplete.

The OCG will continue to monitor the execution of the contract.



Incomplete Infrastructure Works



Paving Operation within the Infrastructure Works

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-5982						
MINISTRY		Office of the Prime Minister						
PUBLIC BODY/ AGENCY		National Housing Trust						
PROJECT NAME		Infrastructure & Building Works Hellshire Phase III						
PROJECT DESCRIPTION		The proposed Hellshire III Housing Development will involve the construction of infrastructure and building Works for the development of approximately 123 Housing Solutions, 70 Townhouses and 53 Detached Units. The lot sizes for the townhouses vary from 300 sq. metre to 548 sq. metre, and the lot sizes for the detached 2 bedroom units vary from 467 sq. metre to 1238 sq. metre. Areas will also be reserved for non-residential communal purposes.						
PROJECT LOCATION(S)		St. Catherine						
CONTRACTOR		N/A						
CONSULTANT		Jentech Consultants						
SOURCE OF FUNDING		Government of Jamaica (GOJ)						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
International Competitive Bidding	2011-03-22	J\$1,100,000,000.00	0000-00-00	Yes	Yes	0000-00-00	0000-00-00	0000-00-00
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Invitation to Tender was advertised on February 9, 2011. The International Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Civil Engineering Works and Building Construction, Grade 1. Tenders were to be submitted by Tuesday, March 22, 2011 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>The Office of the Contractor General (OCG) requested an update on the progress of this procurement exercise in November 2011. Subsequently, the National Housing Trust (NHT), in a letter which was dated November 23, 2011, stated, <i>inter alia</i>, that it is "...unable to advise on any of the above as the contract has not yet been awarded."</p> <p>The requisite approvals were not obtained and no contract was awarded.</p> <p>The OCG will continue to monitor the procurement process.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
\$0.00	0000-00-00	0000-00-00	0 Day(s)	0000-00-00	0000-00-00	0 Day(s)	0 Day(s)	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0 Day(s)	
STATUS		Evaluation of Tenders Ongoing						
POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)								
N/A								

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-5132						
MINISTRY		Office of the Prime Minister						
PUBLIC BODY/ AGENCY		National Housing Trust						
PROJECT NAME		Longville Housing Development Phase 3						
PROJECT DESCRIPTION		The Longville Housing Development involves the development of 80.9 Hectares (200) acres of land to include the construction of 320 two-bedrooms houses, 180 one-bedroom houses, 100 studio units and 234 serviced lots.						
PROJECT LOCATION(S)		Clarendon						
CONTRACTOR		M&M Jamaica Limited						
CONSULTANT		Jentech Consultants						
SOURCE OF FUNDING		Government of Jamaica/NHT						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2009-08-28	J\$ 3,422,464,644.49	2009-10-26	Yes	Yes	2009-11-05	2010-01-25	2010-02-10
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Invitation to Tender was advertised on July 1, 2009. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Civil Engineer and Building Construction Works, Grade 1. Tenders were to be submitted by July 31, 2009. The deadline for submission was extended to August 28, 2009 at 12:00 noon, immediately followed by a Tender Opening Ceremony.</p> <p>Six (6) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by M&M Jamaica Limited, in the sum of J\$2,702,468,232.16, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
J\$ 2,702,468,232.16	2010-03-10	2010-04-12	18 Month(s)	2011-10-11	0000-00-00	4 Month(s)	0	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
J\$ 2,999,109,051.70	J\$ 210,512,738.15	J\$41,039,547.23	J\$ 45,088,534.21	J\$ 139,909,010.64	J\$ 2,842,377,242.84	\$0.00	12 Month(s)	
STATUS		Contract 90% Complete						

POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)

At the end of the 2010 reporting period, the project was approximately 36% complete and two (2) weeks behind schedule. The delays were as a result of the following:

1. Blasting and setting out issues;
2. Inclement weather; and
3. Slow pace of construction of the Housing Units.

During the 2011 reporting period, the work progress remained behind the programme schedule. Notwithstanding this, the quality of the Works was reported as being satisfactory.

The Resident Engineer reported, however, that there were concerns as cracks were evident in some of the Housing Units that were constructed. An inspection of the affected Housing Units was undertaken by the Design Team, but the causes were not determined. Subsequently, the Contractor was instructed by the Consulting Engineer to conduct an independent Compaction Test of ten (10) marl based pads and submit the results.

A Report on the defects was submitted in which the Consulting Engineer instructed the Contractor to repair all the cracks throughout their depth and length with the appropriate and approved compound.

The National Housing Trust (NHT) subsequently issued a variation for an additional 130 Housing Lots, which resulted in the Contractor being granted an extension of time of three (3) months, commencing October 11, 2011 through to January 11, 2012.

A further one (1) month extension was granted to the Contractor with regard to delays which were experienced due to inclement weather, thereby extending the completion date to February 11, 2012.

Other factors that affected the project and the Contractor were as follows:

1. Incidence of theft on site;
2. Approval from the Clarendon Parish Council regarding amendments to subdivision layout; and
3. The supply of Water and Electricity to the subdivision.

As at December 31, 2011, the project was approximately 90% complete with 97% of the programme schedule having expired. The Contractor has also applied for an additional one (1) month extension due to required changes to the rear doors hinges of the Studio Units.

The OCG will continue to monitor the execution of the contract.



Construction of Housing Units



Completed Housing Units

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-5002						
MINISTRY		Office of the Prime Minister						
PUBLIC BODY/ AGENCY		National Housing Trust						
PROJECT NAME		Perth Housing Development - Phase 1						
PROJECT DESCRIPTION		The construction of Infrastructure Works for the development for two hundred and fifty-nine (259) service lots, nine (9) cluster sites, two (2) commercial lots and the associated infrastructure.						
PROJECT LOCATION(S)		Manchester						
CONTRACTOR		Build Rite Construction Company Limited						
CONSULTANT		Engineers: N.O. Whyte and Associates, Quantity Surveyors: Michael Robinson Associates, Land Surveyors: JR Mais & Associates Limited.						
SOURCE OF FUNDING		Government of Jamaica (GOJ) /NHT						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2009-09-15	J\$634,786,579.00	2010-01-25	Yes	Yes	2010-01-27	2010-04-06	2010-06-17
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Invitation to Tender was advertised on July 31, 2009. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Civil Engineering Grade 1.</p> <p>Tenders were to be submitted by September 8, 2009. The deadline for submission was extended to September 15, 2009 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest evaluated tender was recommended to the NCC for endorsement. The NCC rejected the recommendation as the "Correction of Errors Clause" in the Tender Document was not in keeping with the provisions of the Government of Jamaica Handbook of Public Sector Procurement Procedures (November 2008).</p> <p>The NCC, at its meeting which was held on November 18, 2009, recommended that the National Housing Trust (NHT) reject all tenders and negotiate with Build Rite Construction Company Limited, which would have been the preferred Bidder if the correct method of correcting arithmetical errors was used.</p> <p>Subsequent to the recommendation of the NCC, negotiations were undertaken with Build Rite Construction Company Limited. This resulted in a 2.6% reduction to the corrected tender sum from J\$623,077,060.00 to a final sum of J\$606,807,345.00. Build Rite Construction Company Limited, was recommended to the NCC for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
J\$606,807,345.00	2010-06-24	2010-06-24	18 Month(s)	2011-12-21	0000-00-00	14 Day(s)	0	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	J\$339,778,901.51	\$0.00	12 Month(s)	
STATUS		Contract 84% Complete						

POST-CONTRACT COMMENTS: Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)

At the end of the 2010 reporting period, the project was reported as 30% complete with 34% of the scheduled time expired. The Contractor had submitted a claim for a fifteen (15) day extension of time, due to delays which were caused by inclement weather and the resultant saturated soil conditions that affected filling operations.

During the reporting period, documents which were obtained by the Office of the Contractor General (OCG) indicated that the Contractor was granted a 14 day extension of time which revised the completion date to January 13, 2012.

The OCG also found that the work progressed at an average rate of 4% monthly, which was below the average rate of 5.5% that was required for the project to be completed within the scheduled period. It was, however, noted that the quality of work was reported as being good.

The OCG was advised of a dispute between the Contractor and the Quantity Surveyor for the project. The Contractor disagreed with the Quantity Surveyor's approval of the quantity of cut and fill material entailed in an activity and also the extension of time that was awarded in regard to an adverse climatic conditions claim that was submitted. Consequently both awards were challenged and referred to the Dispute Adjudication Board. The resolution of this matter is still ongoing.

Additionally, the OCG observed that the Contractor, by way of a letter which was dated December 12, 2011, to the Consulting Engineer, gave notice of the intention to suspend the Works within twenty-one (21) days, as per Clause 16.1 of the Conditions of Contract, and to terminate the Works as per Clause 16.2 (b, c and d). This is in relation to a disagreement with the recommended payment of Certificate No. 9. The Contractor informed that the verification of measurements was not carried out jointly, as specified in the contract. The Consulting Engineer responded by way of a letter which was dated December 23, 2012, informing the Contractor that the basis for Notice had no justifiable grounds.

As at December 31, 2011, the contract was 84% complete and 93% of the time had expired.

The OCG will continue to monitor the execution of the contract.



Construction of Retaining Wall at the Perth Housing Development Project

Completed Retaining Wall and Kerb Walls

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-5182						
MINISTRY		Office of the Prime Minister						
PUBLIC BODY/ AGENCY		National Housing Trust						
PROJECT NAME		Twickenham Park Housing Development - Phase 3						
PROJECT DESCRIPTION		The Project involves the construction of 357 Housing Units and the completion of associated infrastructure.						
PROJECT LOCATION(S)		St. Catherine						
CONTRACTOR		Ashtrom Building Systems Limited						
CONSULTANT		Quantity Surveyor: Henry Rose and Associates; Architect: Pyramid Design Consultant; Mechanical & Electrical Engineering						
SOURCE OF FUNDING		Government of Jamaica (GOJ)/ NHT						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Direct Contracting	0000-00-00	J\$2,159,420,310.00	2009-08-11	Yes	Yes	2009-09-23	2009-11-09	2010-02-16
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>In keeping with Inner - City Housing Programme Framework Agreement (ICHP) between the National Housing Trust (NHT) and Ashtrom Building Systems (Ashtrom), in which Ashtrom is to construct 3000 Housing Units, over a three year period. Ashtrom was requested to submit a proposal to construct three hundred and fifty-seven (357) Housing Units, including Infrastructure Works at Twickenham Park, St. Catherine.</p> <p>On July 23, 2009, Ashtrom submitted a proposal in the amount of J\$2,142,773,372.17.</p> <p>The NHT, by way of a letter which was dated August 19, 2009, requested permission from the National Contracts Commission (NCC) to utilise the Direct Contracting Procurement Methodology to negotiate a contract with Ashtrom. Negotiations were undertaken which resulted in Ashtrom being recommended for the award of contract, in the sum of J\$2,100,357,738.17.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
J\$2,100,357,738.17	2010-04-26	2010-04-26	540 Day(s)	2011-10-26	0000-00-00	47 Day(s)	47 Day(s)	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
J\$2,316,607,156.18	\$0.00	J\$124,236,833.12	J\$92,012,584.89	J\$120,164,995.07	J\$2,220,522,733.24	\$0.00	365 Month(s)	
STATUS		Contract Completed						
POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)								
<p>At the end of 2010, the project was approximately 43% complete and slightly ahead of the required average 5.55% monthly rate for the schedule completion date of October 26, 2011. Construction activities progressed with major emphasis being placed on Quality Control of cast concrete slabs and marl used for filling.</p> <p>During the reporting period, the Contractor's work progress maintained a higher average percentage completion rate for the remaining 10 months of the project with minor delays to the contract. The Contractor, however, had requested an extension of time for delays caused by the State of Emergency which was declared by the Government of Jamaica and severe weather conditions from Hurricane Nicole.</p> <p>The National Housing Trust (NHT), subsequently granted the Contractor a forty-seven (47) working day extension of time, which revised the project completion date to December 12, 2011. The Contractor also requested Sectional Completion for the project in four (4) sections. However, following reviews and discussions, the NHT denied the referenced request.</p> <p>The Contractor was also permitted to undertake additional Works within the contract, which was approved in the amount of J\$39,188,334.88. Documents which were obtained by the Office of the Contractor General (OCG) indicated that this additional Works was taken from the contingency sum of J\$60,000,000.00 and did not increase the contract value.</p> <p>As at December 31, 2011, the contract was completed pending the issuing of the Practical Completion Certificate. The NHT representatives were undertaking the inspection of Housing Units and the Contractor was performing corrective Works to defects which were identified.</p>								



Construction Activities being undertaken



Completed Work Location

**APPENDIX IV - NON-CONSTRUCTION CONTRACTS PRE AND POST MONITORING
ACTIVITIES**

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-5322						
MINISTRY		N/A						
PUBLIC BODY/ AGENCY		Auditor General's Department						
PROJECT NAME		The Conduct of a Review of the Auditor General's Department with Specified Capacity Building						
PROJECT DESCRIPTION		The provision of Consulting Services to support the reform of the Auditor General's Department.						
PROJECT LOCATION(S)		Kingston						
CONTRACTOR		N/A						
CONSULTANT		N/A						
SOURCE OF FUNDING		Government of Jamaica						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Limited Tender	2011-11-30	J\$9,600,000.00	2011-12-20	Yes	N/A	0000-00-00	0000-00-00	0000-00-00
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Invitation to Tender was initially advertised on July 17, 2011. Tenders were to be submitted by August 2, 2011 at 4:00 p.m., followed by a scheduled Tender Opening Ceremony on August 3, 2011 at 10:00 a.m.</p> <p>A review of the Auditor General's Department's (AGD's) advertisement and a cursory review of the Tender Document revealed that it had asked Bidders to submit "...evidence of registration with an appropriate professional body/NCC". The Office of the Contractor General (OCG), by way of a letter which was dated July 28, 2011, recommended that the AGD revise its advertisement and Tender Document as Consultants were not required to be registered with the National Contracts Commission (NCC).</p> <p>The AGD accepted the recommendation of the OCG and issued a revised advertisement on July 31, 2011. Tenders were to be submitted by August 8, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:30 p.m. No tenders were received.</p> <p>The AGD re-advertised the opportunity on August 10, 2011. Tenders were to be submitted by August 31, 2011 at 4:00 p.m., followed by a scheduled Tender Opening Ceremony at 4:30 p.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility criteria which were outlined in the Tender Document.</p> <p>The tenders were evaluated in accordance with the Evaluation Criteria which were outlined in the Tender Document. Subsequent to the evaluation, neither Consultant exceeded the minimum required score to advance to the second round of evaluation.</p> <p>The AGD sought the advise of the Ministry of Finance (MOF) inquiring whether it was possible to "...send a request for clarification to both entities..." as the concern of the AGD was that although "...the entities did provide verifiable evidence as stipulated in the technical criteria...the message could have been misinterpreted...as both bidders only provided their most recent assignments as specimens of their experience. As a result, we were unable to assign a score greater than the minimum 75 that is required to continue the evaluation process."</p> <p>The Ministry of Finance (MOF) advised the AGD that it should abort the current process and re-tender same using the Limited Tender Procurement Methodology. The AGD, by way of a letter which was dated November 10, 2011, invited four (4) Consultants to submit tenders by November 30, 2011 at 4:00 p.m., followed by a Tender Opening Ceremony.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>The Technical Proposals were first evaluated. Subsequent to the evaluation, one (1) Bidder received the minimum required score of 75% and advanced to the opening of the Financial Proposal.</p> <p>The Financial Proposal of the sole Bidder was opened on December 9, 2011. Subsequently, the Bidder was recommended for the award of the contract.</p> <p>The requisite approvals were received from the Procurement Committee and the Head of Entity, accordingly.</p> <p>As at December 31, 2011, the contract was not signed.</p> <p>The OCG will continue to monitor the procurement process.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
\$0.00	0000-00-00	0000-00-00	0	0000-00-00	0000-00-00	0	0	

REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
STATUS	Contract Not Yet Signed						
POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)							
N/A							

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-6181						
MINISTRY		Ministry of Agriculture and Fisheries						
PUBLIC BODY/ AGENCY		National Irrigation Commission Limited						
PROJECT NAME		Installation of Pipes & Fittings and Ancillary Works for New Forest/Duff House Irrigation System (Manchester)						
PROJECT DESCRIPTION		To install Poly-vinyl Chloride (pvc) and Ductile Iron Pipes & Fittings for New Forest/Duff House Irrigation System.						
PROJECT LOCATION(S)		Manchester						
CONTRACTOR		Jamaica Drip Irrigation Limited						
CONSULTANT		N/A						
SOURCE OF FUNDING		Inter-American Development Bank						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Direct Contracting	2011-04-21	J\$160,740,179.00	0000-00-00	Yes	Yes	2011-07-20	2011-09-26	2011-11-22

PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).

The procurement process for the supply of pipes and fittings for New Forest/Duff House, Manchester, and the subsequent award of contract was undertaken in the year 2010. The contract was awarded to Jamaica Drip Irrigation Limited on December 14, 2010, in the amount of J\$100,067,416.48, with a project duration period of three (3) months. The pipelines and fittings were subsequently delivered and the contract was completed.

During the delivery period for the pipes and fittings, an Invitation to Tender was advertised on March 13, 2011, for the installation of same at the New Forest/Duff House, Manchester. Tenders were to be submitted by April 8, 2011 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:15 p.m.

The procurement opportunity was divided into three (3) Packages: Blocks A, B and C. Bidders were allowed to submit tenders for one (1) or all Packages.

Subsequent to discussions between the National Contracts Commission (NCC) and the Procuring Entity, the NCC in its meeting of March 16, 2011 recommended that "...the contractors submit separate qualifications and pricing envelopes as part of their tender. The procuring entities must carry out evaluation of the qualifications before opening the bids and ensure that there is objective methodology for the qualification evaluation which should include contractor's suitability of carrying out 1, 2 or 3 of the packages."

The Procuring Entity submitted a letter, which was dated March 31, 2011, to the NCC, which stated the following:

"The National Irrigation Commission (NIC) accepts your position that competition is limited by the condition in the Invitation to Tender that "any contractor can purchase all three (3) documents. However, they can only win one contract.

This letter serves to confirm the subsequent discussions held on March 30, 2011 between the NIC and the National Contracts Commission (NCC). It was agreed that the NIC would:

- 1. Disregard the qualification exercise as stated in the initial Invitation to Tender.*
- 2. Resort to an open tender process. The contract award would now be based on the lowest responsive tender.*
- 3. Revise the Invitation to Tender to reflect 1 and 2 above, and advertise in the daily newspaper with a new return date of April 15, 2011."*

By way of a letter which was dated April 7, 2011, the NCC stated that it "...acknowledges the NIC's letter dated 2011 March 31 and offers no objection to the NIC proceeding as stated in said letter."

As a result of correspondence exchange between the Procuring Entity and the NCC, two (2) Addenda were issued which extended the deadline for submissions. The final deadline for submission was April 21, 2011 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:15 p.m.

Two (2) Bidders submitted separate tenders for the three (3) packages. The tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.

Upon a preliminary examination, one (1) tender was deemed ineligible due to the non-submission of the requisite NCC Registration Certificate. The remaining tender was deemed non-responsive as the tenders which were submitted for the respective Packages were 55-58% above the Comparable Estimate, and the requisite Bid Bond was not submitted for Block A.

Subsequently, the Procuring Entity submitted a letter, which was dated April 26, 2011, to the NCC, which stated that the "...NIC is seeking your endorsement to accept the Tender for Jamaica Drip Irrigation Limited. We ask that in coming to the decision, you give due consideration to the factors involved. These include limited number of tenders..."

In its meeting of April 27, 2011, the NCC recommended that "...the National irrigation Commission Limited abort the current tender process and negotiate with the lower tenderer."

Subsequently, by way of letters which were dated May 18, 2011, the Procuring Entity requested the confirmation of the corrected tender sums which were submitted by the Jamaica Drip Irrigation Limited, for the respective Packages. In this regard, by way of letters which were dated May 19, 2011, the Jamaica Drip Irrigation Limited responded in the affirmative.

Regarding the NCC's recommendation to abort the tender process, the Office of the Contractor General (OCG) evidenced the Procuring Entity's Evaluation Report which stated that "Having received the letter from NCC to negotiate with the lowest tenderer namely Jamaica Drip Irrigation Limited, it was just a matter [sic] comparing the Bills of the Engineer's Estimate against the Bills from Jamaica Drip."

The requisite approvals were obtained, however, no date was evidenced on the Head of Entity's approval of the contract which was recommended for award.

The contracts which were awarded on November 22, 2011 are as follows:

- Block A, in the amount of \$48,723,835.00;
- Block B, in the amount of \$54,657,800.00; and
- Block C, in the amount of \$48,216,881.00.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$151,598,516.00	0000-00-00	0000-00-00	0	0000-00-00	0000-00-00	0	0

REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	J\$2,081,000.00	\$0.00	0
STATUS	Contract Signed						
POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)							
<p>The expenditure indicated in the table above represents the cumulative value of Payment Certificates which were evidenced for the three (3) Packages, inclusive of Contractor's Levy and Retention Fund.</p> <p>As at December 31, 2011, the implementation of the respective contracts was pending.</p> <p>The OCG will continue to monitor the implementation of the contracts.</p>							

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-3671						
MINISTRY		Ministry of Education						
PUBLIC BODY/ AGENCY		Ministry of Education						
PROJECT NAME		Material and Equipment to Support the Alternative Secondary Transition Programme (ASTEP)						
PROJECT DESCRIPTION		Material and Equipment to Support the Alternative Secondary Transition Programme (ASTEP): Lot 3						
PROJECT LOCATION(S)		All Island						
CONTRACTOR		Mavdon and Associates Limited						
CONSULTANT		N/A						
SOURCE OF FUNDING		Inter-American Development Bank						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
International Competitive Bidding	2011-08-23	US\$32,000.00	2011-11-15	Yes	Yes	0000-00-00	0000-00-00	2011-11-15
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Invitation to Tender was advertised on July 17, 2011. The International Competitive Bidding was utilised to invite local Contractors registered with the National Contracts Commission (NCC) in the category of either Computers and Related Services or Computers and Supplies. The opportunity was also offered to all Bidders from IDB member Countries.</p> <p>The Bidding Document outlined detailed descriptions of items required for ten (10) Lots. The total budget for all ten (10) Lots is US\$300,000.00. The Comparable Estimate of US\$32,000.00 represents the budget for Lot number three (3).</p> <p>Tenders were to be submitted by August 9, 2011 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. No tenders were received for six (6) of the ten (10) Lots, which included Lot number three (3).</p> <p>Subsequent to the Tender Opening Ceremony, the Ministry of Education (MOE) issued an extension to six (6) of the Lots which were initially advertised. This Invitation to Tender was advertised on August 14, 2011. Tenders were to be submitted by August 23, 2011 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>The Office of the Contractor General (OCG), by way of a letter which was dated September 7, 2011, noted that the MOE had extended the submission deadline for a selective number of Lots and requested that the MOE "...provide the OCG with a written explanation regarding the selective extension of some lots."</p> <p>The MOE, in its response to the OCG, stated that "It was recognised that the time for the tender was short as some of the bidders requested additional time. At the close of Tender on August 9 only two (2) companies submitted quotations for Lots 1,5,7, and 10...Quotations were not received for Lots 2,3,4,6,8 and 9 and so a Selective Extension to August 23, 2011 was considered to invite quotes for those Lots for which no bids were received."</p> <p>During the extended period for the submission of tenders for the remaining six (6) Lots, four (4) tenders were received by the stipulated deadline. All four (4) Bidders submitted a tender for Lot number three (3).</p> <p>The MOE proceeded to evaluate the tenders in accordance with the Evaluation Criteria which were outlined in the Tender Document. The highest scored tender, which was submitted by Mavdon and Associates, was recommended for the award of contract for Lot number three (3).</p> <p>The OCG noted that the Bidding Document indicated that the Programme was initially for 177 schools, however, the Tender Report outlined that "Negotiations were held with the suppliers regarding a reduced number of schools; 164 schools and the revised quotations were submitted."</p> <p>The OCG also noted that the Tender Evaluation Report had indicated that the items were to be delivered in four (4) weeks.</p> <p>The Procurement Committee approved the recommendation for the award of contract on November 2, 2011. The OCG was not provided with evidence to indicate Head of Entity approval prior to the award of contract. The MOE indicated that this approval is evidenced with the signing of the contract on November 15, 2011.</p> <p>Further, the OCG wrote to the Ministry of Finance and Planning on December 5, 2011, inquiring into the suitability of the process of 'Selective Extension' which was employed by the MOE.</p> <p>The OCG awaits a response from the Ministry of Finance and Planning.</p>								

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
US\$24,593.03	0000-00-00	2011-11-15	0	0000-00-00	0000-00-00	0	0
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
STATUS	Procuring Entity Awaiting Delivery of the Procured Items						
POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)							
<p>As at December 31, 2011, the Procuring Entity was awaiting delivery of the procured items.</p> <p>The OCG noted that the Tender Evaluation Report had indicated that the items were to be delivered in four (4) weeks from the signing of the contract, however, upon a review of the Contract Document, there was no provision for the delivery of the items.</p> <p>The OCG will continue to monitor the execution of the contract.</p>							

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-5302						
MINISTRY		Ministry of Education						
PUBLIC BODY/ AGENCY		Ministry of Education						
PROJECT NAME		Material and Equipment to Support the Alternative Secondary Transition Programme (ASTEP)						
PROJECT DESCRIPTION		Material and Equipment to Support the Alternative Secondary Transition Programme (ASTEP): Lot 1; Lot 5; Lot 7 and Lot 10						
PROJECT LOCATION(S)		All Island						
CONTRACTOR		Coldax Mart Limited						
CONSULTANT		N/A						
SOURCE OF FUNDING		Inter-American Development Bank						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
International Competitive Bidding	2011-08-09	US\$109,000.00	2011-10-06	Yes	Yes	2011-10-19	0000-00-00	2011-12-01
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Invitation to Tender was advertised on July 17, 2011. The International Competitive Bidding was utilised to invite local Contractors registered with the National Contracts Commission (NCC) in the category of either Computers and Related Services or Computers and Supplies. The opportunity was also offered to all Bidders from IDB member Countries.</p> <p>The Bidding Document outlined detailed descriptions of items required for ten (10) Lots. The Comparable Estimate represents the budget for Lots 1, 5 and 7, which is broken down as follows:</p> <ul style="list-style-type: none"> Lot 1: Functional Language & Communication - US\$34,000.00; Lot 5: Science for Living - US\$33,000.00; and Lot 7: Technology Devices - US\$42,000.00 <p>The total budget for all ten (10) Lots is US\$300,000.00.</p> <p>Tenders were to be submitted by August 9, 2011 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. Two (2) Bidders submitted quotations for Lot 1. One (1) Bidder submitted quotations for Lots 5, 7 and 10.</p> <p>No tenders were received for six (6) of the Lots. The Ministry of Education (MOE) subsequently advertised an Invitation to Tender on August 14, 2011, inviting tenders for the remaining Lots.</p> <p>The MOE proceeded to evaluate the tenders which were received in accordance with the Evaluation Criteria which were outlined in the Tender Document. The highest scored tender, which was submitted by Coldax Mart Limited, was recommended for the award of contract for Lot 1. Coldax Mart Limited, the sole Bidder for Lots 5 and 7, was also recommended for the award of contract.</p> <p>The Office of the Contractor General (OCG) has not been provided with any evidence to indicate that the tender which was submitted for Lot 10 was evaluated.</p> <p>The OCG noted that the Bidding Document indicated that the Programme was initially for 177 schools, however, the Tender Report outlined that "Negotiations were held with the suppliers regarding a reduced number of schools; 164 schools and the revised quotations were submitted."</p> <p>The approval by the Head of Entity for Lot 7 was received on October 6, 2011. The NCC subsequently endorsed the recommendation for the award of contract on October 19, 2011.</p> <p>With regard to Lots 1 and 5, the Procurement Committee endorsed the award recommendation on November 2, 2011. The OCG was not provided with any evidence to indicate that Head of Entity approval was received prior to the award of contract. The OCG was, however, informed by the MOE that this approval is evidenced by the contract which was signed by the Head of Entity on December 1, 2011.</p> <p>The OCG has not been provided with an explanation regarding the difference between the Comparable Estimate and the contract sum.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
J\$24,001,063.80	0000-00-00	2011-12-01	0	0000-00-00	0000-00-00	0	0	

REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
STATUS	Contract Being Executed / Implemented						
POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)							
As at December 31, 2011, items were being delivered for Lot 1. The Procuring Entity was awaiting delivery of the items procured for Lots 5 and 7.							
The OCG will continue to monitor the execution of the contract.							

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-5362						
MINISTRY		Ministry of Education						
PUBLIC BODY/ AGENCY		Montego Bay Community College						
PROJECT NAME		Architectural Consulting Services						
PROJECT DESCRIPTION		The provision of Architectural Consulting Services for the Construction of a new Administration Building on the Main College Campus						
PROJECT LOCATION(S)		St. James						
CONTRACTOR		APEC Consultants Limited						
CONSULTANT		N/A						
SOURCE OF FUNDING		Montego Bay Community College						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Local Competitive Bidding	2011-06-20	\$0.00	2011-11-29	Yes	N/A	0000-00-00	0000-00-00	2011-12-20

PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).'

The Invitation to Tender was initially advertised on May 2, 2011. Tenders were to be submitted by May 16, 2011 at 1:30 p.m., followed by a scheduled Tender Opening Ceremony at 1:45 p.m.

Upon a review of the Montego Bay Community College's (MBCC's) advertisement, it was noted that the College had indicated that registration with the National Contracts Commission (NCC) was an eligibility requirement. The Office of the Contractor General (OCG), by way of a letter which was dated May 11, 2011, advised the MBCC that "...*Architectural Services are recognized as a "Consultancy Service" and as such, registration with the National Contracts Commission (NCC) is not a requirement.*"

Further, the OCG recommended that the MBCC issue an amended Procurement Notice, as well as an Addendum to the Tender Document, correcting the discrepancy. The Comparable Estimate was also requested.

The MBCC accepted the OCG's recommendation and advertised an extension to the submission deadline. Tenders were to be submitted by June 20, 2011 at 1:30 p.m., followed by a scheduled Tender Opening Ceremony at 1:45 p.m.

The MBCC, in its response to the OCG's request for a Comparable Estimate indicated that "*Preliminary checks with Architectural firms that had previously provided services to the college estimated the value of the job at 5.4% of the contract sum.*" The OCG has not been provided with an estimated dollar value for the related Services and/or Works.

Two (2) tenders were received, opened and verified in accordance with the eligibility criteria which were outlined in the Tender Document, and proceeded to the evaluation stage.

The tenders were evaluated in accordance with the Evaluation Criteria which were outlined in the Tender Document.

Subsequent to the evaluation, the tender with the highest evaluated score, which was submitted by APEC Consultants Limited, was recommended for the award of contract.

APEC Consultants Limited indicated that its price would be 5.5% of the contract sum for the construction of the new Administration Building.

In response to the OCG's request for the approval which was received by the Head of Entity, the MBCC provided evidence of an approval which was received from the MBCC's Board of Directors for the award of contract. Accordingly, the date indicated above for Head of Entity approval represents that of the Board of Directors.

The MBCC indicated that "...*before negotiations could commence a protest was submitted by the unsuccessful bidder.*"

The MBCC, by way of a letter which was dated July 25, 2011, advised the OCG that it had been in receipt of a call from an individual who had asserted that "...*awarding a contract to APEC Consultancy Ltd would be in breach of The Contractor-General Act, The Public Sector Procurement Regulations, 2008.*" The MBCC asked the OCG for its "...*advice on how this matter should be treated.*"

The OCG, in its letter which was dated August 4, 2011, advised the MBCC that "*Prima facie, the situation outlined would appear to pose a conflict of interest, which, pursuant to Section 26(3) of the Public Sector Procurement Regulations would deem APEC Consultancy Ltd. ineligible to participate further in the procurement process... Notwithstanding the foregoing...the OCG is recommending that, in accordance with Section 37(1) of the Procurement Regulations, the Montego Bay Community College seeks the advice of the Ministry of Finance.*"

The MBCC, in a letter which was dated August 23, 2011, and which was addressed to the Ministry of Finance (MOF), requested the Ministry's opinion and/or advice on how the matter should be treated.

The MOF, in its response which was dated September 20, 2011, advised the MBCC that "*A firm is not automatically disqualified or ineligible to participate in a procurement process on account of one or more of its directors or proprietors holding office or being employed to the procuring entity or some other entity involved in the procurement process.*"

Based upon the advice given by the MOF, the MBCC proceeded to award the contract to APEC Consultants Limited.

The signed contract which was dated December 20, 2011, indicated that the contract price will be based upon a percentage of the contract sum for the Construction Works.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
\$0.00	0000-00-00	0000-00-00	0	0000-00-00	0000-00-00	0	0
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0

STATUS Contract Being Executed / Implemented

POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)'

As at December 31, 2011, the contract was being executed.

The OCG will continue to monitor the execution of the contract.

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-5522						
MINISTRY		Ministry of Energy and Mining						
PUBLIC BODY/ AGENCY		Ministry of Energy and Mining						
PROJECT NAME		Procurement for LNG Supply						
PROJECT DESCRIPTION		The Importation of Liquefied Natural Gas.						
PROJECT LOCATION(S)		St. Catherine						
CONTRACTOR		N/A						
CONSULTANT		N/A						
SOURCE OF FUNDING		Jamaica Gas Trust						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
International Competitive Bidding	2011-11-11	\$0.00	0000-00-00			0000-00-00	0000-00-00	0000-00-00
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Government of Jamaica, in an effort to diversify Jamaica's energy supply, is seeking to introduce the use of imported Liquefied Natural Gas (LNG). The "Source of Funds" for the project, as outlined in the Terms of Reference of the Tender Document, will be facilitated by "...the establishment of a privately-held Special Purpose Vehicle (SPV), Jamaica Gas Trust (JGT)... [which] would be the preferred structure to establish the creditworthiness of the Jamaica LNG Project's commercial value chain... The JGT will contract for the purchase of LNG through the SPA, secure the provision of LNG unloading, storage, regasification through a Terminal Services Agreement (TUA) and as required natural gas transportation services to accomplish the onward sale of natural gas..."</p> <p>Note that the SPA, as referenced above, refers to the Sales and Purchase Agreement.</p> <p>The Invitation to Tender for the supply of LNG was advertised locally on August 31, 2011. Tenders were to be submitted by October 31, 2011 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m. A Pre-tender meeting was convened on September 29, 2011, which was followed by a site visit on September 30, 2011, to the Portland Bight area, which is the preferred location for the Floating Storage and Regasification Unit (FSRU) LNG Terminal.</p> <p>Three (3) Addenda were issued, the first of which extended the deadline for submissions to November 11, 2011 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Six (6) tenders were received and opened in accordance with the Tender Opening procedures which were outlined in the Tender Document.</p> <p>Upon a preliminary examination of the submissions, the Procuring Entity noted that one (1) company had submitted a letter which indicated that they would not be participating in the tender process. A detailed evaluation was conducted of the five (5) remaining proposals in accordance with the "Evaluation and Qualification Criteria" which were outlined in the Tender Document.</p> <p>Three (3) companies which attained the requisite score of sixty (60) points or higher were shortlisted to participate in the second stage of the process.</p> <p>The shortlisted firms were submitted to the LNG Steering Committee for its review and the recommendations were approved by the Committee on November 23, 2011. Of note, the Bidding Document outlines that the "...Prime Minister established the LNG Steering Committee in December 2010 to oversee the development of the Jamaica LNG Project...The LNG Steering Committee ...is comprised of key private sector participants and representatives of various GOJ Agencies involved in the energy sector."</p> <p>By way of email correspondences, which were dated December 16, 2011, the five (5) companies which submitted tenders were advised of their respective statuses. The three (3) shortlisted companies were informed of the following:</p> <p style="padding-left: 40px;"><i>"On behalf of the Government of Jamaica, we welcome and encourage your further participation in this process.</i></p> <p style="padding-left: 40px;"><i>The next step will be the issuance of the draft LNG Sales & Purchase Agreement (SPA), which is expected in early January 2012. All short-listed bidders will be afforded the opportunity to submit comments and requests for clarification related to the SPA. All comments will be reviewed, evaluated and, if merited, incorporated into the final draft SPA. The final draft SPA will be issued prior to the submission date of the Second Stage RFP for LNG Supply."</i></p> <p>The two (2) companies that were not shortlisted were informed accordingly.</p> <p>As at December 31, 2011, preparations were being made for the draft LNG Sales & Purchasing Agreement to be submitted to the shortlisted Bidders.</p> <p>The OCG will continue to monitor the procurement process.</p>								

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
\$0.00	0000-00-00	0000-00-00	0	0000-00-00	0000-00-00	0	0
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
STATUS	Procurement Process is Ongoing						
POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)							
N/A							

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-5152						
MINISTRY		Ministry of Energy and Mining						
PUBLIC BODY/ AGENCY		Petrojam Limited						
PROJECT NAME		Security Management Services						
PROJECT DESCRIPTION		To provide Security Management Services for Petrojam facilities at Marcus Garvey Drive, Kingston and Freeport, Montego Bay						
PROJECT LOCATION(S)		Kingston and St. James						
CONTRACTOR		N/A						
CONSULTANT		N/A						
SOURCE OF FUNDING		Government of Jamaica						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Local Competitive Bidding	2011-09-16	J\$180,352,033.35	0000-00-00	Yes	Yes	0000-00-00	0000-00-00	0000-00-00

PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).'

The Invitation to Tender was advertised on July 4, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC) in the category of Safety and Security Services. Tenders were to be submitted by August 5, 2010 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.

Six (6) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.

A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. One (1) tender exceeded the minimum required score upon evaluation of the Technical Proposals and advanced to the second stage of the process. By way of a letter which was dated September 23, 2010, the successful Bidder was invited to submit a sealed Financial Proposal by October 11, 2010.

By way of letters which were dated September 23, 2010, the remaining five (5) Bidders were informed that they were unsuccessful.

The sole Bidder submitted a Financial Proposal within the stipulated period for submission. Subsequent to the evaluation, the Bidder was recommended for the award of contract.

A Tender Evaluation Report was tabled at the National Works Agency's Sector Committee meeting on December 17, 2010 and was subsequently submitted to the NCC for endorsement.

The Tender Evaluation Report was tabled at the NCC meeting on January 5, 2011. The Minutes of the Meeting reported that the "...Commission deferred consideration of the proposal and directed the Secretariat to invite representatives from Petrojam Limited to its next meeting to explain the criteria used in the evaluation exercise."

In the NCC's meeting of January 12, 2011, representatives from Petrojam Limited explained the criteria which were used in the evaluation exercise. Subsequent to the explanation, the NCC endorsed the recommendation to award the contract to the sole Bidder.

In a letter which was dated January 24, 2011, the Office of the Contractor General (OCG) requested that Petrojam Limited submit an Executive Summary "...providing further details on the Summary of Assessment with regards to the evaluation of Key Project Resource Persons...and justifications for the scores assigned."

By way of a letter which was dated February 7, 2011, Petrojam Limited indicated to the OCG that "Key Project Resource Persons" was one of the categories within which each company was assessed. The category was further broken down into: General Qualification (25%) (Security Manager and Senior Supervisor); Years of Experience (10%); and Private Investigator on the team (5%)."

The Petrojam Limited also stated that "In response to queries received...it was highlighted that Key Project Resource should include personnel that will play a major or direct role in providing the services requested by Petrojam Limited. As such this list should include (but not limited to) the Security Manager; and a Private Investigator..."

The Ministry of Energy and Mining (MEM), in a letter which was addressed to Petrojam Limited, which was dated March 17, 2011, noted some discrepancies with the allotment of scores during the evaluation, and requested clarification prior to submission to the Cabinet.

It was further recommended by the MEM that Petrojam Limited re-visit the procurement exercise if the discrepancies which were identified could not be justified.

Subsequent to a response from Petrojam Limited, the MEM, on March 23, 2011, sought the advice of the NCC as to whether Petrojam Limited should proceed with the tender process or re-tender same. Further, in the event that the process was to be re-tendered, the MEM requested that consideration be given to an extension of the existing contract.

The NCC considered the matter at its meeting of April 6, 2011 and recommended that the process be aborted and re-tendered. The NCC also "...approved an extension of the existing security contract for a period of six (6) months."

The tender opportunity was re-advertised on August 14, 2011. Tenders were to be submitted by September 16, 2011 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:05 a.m.

One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.

A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The sole tender attained the minimum required score and was invited, by way of a letter which was dated September 26, 2011, to attend the opening of the Financial Proposals on September 27, 2011.

Subsequent to the evaluation, the Bidder was recommended for the award of contract. Following this recommendation, Petrojam Limited requested the permission of the MEM to abort the current tender process as a review of its security operations had identified the need for a significant reduction in the Services being presently provided. Petrojam Limited also requested permission to extend the existing contract and to utilise the Direct Contracting Procurement Methodology to engage the incumbent provider of the Services.

The MEM, in turn, requested the NCC's consideration of the foregoing. The Minutes of the Meeting of the NCC, which were dated November 9, 2011, reported that approval was granted to "...extend the existing contract for a period of six (6) months at the same rates and conditions." The NCC also recommended that Petrojam Limited "...abort the current tender process and re-tender for the required Security Management Services on the basis of the revised scope."

As at December 31, 2011, the project was aborted.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
\$0.00	0000-00-00	0000-00-00	0	0000-00-00	0000-00-00	0	0

REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
STATUS	Project Aborted						
POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)							
N/A							

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-5872						
MINISTRY		Ministry of Finance and Planning						
PUBLIC BODY/ AGENCY		Caymanas Track Limited						
PROJECT NAME		Provision of Security Services						
PROJECT DESCRIPTION		The provision of Security Services for the Offices and Property of Caymanas Track Limited.						
PROJECT LOCATION(S)		St. Catherine						
CONTRACTOR		N/A						
CONSULTANT		N/A						
SOURCE OF FUNDING		Government of Jamaica						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2010-07-09	J\$128,381,475.25	2011-06-17	Yes	Yes	2011-06-22	0000-00-00	0000-00-00
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).'								
<p>The Invitation to Tender was advertised on May 9, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC) in the category of Safety and Security Services. Tenders were to be submitted by June 11, 2010 at 2:00 p.m., followed by a Tender Opening Ceremony at 2:15 p.m.</p> <p>Upon review of the Tender Document, the Office of the Contractor General (OCG) communicated, by way of a letter which was dated June 10, 2010, the following recommendations:</p> <p><i>"Section II 'Bidding Data Sheet', should clearly communicate the requirement to submit both the valid Private Security Regulation Licence and Registration Document. 'The Tender Assessment and Evaluation' outlined in Appendix E, does not indicate how the bids will be evaluated. In order to promote greater transparency in the tender process, it is recommended that the evaluation sub-criteria for each criterion be disclosed; and an additional criterion should be included to demonstrate, how the cost evaluation will be conducted."</i></p> <p>The OCG has noted that the Procuring Entity subsequently issued an Addendum, which advised that <i>"Sealed Bids...must include copies of a valid Tax Compliance Certificate (TCC), National Contracts Commission Certificate (NCC) and both the valid Private Security Regulation Licence and Registration Document."</i> The Addendum also extended the deadline for submission of the tenders to July 9, 2010 at 2:15 p.m.</p> <p>Based upon the documents which were submitted to the OCG by Caymanas Track Limited (CTL), the OCG had not seen any evidence to suggest that the Procuring Entity had made any amendments to the Tender Document with regard to the OCG's foregoing recommendations with respect to the Evaluation Criteria.</p> <p>Eleven (11) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender was recommended for the award of contract.</p> <p>By way of a letter, which was dated November 22, 2010, to the National Works Agency Sector Committee, the Ministry of Finance and the Public Service supported the recommendation for the award of contract.</p> <p>The NCC, considered the matter at its meeting which was held on June 22, 2011 and endorsed the recommendation.</p> <p>Having regard to the value of the contract, the Procuring Entity is required to seek the approval of the Cabinet pursuant to the GOJ Public Sector Procurement Procedures.</p> <p>The OCG noted that by way of a letter, which was dated September 17, 2011, from the Chairman of the Security Committee of CTL to the NCC, the CTL Board of Directors indicated that based upon certain concerns which were raised by the Infrastructure Sub-Committee of the Cabinet, the CTL decided to re-tender the procurement opportunity.</p> <p>In the referenced letter, CTL also advised the NCC, <i>inter alia</i>, that <i>"...we have employed the emergency procedure to put interim arrangements in place. The arrangements include:</i></p> <ol style="list-style-type: none"> <i>1. The property has been divided into two zones.</i> <i>2. The two lowest bidders from the tender were asked to quote on the areas. A zone was awarded to each for six months.</i> <i>3. The providers will be in place allowing for the security arrangements to be formalized in the interim while CTL completes a new tender..."</i> <p>Accordingly, the OCG, by way of letter which was dated September 22, 2011, requested that the Chairman of the Security Committee of CTL provide particulars related to the concerns which were raised, and copies of correspondences (if any) from, the Infrastructure Committee of the Cabinet. The CTL did not comply with the request of the OCG, and consequently, two (2) Letters of Warning were issued.</p>								

Additionally, the OCG, by way of a letter which was dated October 26, 2011, advised the Chief Executive Officer of CTL that it would be reviewing the files regarding the foregoing matter on October 27, 2011. However, no documents related to same were evidenced on the referenced visit.

Consequently, the OCG, in a letter to the Cabinet Secretary which was dated October 31, 2011, requested copies of Minutes of the Meeting of the Infrastructure Sub-Committee of the Cabinet and any correspondence between CTL and the Office of the Cabinet regarding the procurement opportunity. The Office of the Cabinet, under cover of letter which was dated December 9, 2011, provided the requisite documents.

Upon review of the referenced document, the OCG noted that the Ministry of Finance (MOF), for and on behalf of CTL, made a submission to the Infrastructure Sub-Committee of the Cabinet on August 22, 2011, for its review and recommendation for the award of contract. The Infrastructure Sub-Committee of the Cabinet had queries regarding the evaluation of the tenders. The Committee decided to defer further consideration to allow the MOF adequate time to address the issues raised. The MOF provided the Infrastructure Sub-Committee of the Cabinet with an Addendum.

The Infrastructure Sub-Committee re-considered the matter at its meeting which was held on August 29, 2011, and deferred the consideration of the submission for further clarification.

The matter was again re-considered by the Infrastructure Sub-Committee of the Cabinet at its meeting held on September 5, 2011, in which it was decided that *"After consideration, and given that the explanation as to why all the tenders were assigned maximum scores in the category Firm's Experience was not provided as requested, the Subcommittee decided that the matter should be forwarded to the Cabinet for consideration."*

The CTL, by way of a letter which was dated December 14, 2011, advised the OCG that *"The Infrastructure Committee of Cabinet (IC) considered the above matter at its meeting and it was communicated to the Board Directors of Caymanas Track Limited that "certain concerns were raised by the IC". CTL accepted the concerns and proposed to re-tender the contract."*

Subsequently, in a Status Report to the OCG, CTL advised that *"While the Board's decision was communicated to the National Contracts Commission by way of letter dated September 17, 2011 and copied to the Infrastructure Committee of Cabinet and the Office of the Contractor General, no action was taken in terms of bifurcating the contract. McKay Security continues to provide security services at Caymanas Park as per contract dated March 15, 2001 which expired March 14, 2005."*

As at December 31, 2011, the project had not been re-tendered.

The OCG will continue to monitor the procurement opportunity.

Preliminary Enquiry - Complaint Received From the Jamaica Racehorse Trainers' Association during the conduct of the OCG's monitoring exercise

The Jamaica Racehorse Trainers' Association, by way of a letter to the OCG, which was dated August 18, 2011, and which was received on August 19, 2011, made a complaint regarding the captioned procurement opportunity.

The Jamaica Racehorse Trainers' Association stated, *inter alia*, that *"We request your good office to conduct an investigation into the recent granting of the security contract to Quest Security. The tender which was opened last year June, was offered to registered security companies. There was a specific criteria for qualification as it relates to the securing of similar type establishments to include venues of a similar size and most importantly of a similar patronage. This is one of several areas that demonstrate the lack of experience of this security company to have qualified to participate in the tender. In view of the importance, this has to my membership's safety and the importance that rules of the tender procedure be followed, we ask for your immediate intervention."*

In light of the complaint and in order to determine the veracity of same, the OCG conducted a review of the evaluation process. Upon review of the evaluation, the OCG, by way of letter which was dated August 25, 2011, to the Caymanas Track Limited, concluded as follows; *"...the OCG posits that there is no evidence to suggest that the evaluation was conducted contrary to the provisions of the Bid Document and/or the Handbook of Public Sector Procurement Procedures. As such, the OCG does not find it necessary to conduct further enquiry into this matter. The OCG further posits that, had the recommendation to publicize the evaluation sub-criterion and information regarding the cost evaluation been incorporated, the transparency of the process would have been unquestionable. The OCG is also aware that the complainant, in the public domain, has voiced certain concerns that the Jamaica Racehorse Trainers' Association was not consulted prior to the selection of the preferred bidder. In the foregoing regard, I am to advise you that the Government of Jamaica Handbook of Public Sector Procurement Procedures makes no such provision for any such consultation. Therefore, it is neither a pre-condition nor a requirement to consult any person, body, or entity, which is not recognised in the said Handbook."*

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
\$0.00	0000-00-00	0000-00-00	0	0000-00-00	0000-00-00	0	0
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0

STATUS Project Aborted

POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)

N/A

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-5582						
MINISTRY		Ministry of Finance and the Public Service						
PUBLIC BODY/ AGENCY		Ministry of Finance and the Public Service						
PROJECT NAME		Government Employees Administrative Services Only (GEASO) Health Scheme						
PROJECT DESCRIPTION		The administration of the Government Employees Administrative Services Only (GEASO) Health Scheme.						
PROJECT LOCATION(S)		All Island						
CONTRACTOR		N/A						
CONSULTANT		GFRAM Consulting Actuaries						
SOURCE OF FUNDING		Ministry of Finance and the Public Service						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Local Competitive Bidding	2011-07-14	J\$9,188,053,886.58	0000-00-00	Yes	Yes	0000-00-00	0000-00-00	0000-00-00
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Office of the Contractor General (OCG) initiated monitoring of the tender invitation and the tender evaluation process in February 2006. From the outset, the OCG's primary concern was premised, primarily on the fact that the Scheme, as at December 2005, had not, since 1995, been put to tender by the Ministry.</p> <p>Subsequent to aggressive and strong representations made by the OCG, the then Ministry of Finance and Planning (MOFP) agreed that the Scheme should be put to Public Competitive Tender, in keeping with the provisions of the Government of Jamaica Public Sector Procurement Guidelines (May 2001).</p> <p>The Cabinet, by way of Cabinet Decision No. 37/05, which was dated December 19, 2005, agreed that the Scheme should be put to competitive tender by April 2006. The contract was eventually put to competitive tender in September 2006. The tender process was, however, cancelled due to certain inadequacies in the Request for Proposal (RFP), which were identified by the OCG.</p> <p>The procurement opportunity was again put to tender in December 2006, in which tenders were opened in January 2007. Subsequent to the National Contracts Commission (NCC) endorsement of the recommended Bidder for the award of contract, the OCG was informed in December 2007, by the MOFP that the Cabinet had decided that the procurement opportunity should be re-tendered.</p> <p>The procurement opportunity was subsequently re-tendered in 2008, however, there had been numerous delays in finalizing the tender process. In a letter which was dated August 20, 2010, the OCG expressed its concerns that the "...formal tender process has been delayed in excess of two (2) years."</p> <p>The Ministry of Finance and the Public Service (MOFPS) re-tendered the opportunity on May 18, 2011. Tenders were to be submitted by June 29, 2011 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m. The deadline for submission was subsequently extended to July 14, 2011 at 10:00 a.m.</p> <p>The tender was broken down into three (3) Lots and two (2) proposals were received from two (2) Brokers for all three (3) Lots.</p> <p>The tenders were opened and verified, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>As at December 31, 2011, the proposals were being evaluated by the Actuary, GFRAM Consulting Actuaries, who was engaged by way of the Limited Tender Procurement Methodology.</p> <p>The OCG will continue to monitor the procurement process.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
\$0.00	0000-00-00	0000-00-00	0	0000-00-00	0000-00-00	0	0	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	
STATUS		Evaluation of Tenders Ongoing						

POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)

N/A

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-5622						
MINISTRY		Ministry of Health						
PUBLIC BODY/ AGENCY		National Health Fund						
PROJECT NAME		Procurement of Pharmaceutical Preparations						
PROJECT DESCRIPTION		Provision of eight hundred and ninety-four (894) Pharmaceutical Preparations for use in the Health Facilities and for the Jamaica Drug for the Elderly Programme (JADEP).						
PROJECT LOCATION(S)		All Island						
CONTRACTOR		N/A						
CONSULTANT		N/A						
SOURCE OF FUNDING		N/A						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
International Competitive Bidding	2011-06-03	J\$3,690,131,900.51	2011-10-28			2011-11-09	0000-00-00	0000-00-00
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Invitation to Tender was advertised locally on April 24, 2011. Tenders were to be submitted by June 3, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:05 p.m.</p> <p>Fifty-one (51) tenders were received for the provision of seven hundred and nineteen (719) items. Notably, no tenders were received for one hundred and seventy-five (175) items. The tenders were opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>The evaluation was conducted on an item-by-item basis. The Office of the Contractor General (OCG) noted the Procuring Entity's "Report on Bids for Procurement of Pharmaceuticals" which was dated September 2011, which stated the following:</p> <p><i>"NHF's technical team prepared a Preference Report ranking the bids for each item according to price. Where a bidder offered a pack size other than that requested by the company on its Schedule of Requirements, the bid was adjusted to reflect the requested pack size to allow for equitable comparison. Customs duty of 5% was applied to all bids for items manufactured within CARICOM, if being offered by a supplier from outside the region. Clearance charge of 2% were also added to bids from overseas suppliers for Comparable purposes."</i></p> <p>The referenced Report also indicated that items which did not meet the Ministry of Health's registration requirements were not considered for further evaluation. In this regard, the referenced Report stated that "Bid submissions were received for one hundred and forty-four pharmaceutical items for which the suppliers' products were not registered with the Ministry of Health... These bids were treated as non-responsive..."</p> <p>Upon completion of the evaluation process, the respective recommendations for the award of contracts were made as follows:</p> <ul style="list-style-type: none"> • Seven hundred and sixty-nine (769) contract awards were recommended (inclusive of one hundred and thirteen (113) shared contract awards) amongst forty-three (43) suppliers, with a total value of J\$3,310,997,630.99; • Sixty-three (63) items were not awarded; and • The recommendation was made for alternative lower cost products of equivalent quality to be identified and procured for fourteen (14) items. <p>Of the forty-three (43) suppliers recommended for the award of contracts, thirty-seven (37) contracts were valued at J\$10 Million and above and six (6) contracts were valued below J\$10 Million. The foregoing recommendations were submitted to the Ministry of Health's Procurement Committee for review.</p> <p>Documents which were obtained by the OCG indicated that on August 8, 2011, the Procurement Committee approved the contract award recommendations for the six (6) contracts which were valued below J\$10 Million. Subsequently, the Head of Entity's approval was received on August 15, 2011.</p> <p>In regard to the thirty-seven (37) contract award recommendations which were valued at J\$10 Million and above, the OCG evidenced a letter from the Ministry of Health's Procurement Committee, which was dated October 13, 2011, outlining its concerns regarding the tender process which was undertaken for the Pharmaceutical Preparations. The referenced letter stated, <i>inter alia</i>, the following:</p>								

"The following issues/concerns were raised which should be addressed in an addendum:

Bidding- It does not appear that the standard GOJ bidding document was utilized. In addition an incomplete tender document was issued to Bidders (No Instruction to Bidders, Bid Data Sheet...- There were omissions of significant items which would have influenced price such as expiry date requirements, phased delivery.- Was there an indication that there will be any price adjustment and how it will be treated?

Bid Opening- The currency for each recorded bid price was not stated on Bid Opening Form.- There is no comparable estimate recorded on the Bid Opening Form...Kindly submit the response...so that the matter can be reviewed at the Procurement Committee Meeting on Wednesday October 19, 2011."

Under cover of letter dated October 18, 2011, the Procuring Entity submitted an Addendum in response to the issues which were raised by the Ministry of Health's Procurement Committee. The Addendum stated, *inter alia*, the following:

"Bidding

- *We concur that the standard GOJ bidding document was not fully adhered to. However, in comparing both sets of documents, the documents used for pharmaceutical tender mirrors substantively, the standard bidding documents. For future tenders, the policies will be adhered to strictly.*
- *Please refer to the Special Conditions of Contract...regarding reference to expiration date requirement...*
- *Bidders are required to submit fixed prices for the duration of the performance of the Contract.*

Bid Opening

- *...The currency was inadvertently omitted from the Bid Opening Form. This will be included in future tenders.*
- *Bids were invited for the provision of 894 items... The total comparable estimate for all 894 items is J\$4,085,567,335.46. This value should have been stated on the Bid Opening Form...the agency estimate for the awarded items (769 items) is J\$3,690,131,900.51..."*

The Addendum and the contract award submissions were reviewed by the Procurement Committee at its meeting of October 19, 2011. The Permanent Secretary of the Ministry of Health was advised of same by way of a letter which was dated October 20, 2011.

By way of a letter which was dated October 26, 2011, the Permanent Secretary of the Ministry of Health submitted her approval for the thirty-seven (37) contract award recommendations to the Health Sector Committee.

The recommendations were supported by the Health Sector Committee and forwarded to the National Contracts Commission (NCC), under cover of letter dated October 31, 2011.

In its meeting of November 9, 2011, the NCC endorsed the thirty-seven (37) contract award recommendations and advised that contracts above J\$30 Million should be forwarded to the Cabinet for approval.

Of note, the Head of Entity approval date which is indicated in the table above, is the final approval date which was indicated on the NCC's Transmittal Forms for the respective contract award recommendations.

As at December 31, 2011, Cabinet approval was pending for the thirty-seven (37) contract award recommendations, which were valued at J\$10 Million and above. Contracts have not been awarded for the six (6) recommended Contractors whose contract sums were below J\$10 Million.

The OCG will continue to monitor the procurement process.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
\$0.00	0000-00-00	0000-00-00	0	0000-00-00	0000-00-00	0	0
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
STATUS	Cabinet Approval Pending						
POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)							
N/A							

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-5892						
MINISTRY		Ministry of Health						
PUBLIC BODY/ AGENCY		North East Regional Health Authority						
PROJECT NAME		Private Security Services						
PROJECT DESCRIPTION		To provide Private Security Services at the following locations: Block A - St Ann; Block B - St. Mary and Portland.						
PROJECT LOCATION(S)		Portland, St. Ann and St. Mary						
CONTRACTOR		N/A						
CONSULTANT		N/A						
SOURCE OF FUNDING		Government of Jamaica						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Local Competitive Bidding	2011-03-29	J\$193,573,208.40	2011-11-07	Yes	Yes	0000-00-00	0000-00-00	0000-00-00
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Invitation to Tender was advertised on March 6, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC) in the category of Safety and Security Services. Tenders were to be submitted by March 29, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. One (1) tender was received after the deadline for submission and was returned unopened to the Bidder.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document.</p> <p>The North East Regional Health Authority (NERHA) sought clarification from the Ministry of Health (MOH) to determine whether or not a letter from a bank, which was submitted by one of the Bidders, could be considered a Letter of Credit to satisfy Clause 17.2 (d) of the Tender Document. The MOH, by way of a letter which was dated July 25, 2011, sought clarification from the NCC regarding the said matter.</p> <p>The NCC, at its meeting which was held on August 3, 2011, advised the MOH that the letter which was submitted by the bank, for and on behalf of the Bidder, was not considered to be a 'Letter of Credit', and as such it would not satisfy the terms and conditions contained under Section 17.2 (a-e) and 17.2 (d) of the Standard Bidding Document.</p> <p>Subsequently, NERHA, through its Acting Director of Finance, conducted a financial analysis of the financial statements which were submitted by each Bidder.</p> <p>Subsequent to the evaluation, the preferred Bidder was recommended for the award of contract. The recommendation was submitted to the MOH Procurement Committee on December 14, 2011, for review.</p> <p>As at December 31, 2011, approval had not been received from the MOH Procurement Committee.</p> <p>The OCG will continue to monitor the procurement process.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
\$0.00	0000-00-00	0000-00-00	0	0000-00-00	0000-00-00	0	0	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	
STATUS		Procurement Process is Ongoing						
POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)								
N/A								

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.	PPCM-5292							
MINISTRY	Ministry of Health							
PUBLIC BODY/ AGENCY	North East Regional Health Authority							
PROJECT NAME	Supply, Installation and Commissioning of Surgical Operating Theatre Tables and Orthopaedic Extension - St. Ann's Bay Regional Hospital							
PROJECT DESCRIPTION	The Supply, Installation and Commissioning of two (2) Surgical Operating Theatre Tables and one (1) Orthopaedic Extension at the St. Ann's Bay Regional Hospital.							
PROJECT LOCATION(S)	St. Ann							
CONTRACTOR	Biomedical International Corp.							
CONSULTANT	N/A							
SOURCE OF FUNDING	Culture Health Arts Sports Education (C.H.A.S.E.) Fund							
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2010-07-08	J\$7,000,000.00	2010-08-09	Yes	Yes	0000-00-00	0000-00-00	2010-09-01
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>Prior to the commencement of the procurement process, the North East Regional Health Authority (NERHA) applied to the C.H.A.S.E Fund for funding. The C.H.A.S.E Fund, by way of a letter which was dated April 27, 2010, granted an approval in the amount of seven million Jamaica dollars (J\$7,000,000.00) to the NERHA for the subject procurement.</p> <p>The procurement opportunity was advertised on June 13, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Medical, Pharmaceutical Equipment and Supplies. Tenders were to be submitted by July 8, 2010 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Six (6) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Based upon extracts from the Minutes of the Evaluation Meeting, which was submitted to the Office of the Contractor General (OCG), it was indicated that of the six (6) tenders which were received, five (5) were rejected. Three (3) were significantly above the budgeted estimated cost while two (2) did not meet the required specifications.</p> <p>The remaining Bidder, Biomedical International Corp., submitted a tender for two (2) Orthopaedic Extensions instead of one (1), as was requested in the Tender Document. The OCG found that the NERHA communicated same with the Bidder, which resulted in a revised proposed cost of J\$7,228,469.25.</p> <p>Subsequently, Biomedical International Corp. was recommended for the award of contract.</p> <p>The recommended cost for the tender exceeded the referenced approved funding which was granted by C.H.A.S.E. Fund. Consequently, the NERHA wrote to the C.H.A.S.E. Fund on August 16, 2010, requesting the additional amount of J\$228,469.25 to meet the referenced tender sum which was proposed by Biomedical International Corp. The request was subsequently approved by C.H.A.S.E. Fund.</p> <p>By way of a letter, which was dated August 23, 2010, the NERHA wrote to Biomedical International Corp. advising that they had been selected for the award of contract.</p> <p>In another letter of even date, the Biomedical International Corp. was also informed that in order for the contract to be awarded, a valid Tax Compliance Certificate (TCC) was required. The referenced TCC was submitted as requested. Biomedical International Corp., a United States based company was not required to submit a TCC at the close of tender. This was in keeping with the applicable GOJ Public Sector Procurement Procedures (December 2008).</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
J\$7,228,469.25	0000-00-00	2011-01-03	8 Week(s)	2011-03-04	0000-00-00	0	9.5 Month(s)	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	US\$40,954.50	J\$722,846.92	0	
STATUS	Contract Being Executed / Implemented							

POST-CONTRACT COMMENTS: Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)

In accordance with the provisions of the contract, the Scheduled Completion Date was March 4, 2011.

The NERHA, by way of a Status Report to the OCG, advised that in a letter which was dated February 10, 2011, Biomedical International Corp. sought to have the delivery date extended to April 12, 2011. The NERHA, by way of a letter which was dated March 10, 2011, advised the Contractor that "...We are unable to honour your request for an extension to the contract. Therefore, in pursuant to clause 5.8 of the conditions of the contract, the North East Regional Authority will be imposing penalties for late delivery."

Subsequently, in a letter which was dated April 20, 2011, the NERHA advised the C.H.A.S.E. Fund that "As per instructions from the Procurement Sub-Committee, liquidated damages are being enforced; therefore the sum of Seven Hundred Twenty Two Thousand, Eight Hundred Forty Six Dollars, and Ninety Two Cents (\$722,846.92) is to be deducted from the final payment to Biomedical International Corp. The liquidated damages took effect from March 05, 2011 - April 03, 2011."

The procured items were delivered on May 30, 2011 and the Operating Tables were to be installed on June 4, 2011. After assembling the Operating Tables, it was discovered that a number of critical parts of the equipment were missing. These parts were delivered on July 22, 2011. However, after installing said parts, it was discovered that the attachments supplied with the tables were incorrect.

Subsequently, NERHA advised Biomedical International Corp. of the need to have an experienced staff expediting the installation and commissioning of the said equipment.

On December 20, 2011, a representative from Steris International, the manufacturing company, visited the St. Ann's Bay Regional Hospital, and conducted the requisite training, installation/commissioning of the Operating Tables.

Further, the OCG noted that the final 'signing-off' of the installation of the equipment was delayed pending the arrival of the arm board which was at the Customs Department in Kingston.

As at December 31, 2011, the OCG was advised that "...only one table has been commissioned as the overlapping telescopic panels on one table are not functioning properly..."

Additionally, the OCG noted that the NERHA was awaiting information with respect to the supply of the following outstanding parts:

1. A urological pan; and
2. A special leg holder for perineal resection surgery.

The OCG will continue to monitor the execution of the contract.

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-5662						
MINISTRY		Ministry of Health						
PUBLIC BODY/ AGENCY		University Hospital of the West Indies						
PROJECT NAME		Janitorial and Portering Services						
PROJECT DESCRIPTION		Janitorial and Portering Services - General Cleaning of the Hospital and Personnel to assist with the Movement of Patients, Records and Specimens.						
PROJECT LOCATION(S)		Kingston						
CONTRACTOR		N/A						
CONSULTANT		N/A						
SOURCE OF FUNDING		Government of Jamaica						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Local Competitive Bidding	2011-05-25	J\$364,000,000.00	0000-00-00	Yes	Yes	0000-00-00	0000-00-00	0000-00-00

PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).'

The Invitation to Tender was advertised on April 19, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Janitorial and Sanitation Services. Tenders were to be submitted by May 25, 2011 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.

Upon review of the Tender Document, the Office of the Contractor General (OCG) noted that the University Hospital of the West Indies (UHWI) required a Performance Security of 8% of the contract price.

By way of a letter which was dated June 1, 2011, the OCG advised the UHWI that "...pursuant to Volume 2, Appendix 7, Clause A7.6.2 - Performance Security of the Handbook of Public Sector Procurement Procedures (October 2010), 'The amount of the (performance) security shall be ten percent (10%) of the contract price'."

Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.

A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. Of the two (2) tenders, only one (1) met the requirements and was recommended for the award of contract.

Subsequently, by way of a letter which was dated July 14, 2011, the UHWI wrote to the NCC requesting permission to negotiate the costing of the contract, to reduce the disparity between the proposed tender amount and the Comparable Estimate.

The NCC considered the matter at its meeting, which was held on July 20, 2011, and offered no objection to the request made by the UHWI.

The OCG noted that the Bidder wrote to the UHWI, by way of a letter which was dated October 5, 2011, in which it was outlined that both parties met and had agreed to a new "bid offer".

Consequently, the UHWI submitted the recommendation for the award of contract to the Ministry of Health (MOH) Procurement Committee for approval. The OCG noted that, by way of a letter which was dated November 17, 2011, the MOH Procurement Committee advised the UHWI of its findings which stated, *inter alia*, that "Based on the proposal the reduce scope of work estimated was at Two Hundred and Twenty Five Million Jamaican Dollars (J\$225,000,000.00) however, the full scope of work which was tendered was estimated at a cost of Three Hundred and Sixty Four Million Jamaican Dollars (J\$364,000,000.00). Kindly explain why the Two Hundred and Twenty Five Million Jamaican Dollars (J\$225,000,000.00) was recorded on the Bid Opening Record and has been used in all aspect of the proposal."

Subsequently on November 18, 2011, the UHWI responded to the MOH Procurement Committee, and stated, *inter alia*, the following:

"...in light of increased financial constraints...the SoW was reduced significantly in accordance with available funding. In preparing the new tender, the reduced scope of work was used to determine the new in-house estimate of \$225M. However, after complaints from medical and other members of staff, the SoW was subsequently increased to the original level due to the negative impact on quality experienced in some areas of the hospital. Although the SoW in the new tender document was revised to the original level, the reduced in-house estimate was inadvertently read out at the public bid opening for this tender instead of the intended \$364M..."

The UHWI did not identify this error until just prior to negotiating with the bidder and proceeded with negotiations on the basis of the correct estimate of \$364M. Consequently,

- a) since the disparity between the bid price and the correct in-house estimate of J\$364M is within the "acceptable" benchmark 15% range*
- b) the initial bid price and the negotiated price are actually less than the correct in-house estimate*
- c) the in-house estimate has no influence on the bidder's determination of the bid price*

the UHWI submits this proposal for contract award for consideration on the basis of the \$364M in-house estimate."

As at December 31, 2011, the UHWI was awaiting the approval of the MOH Procurement Committee.

The OCG will continue to monitor the procurement process.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
\$0.00	0000-00-00	0000-00-00	0	0000-00-00	0000-00-00	0	0
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0

STATUS Procurement Committee Approval Pending

POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)'

N/A

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-5572						
MINISTRY		Ministry of Health						
PUBLIC BODY/ AGENCY		University Hospital of the West Indies						
PROJECT NAME		Private Security Services						
PROJECT DESCRIPTION		The provision of Private Security Services for the University Hospital of the West Indies.						
PROJECT LOCATION(S)		Kingston						
CONTRACTOR		N/A						
CONSULTANT		N/A						
SOURCE OF FUNDING		Government of Jamaica						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Local Competitive Bidding	2011-05-25	J\$240,000,000.00	2011-08-16	Yes	Yes	2011-09-14	2011-11-14	0000-00-00
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Invitation to Tender was advertised on April 19, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC) in the category of Safety and Security Services. Tenders were to be submitted by May 25, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Upon review of the Tender Document, the Office of the Contractor General (OCG) noted that the University Hospital of the West Indies (UHWI) required a Performance Security of 8% of the contract price.</p> <p>By way of a letter which was dated June 1, 2011, the OCG advised the UHWI that "...pursuant to Volume 2, Appendix 7, Clause A7.6.2 - Performance Security of the Handbook of Public Sector Procurement Procedures (October 2010), 'The amount of the (performance) security shall be ten percent (10%) of the contract price'."</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The Evaluation Committee concluded that the Bidder that met all the requirements which were set out in the Tender Document should be awarded the contract for a period of three (3) years.</p> <p>The recommendation was sent to the Ministry of Health (MOH) Procurement Committee for approval. The MOH Procurement Committee upon reviewing the proposal, requested several documents from the UHWI, particularly the signed Power of Attorney which was submitted by the preferred Bidder. Subsequent to receiving the requested documents, the MOH Procurement Committee, at its meeting which was held on July 27, 2011, endorsed the recommendation and forwarded the proposal to the MOH Sector Committee for the requisite approval.</p> <p>The MOH Sector Committee reviewed the recommendation and submitted the requisite documents to the NCC for endorsement. The NCC, considered the matter at its meeting which was held on September 14, 2011 and, endorsed the recommendation for the award of contract. The OCG noted that this was subject to the UHWI providing the NCC with an appropriate extension of the Tender Validity Period.</p> <p>Subsequently, a submission was made to the Cabinet for approval. In keeping with the endorsement of the NCC, on November 14, 2011, the Cabinet granted approval for the award of contract.</p> <p>As at December 31, 2011, the contract was not signed.</p> <p>The OCG will continue to monitor the procurement opportunity.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
\$0.00	0000-00-00	0000-00-00	0	0000-00-00	0000-00-00	0	0	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	
STATUS		Contract Not Yet Signed						

POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)

N/A

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-5672						
MINISTRY		Ministry of Health						
PUBLIC BODY/ AGENCY		University Hospital of the West Indies						
PROJECT NAME		Procurement of Medical Gases						
PROJECT DESCRIPTION		Supply of Medical Gases to the University Hospital of the West Indies.						
PROJECT LOCATION(S)		Kingston						
CONTRACTOR		Industrial Gases Limited (IGL)						
CONSULTANT		N/A						
SOURCE OF FUNDING		Government of Jamaica						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Sole Source	0000-00-00	J\$92,500,000.00	2010-03-16	Yes	Yes	2010-04-07	2010-07-19	2011-05-02
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Invitation to Tender was advertised on May 22, 2009. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Medical, Pharmaceutical Equipment & Supplies. Tenders were to be submitted by June 19, 2009 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. A Comparable Estimate of J\$126,000,000.00 was revealed at the Tender Opening Ceremony. The two (2) tenders were deemed non-responsive and the process was aborted.</p> <p>The Office of the Contractor General (OCG) noted that, by way of a letter which was dated January 4, 2010, the Permanent Secretary in the Ministry of Health (MOH) advised the University Hospital of the West Indies (UHWI), <i>inter alia</i>, that "...in light of the difficulties that the Southeast [sic] Regional Health Authority faced in getting a reliable supply of medical gases at all times from Central Oxygen Limited, you seek permission to sole source this commodity from the only other supplier on the island, IGL Limited."</p> <p>Subsequently, the UHWI, by way of a letter to the NCC, which was dated January 28, 2010, sought permission to utilise the Sole Source Procurement Methodology to procure the medical gases from Industrial Gas Limited (IGL). The NCC, at its meeting of February 3, 2010, endorsed the request of the UHWI to utilise the Sole Source Procurement Methodology to award a two (2) year contract to IGL.</p> <p>The OCG noted that the MOH, by way of a letter which was dated March 19, 2010, stated that the "...Ministry endorses the recommendation of the Evaluation Committee to award the contract for the supply of Medical Gases to IGL Limited at a cost of...\$92,537,613.27." The referenced letter also indicated that the proposal was to be forwarded to the Health Sector Committee for consideration.</p> <p>The MOH Sector Committee considered the recommendation for the award of contract to IGL Limited, and by way of a letter which was dated March 29, 2010, forwarded the submission to the NCC for endorsement.</p> <p>The OCG noted that a revised Comparable Estimate of J\$92,500,000.00 was indicated on the NCC Transmittal Form.</p> <p>The NCC, at its meeting which was held on April 7, 2010, endorsed the recommendation of the MOH Sector Committee to award the contract to IGL, in the amount of \$92,537,613.27.</p> <p>The recommendation for the award of contract was subsequently sent to the Cabinet for approval. The Cabinet approved the recommendation on July 19, 2010.</p> <p>The contract was signed on May 2, 2011.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
J\$92,537,613.27	0000-00-00	2010-07-19	2 Year(s)	2012-07-18	0000-00-00	0	0	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	J\$84,304,551.03	\$0.00	0	
STATUS		Contract Being Executed / Implemented						

POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)

The OCG further noted that the contract with IGL had a commencement date of July 19, 2010, although it was signed in May 2011. By way of a Status Report to the OCG, the UHWI advised that "...there was a delay on the part of the Ministry of Health to submit the contract document to the hospital."

As at December 31, 2011, the contract was being implemented.

The OCG will continue to monitor the implementation of the contract.

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-5102						
MINISTRY		Ministry of Health						
PUBLIC BODY/ AGENCY		Western Regional Health Authority						
PROJECT NAME		Cleaning and Portering Service						
PROJECT DESCRIPTION		To provide Cleaning and Portering Services at the Cornwall Regional Hospital.						
PROJECT LOCATION(S)		St. James						
CONTRACTOR		N/A						
CONSULTANT		N/A						
SOURCE OF FUNDING		Government of Jamaica						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Local Competitive Bidding	2011-02-15	J\$338,581,614.40	0000-00-00	Yes	Yes	2011-09-14	0000-00-00	0000-00-00
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Invitation to Tender was advertised on January 12, 2011. The Local Competitive Bidding Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC) in the category of Janitorial and Sanitation Service. Tenders were to be submitted by February 15, 2011 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>The Western Regional Health Authority (WRHA) indicated in its Tender Report that "...subsequent to the tender opening it was noted that the Team Leaders total was underestimated by J\$3,019,286.40." The revised Comparable Estimate is J\$338,581,614.40.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender was recommended for the award of contract.</p> <p>It was noted that the Bid Validity Period had expired and the WRHA received a conditional endorsement from the NCC on September 14, 2011, which was "subject to the procuring entity providing the NCC with an appropriate extension of the tender validity period."</p> <p>As at December 31, 2011, the approval process was ongoing.</p> <p>The OCG will continue to monitor the procurement process.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
\$0.00	0000-00-00	0000-00-00	0	0000-00-00	0000-00-00	0	0	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	
STATUS		Cabinet Approval Pending						
POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)								
N/A								

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-5482						
MINISTRY		Ministry of Housing, Environment, Water and Local Government						
PUBLIC BODY/ AGENCY		Housing Agency of Jamaica						
PROJECT NAME		Commissioned Land Surveyor - Grange Pen, St. James						
PROJECT DESCRIPTION		The provision of a Pre-checked Boundary Plan, Technical Description and Topographic Survey.						
PROJECT LOCATION(S)		St. James						
CONTRACTOR		Duel Thames						
CONSULTANT		N/A						
SOURCE OF FUNDING		Government of Jamaica						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2010-10-26	J\$18,745,677.58	2010-12-17	Yes	N/A	0000-00-00	0000-00-00	2010-12-22
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Request for Quotation (RFQ) was advertised on October 6, 2010. The Selective Tender Procurement Methodology was utilised to invite Commissioned Land Surveyors to submit quotations for Boundary and Topographic Surveys for two (2) locations, namely, Grange Pen, St. James and Shooters, St. Ann.</p> <p>Quotations were to be submitted by October 26, 2010 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>Seven (7) quotations were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>With respect to Grange Pen, St. James, of the seven (7), four (4) quotations were received.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Duel Thames, in the sum of J\$7,007,580.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
J\$7,007,580.00	0000-00-00	2010-12-28	14 Week(s)	2011-04-05	0000-00-00	0	0	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	J\$2,000,000.00	\$0.00	0	
STATUS		Contract Terminated						

POST-CONTRACT COMMENTS: Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)

The Housing Agency of Jamaica Limited (HAJL) provided the Office of the Contractor General (OCG) with a copy of a cheque, which was dated May 27, 2011, and which was made out to Duel A. Thames, in the amount of J\$2,000,000.00. The OCG was advised by the HAJL, in a Status Report, which was dated August 25, 2011, that payment was based upon work which was completed up to that period.

The OCG noted that, by way of a letter to Mr. Duel Thames, which was dated July 5, 2011, the HAJL advised that *"...In our letter to you dated March 1, 2011 we conveyed our dissatisfaction with the delayed delivery of the topographic survey...To date we remain in limbo with you basically holding the Agency to ransom. This unsatisfactory performance is quite unacceptable to us especially as it has negatively impacted our project deliverables and financial projections. Please understand, therefore, that we will have no alternative but to seek to recover from you any and all losses suffered by us in consequence of your breach of contract."*

Subsequently, by way of a letter which was dated November 8, 2011, the HAJL terminated the contract with Duel Thames stating, *"Given your continued non-performance. HAJ hereby terminates the said contract as of the date of this letter. As notified in our letter of July 5, 2011 we will seek to recover from you any and all losses suffered by us in consequence of your continued breach of contract."*

Subsequent to this letter of termination, Attorneys-at-Law, Robinson, Phillips & Whitehorne, by way of a letter which was dated November 14, 2011, made a request to the HAJL, on Mr. Thames behalf, to reconsider the termination of the Contract. The HAJL responded by way of a letter which was dated November 22, 2011, advising that they are not prepared to re-engage Mr. Thames.

Consequently, by way of a letter which was dated December 15, 2011, Attorneys-at-Law, Robinson, Phillips & Whitehorne wrote to the HAJL stating, *inter alia*, that *"In view of the fact that you are not prepared to allow Mr. Duel Thames to complete the work, he has submitted to us a bill for the work that he has done... You will note that the amount due is the sum of Two Million Twenty-five Thousand Eight Hundred and Twenty-two Dollars and Sixty-four Cents \$2,025,822.64, and we would be obliged if you would take steps to settle our client's bill as quickly as possible."* Attached to the letter was a copy of a bill, in the amount of J\$2,025,822.64.

As at December 31, 2011, the OCG was advised by the HAJL that the *"...matter is being pursued with a view to settlement at the earliest."*

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-5592						
MINISTRY		Ministry of Housing, Environment, Water and Local Government						
PUBLIC BODY/ AGENCY		Housing Agency of Jamaica						
PROJECT NAME		Property Management Services						
PROJECT DESCRIPTION		Consultant to Provide Property Management Services						
PROJECT LOCATION(S)		Kingston						
CONTRACTOR		N/A						
CONSULTANT		N/A						
SOURCE OF FUNDING		Government of Jamaica						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Direct Contracting	0000-00-00	J\$41,021,866.00	0000-00-00	Yes	Yes	0000-00-00	0000-00-00	0000-00-00
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Invitation to Tender was advertised on February 10, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC) in the category of General Services. Tenders were to be submitted by March 24, 2010 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>The Tender Report which was prepared by the Housing Agency of Jamaica Limited (HAJL) indicated that the Comparable Estimate of J\$20,580,477.00 which was reported at the Tender Opening Ceremony, was subsequently adjusted to J\$41,021,866.00. The referenced Report indicated that the adjustment was due to "inflation" and that the Comparable Estimate "...did not include the electricity component of the contract."</p> <p>Subsequent to a preliminary evaluation of the Tender, the HAJL found that the Bid Security which was provided by the sole Bidder was not stamped by the Taxpayer Audit and Assessment Department. By way of a letter which was dated April 7, 2010, the HAJL sought the approval of the NCC to obtain a valid Bid Security. The NCC, in its response which was dated April 22, 2010, requested that the proposal be directed to the Solicitor General for review and guidance.</p> <p>The OCG noted that the HAJL, by way of a letter which was dated May 11, 2010, wrote to the Bidder requesting that a valid Bid Security be submitted by a specified period. In a status report submitted to the OCG, the HAJL reported that the Bid Security was provided by the Bidder.</p> <p>However, subsequently in a letter which was dated October 5, 2010, the HAJL sought the guidance of the Solicitor General on how to proceed with the tender process given the circumstances. By way of a letter which was dated December 1, 2010, the Attorney General's Chambers concluded, <i>inter alia</i>, that "In accordance with Regulation 13 of the Procurement Regulations and Clause 16.4 of the ITB the Procurement Entity has an obligation to reject the bid security as non-responsive, notwithstanding that it received one bid."</p> <p>In light of the Attorney General's Chamber response, the HAJL, by way of a letter which was dated February 22, 2011, sought the endorsement of the NCC to utilise the Direct Contracting Procurement Methodology to invite and enter into negotiations with the sole Bidder for the award of a two (2) year contract.</p> <p>The OCG noted that, by way of a letter which was dated March 3, 2011, the NCC offered no objection to the HAJL's request stating that "The NCC's endorsement is subject to the HAJL ensuring that value for money is being obtained and the procurement should be submitted through the Sector Committee."</p> <p>Subsequently, by way of a letter which was dated April 19, 2011, the HAJL informed the sole Bidder of (a) the opinion which was obtained from the Attorney General's Chamber; (b) the HAJL's decision to abandon the tender process; and (c) the intent to pursue the Direct Contracting Procurement Methodology to engage its services.</p> <p>The OCG noted that the HAJL issued a Tender Document to the sole Bidder, under cover of letter which was dated April 20, 2011, requesting that the said Bidder "...complete and return by 12:00 noon on 13 May 2011."</p> <p>As at December 31, 2011, the HAJL has advised the OCG that the sole Bidder made multiple requests for an extension to the deadline for submission of its tender.</p> <p>As at December 31, 2011, the process was ongoing.</p> <p>The OCG will continue to monitor the procurement process.</p>								

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
\$0.00	0000-00-00	0000-00-00	0	0000-00-00	0000-00-00	0	0
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
STATUS	Procurement Process is Ongoing						
POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)							
N/A							

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.	PPCM-5552							
MINISTRY	Ministry of Justice							
PUBLIC BODY/ AGENCY	Ministry of Justice							
PROJECT NAME	Consultancy Services for Justice Square - Demolition Works and Interior Construction at 52-54 Kings Street							
PROJECT DESCRIPTION	Provision of Consultancy Services for the rehabilitation and expansion of Courts as part of the Justice Square Project.							
PROJECT LOCATION(S)	Kingston							
CONTRACTOR	N/A							
CONSULTANT	Harold Morrison & Robert Woodstock Associates Limited							
SOURCE OF FUNDING	Government of Jamaica							
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Limited Tender	2009-04-20	J\$52,600,000.00	2009-04-29	Yes	No	2009-05-13	2009-06-29	2009-11-24
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Office of the Contractor General (OCG) commenced monitoring the procurement opportunity in the year 2010. The project consisted of three (3) sub-projects for the rehabilitation and expansion of Public Building West (Phases 1 & 2), Public Building East (Phases 1 & 2) and the design of a Bridge to connect both buildings.</p> <p>The tender process was undertaken in 2009, in accordance with the recommendation of the National Contracts Commission (NCC), in its letter dated February 20, 2009, which stated that "...the Ministry of Justice utilize the Limited Tender Procurement Methodology with a shortened tender period to invite bids from architects who are registered with the Architects Registration Board." Accordingly, the Procuring Entity issued Letters of Invitation, which were dated April 3, 2009, to eight (8) Architectural Firms.</p> <p>Three (3) tenders were received on April 20, 2009. The tenders were evaluated and Harold Morrison & Robert Woodstock Associates Limited was recommended for the award of contract.</p> <p>The Tender Report indicated that negotiations were undertaken, as the original proposed price of J\$55,110,000.00 was 4.77% above the Pre-tender Estimate of J\$52,600,000.00. In this regard, the Tender Report stated, <i>inter alia</i>, that "Negotiations...was therefore pursued... Following these negotiations HMW agreed to reduce their bid by the amount of JA\$3M to \$52.11."</p> <p>The requisite approvals and endorsements were obtained from the Permanent Secretary of the Procuring Entity, the NCC and the Cabinet.</p> <p>The OCG noted that the contract was signed on November 24, 2009, however, the Consultant had commenced Services in July 2009. By way of a letter which was dated September 24, 2010, the OCG informed the Procuring Entity of its observations and stated that "...the consultant's contractual obligations began, at least, four (4) months prior to the signed contract of November 24, 2009. In this regard, please provide an explanation for same."</p> <p>In response, the Procuring Entity, by way of a letter which was dated October 6, 2010, informed the OCG that "By way of letter dated July 2, 2009, the architects were advised of cabinet's approval and they accepted in good faith our request to commence the process, while we prepare the contract."</p> <p>The OCG noted that the completion date was not indicated in the Contract Document. In this regard, the Project Manager indicated that the duration of the Consultant's contract was subject to the completion of the Works by the Contractor(s) for the various phases of the project.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
J\$52,110,000.00	0000-00-00	2009-07-02	0	0000-00-00	0000-00-00	0	0	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
\$0.00	J\$15,668,399.97	\$0.00	\$0.00	\$0.00	J\$67,778,399.97	\$0.00	0	
STATUS	Contract Being Executed / Implemented							
POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)								
At the end of the 2010 reporting period, the Consultant had completed the preliminary designs for Phase 1 of Public Building West, Public Building East and the Bridge, and was overseeing the tender process for the construction phase.								

By way of a Project Update, which was dated March 31, 2011, the Consultant informed the Procuring Entity that the construction phase had advanced with cost estimates for Phase 1 amounting to \$698,476,552.54. The cost estimates were the cumulative proposed contract prices of the selected construction Contractors.

The OCG noted that based upon the foregoing cost estimates along with the payment terms of the Consultant's contract, which specifies a "Cost of Services Ceiling" of thirteen percent (13%) of the final construction cost of the project, the Consultant's fees would amount to an estimated sum of J\$90,801,851.83.

Subsequently, the OCG, having concerns regarding the payment terms of the Consultant's contract, invited the Procuring Entity to a meeting on April 21, 2011 in order to outline the potential ramifications of same.

The meeting was also geared toward attaining an explanation for the payment terms from the Procuring Entity, and to discuss other particulars relating to the project. The meeting was convened as planned and, by way of a letter which was dated August 23, 2011, the OCG outlined, *inter alia*, the following:

i. There are no provisions outlined in the Contract, for the management of variations in the Consultant's contract, in light of potential increases in the construction costs for the project;

ii No payment schedule was included, which would guide the MOJ in the administration of payments to the Consultant;

iii. The Contract document does not distinguish the scope of work to be included in Phase 1 and Phase 2 of the project; and

iv. No project milestone schedule was included, which would guide the progress of the Consultant's deliverables and the construction phase of the project

...given the variable nature of the aforementioned payment terms...the value of the Contract was intrinsically unrestrained and does not allow for the levels of control which are required for proper budgeting.

...the OCG questioned the MOJ's ability to respond to the increase in the cost of the project and, by extension, to the estimated increase in the Consultant's fees.

In this regard, the OCG noted the MOJ's assertion that a Cabinet submission was before the Ministry of Finance and Public Service for additional funding support for Phase 1 of the Justice Square Project.

Having regard to the foregoing, the OCG strongly recommends, that the MOJ carefully reviews the conditions of contract for all future procurement opportunities of this nature, with particular reference to the Terms of Payment."

During the reporting period, the OCG noted a Project Update, which was dated April 29, 2011, which indicated that the Consultant had completed the Architectural Working Drawings for Phase 2 of Public Building East and that the Engineering Working Drawings were in progress.

Subsequently, by way of a second Project Update, which was dated May 31, 2011, it was indicated that for Phase 2 of Public Building East, the Structural Engineering Drawings were eighty percent (80%) complete, the Electrical Drawings were seventy percent (70%) complete, and the Mechanical Drawings were forty percent (40%) complete.

By way of a letter which was dated July 25, 2011, the Procuring Entity requested the endorsement of the NCC for an increase in the payments to the Contractor. The referenced letter stated, *inter alia*, the following:

"The values of the Phase 1 construction contracts as well as the related revised are now... Total - construction cost \$698,476,552.54 - 13% Fee - Total J\$90,801,951.83.

These new values represent only the Phase 1 components, for both the Construction Contracts and Professional fees. Therefore, it is expected that additional values will come in to play once the Ministry is ready to proceed with the implementation of Phase 2.

At this time a value cannot be assigned to the anticipated professional fees, as no revised comparable estimates have been requested, out of an abundance of caution, to avoid utilizing any additional professional services.

In light of the foregoing, we are seeking the support of the National Contracts Committee for the payment of the increase to Harold Morrison + Robert Woodstock."

In response, the NCC, by way of a letter which was dated August 9, 2011, requested that the Procuring Entity submit the following information:

"a) The scope of works in the original contract that have been included in the revised scope of works'

b) The status and stage reached for the works that have been designed and or constructed to date.

c) Details of the terms of the original contract."

Under cover of letter dated September 14, 2011, the Procuring Entity submitted the requisite information to the NCC.

The OCG received a letter from the Procuring Entity on September 23, 2011, which stated that *"...the Ministry is in the process of finalising a submission to NCC in order to seek Cabinet's approval for a variation of Professional fees..."*

Subsequently, by way of a letter which was dated October 7, 2011, the NCC stated that it *"...considered the matter at its meeting held on 2011 October 5 and is recommending that the Ministry of Justice negotiate a reduced for[sic] percentage based on the significantly increased scope of works."*

The Procuring Entity advised the NCC, by way of a letter which was dated November 9, 2011, that *"...a meeting was convened with the Consultant/Architect on November 4, 2011. After very lengthy discussions, the Consultant/Architect agreed to negotiate on future works; however, there is no change to the percentage on works already completed and billed to the Ministry of Justice. Therefore, the fee of \$90,801,591.83 stands ..."*

In response to the aforementioned letter, the NCC, by way of a letter which was dated November 24, 2011, stated the following:

"The...(NCC) considered the matter at its meeting held on 2011 November 23 and offered 'no objection' to the payment of Ninety Million, Eight Hundred and One Thousand, Nine Hundred and Fifty One Dollars and Eighty-three Cents (\$90,801,951.83) for work already completed.

The NCC noted that under conditions of contract, the 13% fee forms the basis on which the services had been provided.

The NCC further noted that the Ministry of Justice will negotiate with the Consultant/Architect for the continuing services on the project and given the substantially increased scope of works, the NCC urges the Ministry of Justice to negotiate for reasonably reduced percentage fees for the remaining services."

The Procuring Entity subsequently advised that Cabinet approval was received on December 5, 2011.

By way of a Project Update which was dated November 30, 2011, the OCG noted that the Consultant was awaiting instructions to proceed with Working Drawings, Bills of Quantities and Tender Documents for Phase 2 of Public Building West.

As at December 31, 2011, the Consultant continued to execute the contract in line with stated obligations.

The OCG will continue to monitor the execution of the contract.

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-5782						
MINISTRY		Ministry of National Security						
PUBLIC BODY/ AGENCY		Ministry of National Security						
PROJECT NAME		Development of Secure Internet Portal and Website for the Ministry of National Security						
PROJECT DESCRIPTION		The procurement and installation of an Integrated Management Information System (IMIS) that will facilitate effective planning, coordination and management amongst the Jamaica Constabulary Force, Department of Correctional Services and the Ministry of Justice.						
PROJECT LOCATION(S)		All Island						
CONTRACTOR		IBM World Trade Corporation						
CONSULTANT		N/A						
SOURCE OF FUNDING		Inter-American Development Bank (35%) and the Government of Jamaica (65%)						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Open Tender	2007-09-18	US\$1,600,000.00	2007-11-28	Yes	Yes	2008-02-20	2008-05-26	2008-06-12
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The procurement opportunity covered Phase 3 of a five (5) Phase project.</p> <p>Illuminat Jamaica Limited was awarded the contract for the development of Phases 1 and 2 of the project in 2006. Phase 1, the provision of a Turnkey Solution to the Jamaica Constabulary Force (JCF) and the Department of Correctional Services (DCS), and Phase 2 which covers the provision of Data Entry Services, were being implemented by Illuminat Jamaica Limited, at the time of the procurement of Phase 3.</p> <p>The Invitation to Tender was advertised for Phase 3 on July 16, 2007. The Open Tender Procurement Methodology was utilised to invite tenders. Tenders were to be opened on September 18, 2007 at 3:15 p.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. IBM World Trade Corporation, the Bidder which attained the higher evaluated score, was recommended for the award of contract.</p> <p>Subsequently, by way of a letter which was dated November 28, 2007, the Permanent Secretary in the Ministry of National Security (MNS) endorsed the recommendation to award the contract to IBM World Trade Corporation. A submission was made to the National Contracts Commission (NCC) on December 11, 2007, for endorsement.</p> <p>The Office of the Contractor General (OCG) noted that, the NCC considered the matter at its meeting which was held on January 9, 2008 and referred the matter to the Ministry of Finance for its review. By way of a letter which was dated February 13, 2008, the Ministry of Finance responded to the NCC, stating, <i>inter alia</i>, that "The area of potential concern is the significant difference between the estimated cost and the actual contract cost. The estimate was for US\$1.5 million and is supported by an IDB Project budget cost of US\$1.56 million. However, the proposed contract with IBM is at US\$4,351,581.29... From a technical perspective, the proposal appears to be sound and the projected timelines realistic... Subject to clear and unequivocal guarantee of availability of the requisite funding, we have no objection in recommending the approval of the contract to IBM World Trade Corporation."</p> <p>Consequently, the NCC, at its meeting which was held on February 20, 2008, endorsed the recommendation of the National Works Agency Sector Committee to award the contract to IBM World Trade Corporation, in the sum of US\$4,351,581.29.</p> <p>By way of a letter which was dated March 27, 2008, the Inter-American Development Bank offered no objection to the bidding process and the proposed award of contract, subject to the availability of the required Local Contribution.</p> <p>On May 14, 2008, a submission was made to the Cabinet for its approval of the recommendation to award the contract to IBM World Trade Corporation. The Cabinet granted its approval on May 26, 2008 and the contract was subsequently awarded on June 12, 2008.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
US\$4,351,581.29	0000-00-00	2008-06-19	13 Month(s)	2009-07-18	0000-00-00	0	0	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	US\$3,162,621.89	\$0.00	0	
STATUS		Contract Being Executed / Implemented						

POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)

On February 6, 2009, a meeting was convened between the OCG and the MNS, in which the Ministry provided the OCG with an overview of the Scope of Work of the project, intended outputs and status of the project.

In the referenced meeting, it was revealed that Illuminat Jamaica Limited, the Contractor responsible for delivering Phases 1 and 2 of the project is only responsible for integrating the systems with the JCF, and that IBM World Trade Corporations is responsible for the integration of solutions across all agencies and departments involved. It was also revealed that Illuminat Jamaica Limited should have concluded their work prior to IBM's take over. However, both Contractors, at the time of the meeting, were now running in parallel with each other.

In a Status Report to the OCG, which was dated December 2, 2011, the MNS advised, *inter alia*, that "*The portal infrastructure has been installed, tested and confirmed working as designed. The Asset Management System was completed and implemented into production use in October 2011...IBM's scope of work is dependent on Illuminat Jamaica Limited (Illuminat) meeting their deliverables which include the implementation of Turnkey Solutions for the Jamaica Constabulary Force and the Department of Correctional Services. The delays encountered under Illuminat's contracts have inevitably placed IBM's phase 2 activities behind schedule. There is no definitive schedule for the completion of this phase.*"

As at December 31, 2011, Illuminat Jamaica Limited had not fully delivered in accordance with its contract and, as such, IBM World Trade Corporation was not able complete its Scope of Works.

The OCG will continue to monitor the execution of the contract.

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-5412						
MINISTRY		Ministry of Transport and Works						
PUBLIC BODY/ AGENCY		Aeronautical Telecommunications Limited						
PROJECT NAME		Security Services						
PROJECT DESCRIPTION		The provision of Security Services for a two (2) year period at the Head Office and two (2) off-site locations						
PROJECT LOCATION(S)		Kingston and St. James						
CONTRACTOR		N/A						
CONSULTANT		N/A						
SOURCE OF FUNDING		Government of Jamaica						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Local Competitive Bidding	2011-09-19	J\$17,000,000.00	0000-00-00	Yes	Yes	0000-00-00	0000-00-00	0000-00-00
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Invitation to Tender was advertised on August 30, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC) in the category of Safety and Security Services. Tenders were to be submitted by September 19, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Seven (7) tenders was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>The Office of the Contractor General (OCG) observed that during the Tender Opening Ceremony, Aeronautical Telecommunication Limited (AEROTEL) had proceeded to open both the Technical and Cost envelopes in which the bidder's prices were read and recorded. Upon a review of the Instructions in AEROTEL's Tender Document, the OCG noted that the tenders were required to have been submitted in one sealed unmarked envelope containing two separate envelopes for the Technical and the Financial Proposals.</p> <p>By way of a letter which was dated September 23, 2011, the OCG directed AEROTEL's attention to Volume 2, Section 1.1.3.1 (B) of the Government of Jamaica Handbook of Public Sector Procurement Procedures which stipulates that during a two-stage tender, the Technical Proposals should be opened during the Tender Opening Ceremony and the Financial Proposals during the second stage of bidding.</p> <p>It was further observed by the OCG, that AEROTEL had failed to include detailed Evaluation Criteria, inclusive of weightings, in its Tender Document, although same was prepared. The OCG recommended that, for future tenders, AEROTEL include detailed Evaluation Criteria in its Tender Documents.</p> <p>AEROTEL has advised the OCG that it had requested the assistance of the Ministry of Finance and the Public Service regarding the evaluation process of the tenders received and as such has extended the current contract for a period of two (2) months.</p> <p>As at December 31, 2011, the Procurement Committee approval was pending.</p> <p>The OCG will continue to monitor the procurement process.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
\$0.00	0000-00-00	0000-00-00	0	0000-00-00	0000-00-00	0	0	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	
STATUS		Procurement Process is Ongoing						
POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)								
N/A								

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-4471						
MINISTRY		Ministry of Transport and Works						
PUBLIC BODY/ AGENCY		Ministry of Transport and Works						
PROJECT NAME		Programme Consultant to Provide Technical Oversight and Review for the Jamaica Development Infrastructure Programme (JDIP)						
PROJECT DESCRIPTION		Provision of Consultancy Services for programme oversight and technical review of the implementation of the Jamaica Development Infrastructure Programme (JDIP)						
PROJECT LOCATION(S)		All Island						
CONTRACTOR		N/A						
CONSULTANT		N/A						
SOURCE OF FUNDING		GOJ-Road Maintenance Fund						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
International Competitive Bidding	2011-10-10	J\$144,000,000.00	2011-11-17	Yes	N/A	2011-11-30	0000-00-00	0000-00-00
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Invitation to Tender was advertised on August 7, 2011. The International Competitive Bidding Procurement Methodology was utilised to invite Consultants to indicate their interest by returning completed proposals, along with a valid Tax Compliance Certificate (TCC), in the case of the local Consultants. International Consultants were required to submit a valid TCC within ten (10) days of notice of the award of contract. Tenders were to be submitted by Thursday, September 29, 2011 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:30 p.m. The deadline for submission was however extended to October 10, 2011 at 3:00 p.m. by way of an Addendum to the Bid Document.</p> <p>Eleven (11) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon review of the Tender Opening records, the Office of the Contractor General (OCG) noted that there was a column entitled "Responsive? Y/N" on the Tender Opening Record. It was also noted that there was an indication that "Y" was assigned to identify the responsiveness of each proposal which was received.</p> <p>The OCG also noted that the eligibility requirement, as stated in the Tender Notice Advertisement, and the Request for Proposal (RFP), outlined that the "...overseas bidder shall present to the Procuring entity a valid Tax Compliance Certificate, within ten (10) days of the notice of award. Local bidders shall submit their Tax Compliance Certificate at the time of submission." However, the documentation submitted to the OCG did not indicate whether this eligibility requirement in relation to the local Bidders was evidenced at the Tender Opening Ceremony.</p> <p>The OCG, by way of a letter which was dated November 23, 2011, communicated these observations to the Ministry of Transport and Works (MTW). The OCG advised the MTW that the indication of "Y" to the responsiveness of each bid received, would amount to the entity voicing an opinion as to the responsiveness of each bid. As such, the OCG recommended that "...for all future procurements...due care is exercised not to voice an opinion as to the responsiveness of the bids/proposals submitted at the Tender Opening Ceremony."</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. Gauff Ingenieure, with a tender of J\$134,232,191.35, was deemed the most responsive Bidder and was recommended for the award of contract.</p> <p>In a document which was entitled "Submission to the National Contracts Commission Sector Committee", and which was dated November 16, 2011, it was stated, inter alia, that "The estimated cost of the Consultancy was placed at a range of 0.5% to 0.7% of 1% of the overall remaining project cost. With USD \$160M of the total US\$400M already committed, the remaining cost is US\$240M of J\$20.7B. The price range for the Consultancy is therefore J\$103M to J144M. This places the price proposal of J\$134,232,191.35 from Gauff Ingenieure within the budget."</p> <p>A Status Report, which was submitted to the OCG by the MTW, stated, inter alia, the following:</p> <p><i>"The Former Prime Minister, Andrew Holness, announced at a public broadcast in December that he would take portfolio responsibility for the Jamaica Development Infrastructure Programme. As a consequence, all documentation/material related to the procurement of consultancy services was handed over to the Office of the Prime Minister by way of letter dated December 9, 2011.</i></p> <p><i>Further to the General Election of December 29, 2011, and the change in political administration, responsibility for the programme was returned to this Ministry, and to the Honourable Minister, Dr. The Honourable Omar Davis.</i></p>								

In light of the levels of expenditure under the programme, a decision is to be taken as to whether the matter of procuring the services will advance or will be aborted."

Subsequently, in March 2012, the OCG was informed that a decision was taken to cancel the procurement process.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
\$0.00	0000-00-00	0000-00-00	0	0000-00-00	0000-00-00	0	0
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
STATUS	Project Aborted						
POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)							
N/A							

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.	PPCM-5692							
MINISTRY	Ministry of Transport and Works							
PUBLIC BODY/ AGENCY	National Works Agency (NWA)							
PROJECT NAME	Consultancy for Hurricane Dean Rehabilitation Work - Palisadoes Protection and Rehabilitation Project							
PROJECT DESCRIPTION	Provision of Consultancy Services to, amongst other things, conduct Geotechnical investigations, environmental monitoring, technical support onsite for the duration of the construction aspect of the project, preparation of construction drawings and designs, and to conduct technical inspection for conformity to specifications and drawings.							
PROJECT LOCATION(S)	Kingston							
CONTRACTOR	CEAC Solutions Company Limited							
CONSULTANT	N/A							
SOURCE OF FUNDING	Government of Jamaica							
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Direct Contracting	0000-00-00	US\$241,849.45	2010-08-19	Yes	N/A	2010-09-01	0000-00-00	2010-09-13
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).'								
<p>The Office of the Contractor General (OCG) commenced monitoring of the Consultancy contract which is associated with the Palisadoes Shoreline project, in the year 2010. However, the Procuring Entity conducted the original tender process for the provision of Consultancy Services in the year 2008 and a contract award was made in the year 2009.</p> <p>With regard to the original tender process, the OCG noted that Letters of Invitation, dated October 21, 2008, were submitted to two (2) Bidders. Tenders were to be submitted by October 27, 2008 at 1:00 p.m. However, the Tender Opening Record indicated that the close of tender was on October 27, 2008 at 4:00 p.m., followed by a Tender Opening Ceremony at 4:15 p.m.</p> <p>The OCG noted that the Procuring Entity wrote to the the National Contracts Commission (NCC) on October 28, 2008. The referenced letter indicated that <i>"The National Works Agency invited proposals from...two consultants that the NWA believe possess the requisite expertise to carryout works of this nature."</i></p> <p>CEAC Solutions was recommended for the contract award in the sum of J\$21,133,394.75, for a duration of eighteen (18) months. Notably, the OCG did not evidence an Evaluation Report or any information relating to the conduct of a formal evaluation process. However, it was noted that CEAC Solutions offered the lowest price.</p> <p>The Head of Entity approval and NCC endorsement were received and the contract was awarded accordingly. The OCG noted that the contract was dated January 5, 2009, however, the Head of Entity signed the agreement on February 10, 2009. Further, it was noted that there were no specified commencement or expiration dates stipulated in the Contract.</p> <p>However, the contract was executed and the estimated Final Account, as at February 2, 2011, was J\$22,878,330.77.</p> <p>In a document which was entitled <i>"Sector Committee Submission Contract for the Consultancy Agreement for Design, Monitoring and Certification Services - Palisadoes Road Protection and Rehabilitation Project (Phase 2)"</i>, which was dated August 2010, the NWA reported that <i>"...since the inception of the latest contract with CEAC Solutions; the National Works Agency (NWA) has found it necessary to increase the scope of works along the peninsula...and thereby an automatic increase in the consultancy services would become synonymous."</i> In this regard, approval was being sought to award a new contract to CEAC Solutions, in the amount of US\$253,130.35.</p> <p>The requisite approvals were received. Subsequently, the submission was sent to the NCC for its consideration. By way of a letter which was dated September 3, 2010, the NCC informed the Procuring Entity of the following:</p> <p><i>"The National Contracts Commission...considered the matter at its meeting held on 2010 September 01 and offered no objection to the request from the NWA to engage the services of CEAC Solutions Company Limited to provide consultancy services for Palisadoes Shoreline Protection Works..."</i></p> <p><i>The Commission noted that;</i></p> <ol style="list-style-type: none"> <i>The NWA had not obtained approval for Direct Contracting.</i> <i>The Commission is of the opinion that proper procurement planning would have eliminated the need for this type of procurement.</i> <i>The Commission does not regard the procurement as an Emergency."</i> <p>The new contract, between the Procuring Entity and CEAC Solutions, was signed on September 13, 2010, in the sum of US\$253,130.35 or J\$21,667,957.96. Documentation reviewed by the OCG indicated that the contract period was September 1, 2010 through to June 5, 2013.</p>								

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$21,667,957.96	0000-00-00	2010-09-01	0	2013-06-05	0000-00-00	0	0
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
\$0.00	J\$1,625,993.45	\$0.00	\$0.00	\$0.00	J\$23,293,951.41	\$0.00	0
STATUS	Contract Being Executed / Implemented						
POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)							
<p>Subsequently, the OCG noted a letter which was dated January 12, 2011, regarding the Norman Manley International Airport Eastern End of Runway Revetment, wherein, the Head of the Procuring Entity informed the contracted Consultant that the "...Agency has approved the lump sum of US\$19,452.00 as indicated to develop a project proposal and provide designs and drawings to undertake this project."</p> <p>The Procuring Entity subsequently informed the OCG that the activity outlined in the above-mentioned letter was a variation. The payment was notably made in the amount of J\$1,665,091.20 or US\$19,452.00.</p> <p>The Procuring Entity also advised the OCG that an additional variation was incurred for Sea-grass and Mangrove Relocation Exercise, in the sum of J\$3,245,946.48. In this regard, the Procuring Entity also advised that "Due to budgetary constraints, CEAC was never paid for these works and by extension the Variation Order is invalid."</p> <p>By way of attendance at weekly meetings, and a review of the Minutes of the meetings for the construction aspect of the project, the OCG has noted the performance of particular tasks by the contracted Consultant, including environmental and quality control monitoring, during construction.</p> <p>By way of letter which was dated December 5, 2011, the Procuring Entity informed the OCG that "...all services provided by the Consultant have been deemed to be satisfactory to date." As at December 31, 2011, the implementation of the construction phase of the project was on-going and, therefore, the execution of the Consultant's contract continued.</p> <p>The OCG will continue to monitor the execution of the contract.</p>							

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-4742						
MINISTRY		Ministry of Transport and Works						
PUBLIC BODY/ AGENCY		National Works Agency (NWA)						
PROJECT NAME		Consulting Services for Master Drainage Study						
PROJECT DESCRIPTION		Development of a comprehensive Drainage and Flood Plan for the Kingston Metropolitan Area, Spanish Town and its environs, Ocho Rios, Montego Bay, Santa Cruz and Port Maria.						
PROJECT LOCATION(S)		All Island						
CONTRACTOR		Stanley Consultants Incorporated						
CONSULTANT		N/A						
SOURCE OF FUNDING		Inter-American Development Bank (IDB)						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Open Tender	2009-10-22	US\$750,000.00	2010-02-18	Yes	N/A	2010-03-10	2011-05-02	2011-06-28
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Office of the Contractor General (OCG) commenced monitoring of the captioned procurement opportunity in May 2011.</p> <p>A Notice for Pre-qualification was advertised on January 11, 2009. Response to the pre-qualification notice was to be submitted by February 29, 2009. The deadline for submission was subsequently extended to March 13, 2009. Based upon the Procuring Entity's Evaluation Report, which was dated January 15, 2010, it was indicated that nine (9) firms submitted completed responses. The referenced Report also stated that a pre-selection exercise was undertaken and six (6) firms were shortlisted and requested to submit complete Technical and Financial Proposals.</p> <p>Further, the referenced Evaluation Report stated that "<i>Letters of invitation dated 2009 September 1 were sent to the six (6) short-listed consulting firms requesting the submission of technical and financial proposals for return.</i>" In the foregoing regard, the OCG noted that the deadline for submission which was outlined in the Request for Proposal (RFP) was July 31, 2009. Letters, which were dated September 30, 2009, were subsequently issued to prospective Bidders which, among other things, extended the deadline for submission to October 22, 2009 at 12:00 noon.</p> <p>By way of an email which was dated October 1, 2009, one (1) firm indicated its inability to tender for the procurement opportunity. At the close of tender, five (5) firms submitted tenders.</p> <p>A detailed evaluation of the Technical Proposals was conducted and all tenders subsequently advanced to the opening of the Financial Proposals on November 18, 2009. The tender which was submitted by Stanley Consultants attained the highest overall score and was recommended for the award of contract, in the sum of US\$696,804.08.</p> <p>As it regards the evaluation process, the OCG noted that the Evaluation Matrix, which was outlined in the Evaluation Report of January 15, 2010, did not correspond with the Matrix for the "Evaluation of Key Experts" which was detailed in the Terms of Reference.</p> <p>By way of a letter which was dated January 15, 2010, the Procuring Entity requested the non-objection of the Inter-American Development Bank (IDB). The IDB granted same, by way of a letter which was dated February 1, 2010.</p> <p>By way of a letter which was dated February 25, 2010, the Permanent Secretary of the Ministry of Transport and Works, in his submission to the National Contracts Commission (NCC) Sector Committee, approved the recommendation for the award of contract.</p> <p>During the period, six (6) consecutive requests for an extension of the Tender Validity Period were submitted by the Procuring Entity to all Bidders. All Bidders responded in the affirmative. Notably, the final request for an extension of the Tender Validity Period was made under the cover of a letter which was dated March 31, 2011. The Tender Validity Period was, thereafter, extended to June 30, 2011.</p> <p>The NCC's endorsement was obtained and the submission was, thereafter, forwarded to the Ministry of Finance and the Public Service for its non-objection. By way of a letter which was dated March 11, 2011, the Ministry of Finance and the Public Service advised, <i>inter alia</i>, that:</p> <p><i>"The Ministry of Finance and the Public Sector (MOFPS) offers no objection to the award of contract to Stanley Consultants Incorporated in the sum Six Hundred and Ninety-six Million, Seven Hundred and Three Thousand, United States Dollars and Thirty Cents (US\$696,703.30)...</i></p> <p><i>Notwithstanding our support of the contract award, the following issues should be noted and addressed prior to the Submission's presentation to Cabinet:</i></p> <p><i>h. The Ministry of Transport and Works (MTW) should provide further details in respect of financing of the project. ii The currency expressed in words differ from that expressed in figures...iii The contract amount should be expressed in both United States and Jamaican currencies and indicate the exchange rate being used..."</i></p>								

A submission was made to the Cabinet and same was approved on May 2, 2011. By way of a letter which was dated May 11, 2011, the Ministry of Transport and Works informed the Procuring Entity that the Cabinet:

"...approved the recommendation of the Infrastructure Subcommittee for the award of a contract to Stanley Consultants Incorporated for the provision of consultancy services...Kindly note that the Subcommittee also recommended that a review of the scope of the study be done to determine whether the excess loan funds could be utilized to include other critical areas such as Annotto Bay and Falmouth."

By way of a letter which was dated June 10, 2011, the Ministry of Transport and Works informed the selected Contractor of the award of the contract. The referenced letter stated as follows:

"Please be advised that your tender dated October 16, 2009...in the sum of Ten Million Seven Hundred and Fifty-Eight Thousand Eight Hundred and Fifty Jamaican Dollars (J\$10,758,850.00) and Five Hundred and Seventy-Six Thousand Six Hundred and Seventy-Four United States Dollars (US\$576,674.00) has been accepted...Until the formal Contract is signed, you are reminded that this letter of acceptance, together with your tender...constitutes a binding contract..."

The contract was signed on June 28, 2011, in the sums of US\$576,674.00 and J\$10,758,850.00.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
\$0.00	0000-00-00	2011-07-05	12 Month(s)	2012-07-04	0000-00-00	0	0
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0

STATUS Contract Being Executed / Implemented

POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)

The OCG requested a copy of the Contractor's Tax Compliance Certificate (TCC) and was presented with a copy of a same, dated November 17, 2011, which was valid between the period October 31, 2011 and February 16, 2012. Having regard to the foregoing, Section 1.3.3.1 - "Tax Compliance Requirement for Overseas Contractors", Vol. 2, of the Government of Jamaica Handbook of the Public Sector Procurement Procedures (October 2010), provides that "...where the contract will be executed in Jamaica, the foreign contractor will be required to obtain a valid Tax Compliance Certificate (TCC) before the contract award."

The Minutes of the Progress Meeting, which was dated August 30, 2011, indicated that the Contractor had presented the Draft Inception Report of the Master Drainage Plan to the Procuring Entity.

Further, the Progress Report, which was dated October 31, 2011, indicated that the Contractor had started to survey the project areas in Kingston on October 6, 2011.

By way of a Progress Report which was dated November 28, 2011, the Contractor advised that they had completed surveys for the study areas in Kingston, conducted surveys in Santa Cruz and selected areas in Montego Bay and Port Maria.

Further, the Contractor reported that the Control Survey for Hope Road was completed and that the Control Survey for Constant Spring was received. It was also indicated that the Design Team for the Kingston and Bull Bay study areas had completed the proposed drainage design criteria.

The referenced Progress Report also indicated that "Stanley Consultants met with UDC to discuss the plans they have for certain areas. The areas of interest are Caymanas area, Kingston Metropolitan Area, Ocho Rios and Montego Bay. These presentations were done on November 22 & 23, 2011, at the UDC office downtown Kingston."

The report also spoke to the Contractor's meeting with the St. Mary Parish Council on November 24, 2011, to discuss flooding issues which required urgent attention.

As at December 31, 2011, the execution of the contract was on-going and no payments had been made.

The OCG will continue to monitor the execution of the contract.

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.	PPCM-5372							
MINISTRY	Ministry of Transport and Works							
PUBLIC BODY/ AGENCY	National Works Agency (NWA)							
PROJECT NAME	Expression of Interest for the Provision of Consulting Services for the Preparation of a Feasibility Study and Preliminary Design for the South Coastal Highway Development Project							
PROJECT DESCRIPTION	Consulting Services for the Preparation of a Feasibility Study and Preliminary Design for the South Coastal Highway Development Project							
PROJECT LOCATION(S)	All Island							
CONTRACTOR	N/A							
CONSULTANT	N/A							
SOURCE OF FUNDING	Inter-American Development Bank							
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Open Tender	2011-04-01	US\$3,000,000.00	2011-06-13	N/A	N/A	2011-11-30	0000-00-00	0000-00-00
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Expression of Interest was advertised on July 22, 2009. Completed documents, inclusive of Questionnaires, were to be submitted by August 14, 2009 at 12:00 noon. Subsequently, by way of an email to the prospective Bidders, which was dated August 5, 2009, the deadline for submission was extended to August 21, 2009 at 12:00 noon, followed by a Tender Opening Ceremony at 12:15 p.m.</p> <p>Twenty-eight (28) applicants submitted Pre-qualification Documents.</p> <p>The submissions were opened and verified.</p> <p>Subsequent to the evaluation, six (6) applicants qualified and were shortlisted.</p> <p>By way of a letter which was dated November 16, 2009, the Inter-American Development Bank (IDB) informed of its non-objection to the shortlisted firms which were presented.</p> <p>Thereafter, the requisite approvals of the Procurement Committee and the Head of Entity were obtained on November 23, 2009 and November 25, 2009, respectively, for the shortlisted firms.</p> <p>By way of a letter which was dated May 12, 2010, the Procuring Entity advised that the "...tender exercise for the selection of a consulting firm to execute the works has been postponed to October 2010."</p> <p>Subsequently, the Procuring Entity submitted a Status Report, under cover of letter dated February 18, 2011, which stated, <i>inter alia</i>, the following:</p> <p><i>"The procurement process was suspended due to lack of budgetary support and each of the six shortlisted firms was advised in writing of the deferment...The process resumed on...2011 January 21 where each of the shortlisted firms was sent copies of our requirement for proposal by email. The deadline for return of tender is 2011 March 18.</i></p> <p><i>One of the shortlisted firms...had been deemed non-responsive as this company has ceased operations in that name...</i></p> <p><i>A pre-bid meeting was held on Wednesday, 2011 February 09 with the five remaining bidders in the National Works Agency's Conference Room as per the bidding document."</i></p> <p>The pre-qualified Contractors were invited to submit tenders, by way of a letter which was dated January 20, 2011. Tenders were to be submitted by March 18, 2011 at 12:00 noon. Seven (7) Addenda were issued, inclusive of one which extended the deadline for submission to April 1, 2011 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation of the Technical Proposals was conducted, in accordance with the Evaluation Criteria outlined in the Tender Document. All Bidders exceeded the minimum required score of seventy (70) points and advanced to the opening of the Financial Proposals on June 3, 2011 at 10:00 a.m. The Bidder who attained the highest evaluated score was invited to negotiate a contract to provide Consulting Services for the Feasibility Study and the preliminary design of the South Coastal Highway Project.</p> <p>By way of a letter which was dated June 28, 2011, the IDB advised the NWA, <i>inter alia</i>, that the "...Bank, having reviewed the document submitted, is please to advise that it has no objection to your recommendation and to you continuing the procurement process."</p> <p>A negotiation meeting was convened during the week of July 24, 2011. The Procuring Entity's Evaluation Report indicated that the following were outcomes of the referenced meeting:</p>								

- "...price offer of Two Million Six Hundred and Ninety-Eight Thousand and Thirty United States dollars (US\$2,698,030.00) remain the same.
- An amount of Three Hundred and One Thousand Nine Hundred and Seventy United States dollars (US\$301,970.00) be added to...price offer as a contingency sum to be used as directed by the Client, thus making the agreed sum Three Million United States dollars (US\$3,000,000.00).
- Ideal time to commence the services is late November 2011 so that the aerial survey of the project corridors can be conducted between December 2011 to January 2012..."

The IDB's no-objection letter, which was dated August 15, 2011, was received with regard to the foregoing. Subsequently, the Head of Entity's approval was obtained and the recommendation for the award of contract was submitted to the National Contracts Commission (NCC). The NCC endorsed the recommendation at its meeting of November 30, 2011.

As at December 31, 2011, the approval process was on-going.

The OCG will continue to monitor the procurement process.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
\$0.00	0000-00-00	0000-00-00	0	0000-00-00	0000-00-00	0	0
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
STATUS	Cabinet Approval Pending						
POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)							
N/A							

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-4692						
MINISTRY		Ministry of Transport and Works						
PUBLIC BODY/ AGENCY		National Works Agency (NWA)						
PROJECT NAME		Supply of Galvanised Wires for Yallahs River						
PROJECT DESCRIPTION		Supply of Galvanised Wires for Yallahs River: #5 Gauge - 2100 Coils - 50Kg each; #8 Gauge - 1000 Coils - 50 Kg each; and #10 Gauge - 494 Coils - 50Kg each.						
PROJECT LOCATION(S)		St. Thomas						
CONTRACTOR		A.S. Edwards & Associates Limited						
CONSULTANT		N/A						
SOURCE OF FUNDING		Inter-American Development Bank (IDB)						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2010-12-14	US\$233,610.00	2011-01-14	Yes	Yes	2011-02-16	0000-00-00	2011-06-28
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).'								
<p>The Invitation to Tender was advertised on November 21, 2010. Tenders were to be submitted by December 13, 2010 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m. An Addendum was subsequently issued which, <i>inter alia</i>, extended the deadline for submission to December 14, 2010 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>An evaluation was conducted in accordance with the "Evaluation of Bids" and "Award Criteria" Clauses which were outlined in the Tender Document. The lowest responsive tender, which was submitted by A.S. Edwards and Associates Limited, in the sum of US\$208,452.00, was recommended for the award of contract. In this regard, the Evaluation Report stated that "AS Edwards & Associated Limited tender of US\$208,452.00 is competitive compared with the Comparable Estimate of US\$233,610.00 and the tenderer has demonstrated the capability to carry out the works within the contract period, based on previous performance on a similar contract." The requisite approvals were obtained.</p> <p>By way of a letter which was dated May 31, 2011, the Procuring Entity informed the recommended Contractor of the acceptance of its tender. In this regard, the letter stated that <i>"...your tender dated December 14, 2010 for the above works in the sum of...(US\$208,452.00) has been accepted... You will be required to provide evidence that the necessary Performance Security...has been effected before the order to proceed is issued."</i> Prior to the award of contract, the Office of the Contractor General (OCG) noted the submission of letters which were dated March 31, 2011, from the Procuring Entity to all Bidders requesting the extension of the tender validity period from April 13, 2011 to June 13, 2011. The OCG evidenced the responses from three (3) Bidders.</p> <p>Subsequently, the Procuring Entity submitted a letter which was dated July 7, 2011, to the recommended Contractor which stated that <i>"We acknowledge receipt of your Performance Security... You are hereby ordered to commence work within fourteen (14) days from the date the contract was signed. Please be advised that the contract is for a period of two months."</i></p> <p>The contract was signed on June 28, 2011.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
US\$208,452.00	0000-00-00	2011-07-12	8 Week(s)	2011-09-09	2011-08-02	0	0	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	US\$208,452.00	\$0.00	0	
STATUS		Contract Completed						
POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)'								
<p>By way of a Status Report, which was dated July 25, 2011, the Procuring Entity informed that the <i>"...delivery of the goods has commenced and based on the progress to date, the contract should be completed as scheduled."</i></p> <p>Subsequently, the Procuring Entity informed that the <i>"...consignment of wires was delivered by the contractor and all the goods are presently at the National Works Agency Stores. The supplier has since been paid in full."</i></p> <p>As at December 31, 2011, the contract was completed.</p>								

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.	PPCM-5422							
MINISTRY	Ministry of Transport and Works							
PUBLIC BODY/ AGENCY	Port Authority of Jamaica							
PROJECT NAME	Falmouth Cruise Ship Pier - CCTV and Access Control Systems							
PROJECT DESCRIPTION	Delivery and commissioning of a CCTV and Access Control System for the Falmouth Cruise Ship Pier.							
PROJECT LOCATION(S)	Trelawny							
CONTRACTOR	Hawkeye Electronic Security Limited							
CONSULTANT	N/A							
SOURCE OF FUNDING	Government of Jamaica							
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Contracting Under Emergency Circumstances	0000-00-00	US\$963,333.00	2011-02-03	Yes	Yes	2011-02-09	0000-00-00	2011-05-03
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Invitation to Tender was originally advertised on October 13, 2010. Tenders were to be submitted by December 3, 2010 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:10 p.m.</p> <p>The Procuring Entity subsequently took the decision to re-tender the procurement opportunity as the National Contracts Commission (NCC) registration category, which was outlined in the Tender Document, limited the range of potential Bidders.</p> <p>The Invitation to Tender was re-advertised on November 17, 2010. Tenders were to be submitted by December 30, 2010 at 11:30 a.m., followed by a scheduled Tender Opening Ceremony at 11:40 a.m. The deadline for submission of tenders was subsequently extended to January 7, 2011 at 11:30 a.m., followed by a scheduled Tender Opening Ceremony at 11:40 a.m.</p> <p>Seven (7) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Notably, the Comparable Estimate which was indicated on the Bid Opening Record was US\$1.069 Million. However, the Comparable Estimate which was indicated in the Evaluation Report, which was dated January 2011, was US\$963,333.00.</p> <p>Upon a preliminary examination, only one (1) tender was deemed responsive. A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The sole tender, which was submitted by Hawkeye Electronic Security Limited, in the sum of US\$773,269.88, was recommended for the award of contract.</p> <p>Subsequently, the Procuring Entity submitted a letter, which was dated February 3, 2011, to the NCC, which stated the following:</p> <p><i>"Based on the limited time available for implementation of the project (2011 March 22), and the need to secure approval up to Cabinet level, the Procurement Committee acknowledged the recommendation but advised that use of the emergency contracting procedure may be the most appropriate and effective way to proceed...</i></p> <p><i>The recommendation has been accepted...</i></p> <p><i>The Authority hereby requests the approval of the National Contracts Commission for cancellation of the existing tender process for the supply and installation of CCTV and Access Control... Alternatively, the PAJ has decided to utilize the Emergency Contracting Procedure for acquisition of the following systems and equipment:</i></p> <ol style="list-style-type: none"> <i>1. US\$773,269.88 for the Pier's CCTV and Access Control systems</i> <i>2. US\$75,000.00 for cameras and related equipment for the CCTV system for the town of Falmouth.</i> <p><i>A contract not to exceed an amount of US\$849,300.00 will be negotiated with Hawkeye Jamaica Ltd."</i></p> <p>In response to the Procuring Entity's request, the NCC, in its meeting of February 9, 2011, offered its non-objection to the abortion of the tender process to utilize the Contracting under Emergency Circumstances Procedure.</p> <p>Subsequently, the Procuring Entity submitted a letter, which was dated February 18, 2011, to Hawkeye Electronic Security Limited, which stated the following:</p> <p><i>"This is to notify you that your Proposal dated 2011 February 17, for the supply and installation of CCTV and Access Control System for Falmouth Cruise Ship Pier...for the Contract Price of Six Hundred Eighty-one Thousand Eight Hundred and Twenty-Seven United States Dollars and Fifty-Six Cents (\$681,827.56)...is hereby accepted by the Port of Authority. We intend to enter into a contract with you..."</i></p>								

Given the urgent need for the CCTV and Access Control System to be in place, you are hereby instructed to proceed immediately with the works in accordance with your Proposal...until a formal Contract is executed."

The contract was signed on May 3, 2011. The Office of the Contractor General (OCG) noted the "Installation Schedule", which was included in the contract, which stated the following:

"The total time for completion of this project from approval of the System Requirements shall be 10 weeks. This time is subject to the following:

- *Defective equipment that needs to be returned under warranty*
- *Failure of the Port Authority to supply all necessary infrastructure on a timely basis*
- *Unhindered access to the areas of work when needed."*

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
US\$681,827.56	0000-00-00	2011-02-18	10 Week(s)	0000-00-00	0000-00-00	0	0
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	US\$35,597.41	\$0.00	0

STATUS Contract Being Executed / Implemented

POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)

On July 19, 2011, the OCG conducted a site visit of the facility to inspect where the CCTV and Access Control Equipment were to be installed. In the foregoing regard, the following were noted:

1. The CCTV and Access Control Systems were not yet installed as they were awaiting the completion of the cabling of the entire Pier; and
2. Twenty-three (23) of the Ninety (90) Cameras had already been imported and tested. The remaining cameras were already ordered.

The OCG subsequently noted a Memorandum from the Manager of Network and Operations, which was dated August 5, 2011, which stated "Some final quantities and specifications for equipment requirements were adjusted subsequent to the tender process due to a number of reasons...we were able to maintain the same tender price...the reasons for the adjustments are as follows:

- *A more detailed assessment of the premises revealed additional coverage requirements.*
- *Changes in the layout of the Terminal building and "Back-of-house"...*
- *Adoption of newer technology for cameras and Access Control, such as Mega-Pixel and night vision."*

By way of a Status Report, which was dated July 29, 2011, the Procuring Entity informed of the following:

"The project has progressed as far as the available facilities will allow at this time. The most critical requirement for us is to have Building 5 ready for hosting the core of the system and also to facilitate the setting up of the network system. The delays in having the facilities ready will cause further delays in the installation of the Access Control, CCTV and Structured Cabling System as we are unable to proceed with some critical tasks while these critical dependencies are not in place..."

Completed Tasks:

1. *Fibre cabling on poles in the Town of Falmouth has been completed according to directions from JPS.*
2. *NEMA enclosures for network equipment, electrical equipment and accessories have been erected on poles designated for camera locations.*
3. *Fibre cabling has been run from the town into the Terminal building No. 5.*
4. *All cabling equipment is on site in storage or in storage...*
5. *Pre-configuration and testing of CCTV equipment at Hawkeye offices.*
6. *Initiation of formal proceedings for authorisation to utilise JPS poles for placing cameras and supporting equipment."*

The first deposit, in the sum of US\$35,597.41, was paid to the Contractor on August 11, 2011, which represented sixty-five percent (65%) of the value of the equipment which was supplied.

Subsequently, the Procuring Entity informed of the following:

- *"Cabling Infrastructure 99% complete...*
- *CCTV backend equipment and network infrastructure installed and final configurations being done.*
- *90% of internal cameras installed and 2 external cameras installed...*
- *All Access Control cabling completed...*
- *The project is scheduled for completion February 2012."*

There have been noted delays in the project. The Procuring Entity stated that the delays were due to the following:

- *"Unavailability of infrastructure that was required to complete the CCTV installation.*
- *Subsequent to the handover of the infrastructure, there were power and AC related problems.*
- *The stability of the poles that are required to install external cameras.*
- *Defective equipment that needs to be returned under warranty."*

As at December 31, 2011, the contract was being executed and no additional payments had been made.

The OCG will continue to monitor the execution of the contract.



Camera installed inside the Port Authority of Jamaica Head Quarters at Falmouth Cruise Ship Pier



Access Control Unit installed inside the Port Authority of Jamaica Head Quarters at Falmouth Cruise Ship Pier

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-5382						
MINISTRY		Office of the Cabinet						
PUBLIC BODY/ AGENCY		Office of the Cabinet						
PROJECT NAME		Procurement for a LNG Project Manager						
PROJECT DESCRIPTION		Project Manager to manage the development and implementation of the LNG Project.						
PROJECT LOCATION(S)		Kingston						
CONTRACTOR		Ernest Megginson						
CONSULTANT		N/A						
SOURCE OF FUNDING		PetroCaribe Development Fund						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Direct Contracting	0000-00-00	US\$425,000.00	2011-04-18	N/A	N/A	2011-04-20	2011-06-27	2011-07-22
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Invitation to Tender was advertised on January 30, 2011. Tenders were to be submitted by February 8, 2011 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The sole tender, which was submitted by Ernest Megginson, in the sum of US\$360,000.00, was recommended for the award of contract.</p> <p>The Procurement Committee endorsed the contract award recommendation on March 3, 2011. By way of a letter to the National Contracts Commission, which was dated March 2, 2011, the Head of Entity informed of his approval of the contract award recommendation and stated, <i>inter alia</i>, that "It is important to note that National Contracts Commission (NCC) gave approval to engage the services of Mr. Megginson as Project Manager for the period January 1, 2011 to March 31, 201, subject to the Cabinet Office utilizing the three (3) month period to conduct a tender process aimed at procuring the services of a full time Project Manager."</p> <p>The National Contracts Commission (NCC) reviewed the Procuring Entity's submission at its meeting, which was held on March 23, 2011, and submitted a letter, which was dated April 1, 2011, to the Procuring Entity, outlining the following recommendations:</p> <p style="padding-left: 40px;">(a) Abort the current tender process and (b) Negotiate with the sole tenderer, Ernest Megginson in order to establish programme deliverables linked to payments. (c) Re-submit the matter to the NCC. The NCC is cognizant that the time for the procurement was short given the urgency of the matter and notes that there was no detailed scope of work either outlined/required as part of the tender documents."</p> <p>By way of a letter which was dated April 18, 2011, the Procuring Entity requested the endorsement of the NCC for the award of contract to Ernest Megginson. The referenced letter stated, <i>inter alia</i>, that "We have negotiated with Mr. Megginson for a contract sum of Four Hundred Twenty Six Thousand United States Dollars (US\$426,000.00) being Three Hundred and Sixty United States Dollars [sic] (US\$360,000.00) for professional fees, and Sixty Six Thousand United States Dollars (US\$66,000.00) for lump sum expenses."</p> <p>In its meeting of April 20, 2011, the NCC provided its endorsement for the negotiated contract award to Ernest Megginson.</p> <p>The contract award recommendation was subsequently submitted to the Cabinet and was approved on June 27, 2011.</p> <p>The contract was signed on July 22, 2011, however, the commencement date which was outlined in the contract was July 1, 2011.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
US\$426,000.00	0000-00-00	2011-07-01	1 Year(s)	2012-06-30	0000-00-00	0	0	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	US\$135,360.52	\$0.00	0	
STATUS		Contract Being Executed / Implemented						

POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)

Based upon the "*Consultant's Programme Deliverables*", the Project Manager is required to, amongst other things:

- i. *"Manage the preparation and issuance of an RFP for LNG supply, including a draft LNG Sale & Purchase Agreement (SPA) to be included in the RFP package.*
- ii. *Manage the benchmarking of the proposed capital and operating costs as well as the assessment of alternative configurations, for the proposed LNG receiving/storage/regasification infrastructure.*
- iii. *Prepare an RFP for re-tendering of the LNG infrastructure, including the development of a draft Terminal Use Agreement to be included in the RFP package.*
- iv. *Manage the assessment of alternatives and the selection of a preferred site for the LNG receiving terminal.*
- v. *...to finalize the proposed commercial structure for the project."*

The Office of the Contractor General (OCG) noted the following Clause in the Contract Document which stated that "*An amount equal to 25% of professional fees, being Ninety Thousand United States Dollars (US\$90,000.00) will be deducted as withholding tax to be paid to the Inland Revenue Department...*"

Based upon the foregoing, the expenditure to date, as indicated above, includes the monthly payments as stipulated by the Contract Document, as well as the withholding tax and lump sum expenses which were incurred by the Project Manager for his services.

The OCG has noted the Project Manager's involvement in the tender and evaluation process for the supply of Liquefied Natural Gas (LNG) and the tender process for the procurement of a FSRU LNG Re-Gasification Terminal.

As at December 31, 2011, the tender processes for the supply of LNG and the procurement of a FSRU LNG Re-Gasification Terminal were ongoing and the Project Manager was overseeing the completion of same.

The OCG will continue to monitor the execution of the contract.

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-6162						
MINISTRY		The Office of the Cabinet						
PUBLIC BODY/ AGENCY		Office of the Utilities Regulation						
PROJECT NAME		Consult on and Develop Long Run Incremental Cost (LRIC) Model						
PROJECT DESCRIPTION		To consult on and develop a Long Run Incremental Cost Model to determine the rate to be charged for mobile interconnection.						
PROJECT LOCATION(S)		Kingston						
CONTRACTOR		TERA Consultants						
CONSULTANT		N/A						
SOURCE OF FUNDING		Office of the Utilities Regulation						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
International Competitive Bidding	2011-06-30	US\$200,000.00	2011-09-26	Yes	N/A	2011-11-16	0000-00-00	2011-12-01
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Invitation to Tender was advertised on May 18, 2011. The International Competitive Bidding Procurement Methodology was utilised to invite Consultants to submit proposals. Tenders were to be submitted by June 30, 2011 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>Eight (8) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation of the Technical Proposals was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. Subsequent to the evaluation, three (3) tenders received the minimum required score of 80 points and advanced to the opening of the Financial Proposals.</p> <p>The Financial Proposals of the three (3) Bidders were opened on September 1, 2011.</p> <p>TERA Consultants, the Bidder which attained the highest overall score, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
US\$199,399.00	0000-00-00	2011-12-15	9 Month(s)	2012-09-14	0000-00-00	0	0	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	
STATUS		Contract Being Executed / Implemented						
POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)								
<p>As at December 31, 2011, the contract was being executed.</p> <p>The OCG will continue to monitor the execution of the contract.</p>								

ANNUAL REPORT 2011								
Pre and Post-Contract as at December 2011								
REFERENCE NO.		PPCM-5512						
MINISTRY		The Office of the Prime Minister						
PUBLIC BODY/ AGENCY		Urban Development Corporation						
PROJECT NAME		Marketing and Management Services for the Montego Bay Convention Centre						
PROJECT DESCRIPTION		Management Company to provide Marketing and Management Services for the Montego Bay Convention Centre (MBCC)						
PROJECT LOCATION(S)		St. James						
CONTRACTOR		SMG Latin America, LLC						
CONSULTANT		N/A						
SOURCE OF FUNDING		Government of Jamaica and Government of the People's Republic of China						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARABLE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Direct Contracting	0000-00-00	\$0.00	2010-11-30	Yes	N/A	2010-12-15	2010-12-21	2011-01-14
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Invitation to qualify for the provision of Marketing and Management Services for the Montego Bay Convention Centre was advertised on January 8, 2010. Pre-qualification Documents were to be submitted by January 26, 2010.</p> <p>Three (3) applicants submitted pre-qualification Documents.</p> <p>The submissions were opened and verified in accordance with the eligibility requirements which were outlined in the Terms of Reference.</p> <p>Subsequent to evaluation, two (2) applicants qualified and were shortlisted.</p> <p>The Urban Development Corporation (UDC) reported that the shortlisted Contractors were issued a copy of the Request for Proposal on March 9, 2010. Tenders were to be submitted by May 14, 2010 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. The second Contractor who was shortlisted indicated that they would not be submitting a proposal as the Evaluation and Qualification Criteria were viewed as being "...unfair and completely biased in favour of only one company..."</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria outlined in the Tender Document.</p> <p>Subsequent to the evaluation, the sole Bidder exceeded the minimum required score of 75 points and advanced to the opening of the Financial Proposals.</p> <p>The Financial Proposal of the sole Bidder was opened on May 27, 2010.</p> <p>SMG Latin America, LLC, the sole Bidder, was recommended for the award of contract. By way of a letter which was dated September 3, 2010, the National Contracts Commission (NCC) recommended that the UDC abort the current tender process and enter into negotiations with SMG.</p> <p>The Minutes of the Meeting of the NCC, which was dated September 1, 2010, indicated that this recommendation was based upon the observation that "...the three firms did not provide all the requirements as stated in the RFQ..."</p> <p>By way of a letter which was dated September 9, 2010, the UDC advised SMG that it would be aborting the tender process that was initially offered and that it was "...desirous of entering into negotiations with SMG for the...services..." SMG indicated its willingness to enter into negotiations with the UDC, by way of a letter which was dated September 10, 2010.</p> <p>The UDC engaged the services of Attorney-at-Law, Mr Hugh Hart, to lead the negotiation process on its behalf. A re-submission was made to the NCC, in the amount of US\$49,350.00 for Consultancy Services (7 months) and, US\$2,402,206.00 for Management and Marketing Services for a total of seven (7) years.</p> <p>The NCC, in its meeting of December 15, 2010, endorsed the recommendation to award the contract to SMG, in the amount of US\$2,451,556.00.</p> <p>The approval of the Cabinet was subsequently received.</p> <p>The UDC entered into an agreement for "Pre-Opening Consulting and Management Agreement" with SMD on January 14, 2011.</p> <p>The UDC indicated that the "...contract is two-fold being consultancy and the provision of management and marketing services to run consecutively."</p>								

The consultancy period commenced on the date of the execution of the contract. The Agreement indicated that the management and marketing period was to commence on July 1, 2011, for an initial period of seven (7) years.

The Terms of the Agreement indicated that during the consulting period, the Owner shall pay SMG a fixed fee of US\$6,000.00 per month plus G.C.T., and during the management period, SMG would be paid US\$225,000.00 per fiscal year plus G.C.T.

The Agreement further stipulated that SMG shall be entitled to an annual fixed fee of US\$50,000.00 per fiscal year plus G.C.T. "...as base compensation...for SMG's provision of the food and beverage concession and catering services..." SMG shall also be "...entitled to receive forty percent (40%) of the Net Operating Profit in any Fiscal Year, and sixty percent (60%) of the Net Operating Profit in any Fiscal Year after all accumulated losses incurred by Owner in connection with the Facility have been eliminated..."

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
\$0.00	0000-00-00	2011-01-14	7 Year(s)	0000-00-00	0000-00-00	0	0
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	US\$203,862.48	\$0.00	0

STATUS Contract Being Executed / Implemented

POST-CONTRACT COMMENTS: 'Implementation Phase (General overview of progress made; Variances - Time and Cost; Management - Planning, Coordination, Communication, Site Supervision; Performance - Contractor, Client and Consultants)

Expenditure to date includes both Consulting and Management fees.

As at December 31, 2011, the Agreement was being executed.

The OCG will continue to monitor the execution of the contract.

APPENDIX V - CONSTRUCTION CONTRACTS MONITORED

Reference No.	GCM-2091			Ministry		
Project Name	Renovation of First Floor, Office Building, 1 Dumfries Road,			Public Body	Independent Commission of Investigations (INDECOM)	
Contractor	MLO Services Limited			Contract Sum	J\$3,562,840.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-07-21	2011-09-02	2011-10-04	0000-00-00	0000-00-00	2011-10-05
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$4,086,461.60	2011-10-10	2011-11-04	0000-00-00	0 Day(s)	J\$3,562,840.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on July 3, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), "in the required categories". Tenders were to be submitted by July 21, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Five (5) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>The Independent Commission of Investigations (INDECOM) reported that the services of the Project Management Department of the Ministry of Justice was sought as the Entity did not have the 'in-house' experience to prepare the Scope of Works for the renovation or to conduct the evaluation of tender submissions. As such, the Procurement Committee in the Ministry of Justice conducted the evaluation.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The tender, which was submitted by MLO Services Limited, in the sum of J\$3,562,840.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, it was reported that the project was completed and the final bill was submitted for payment.</p>						
Status	Contract Completed.					

Reference No.	GCM-2231			Ministry	Department of Local Government	
Project Name	Construction/Renovation of the Roads and Works Building			Public Body	St. Mary Parish Council	
Contractor	Skymar Building Construction & Building Maintenance			Contract Sum	J\$21,204,188.05	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-06-09	2010-06-14	2010-07-14	2010-07-28	0000-00-00	2010-09-13
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$20,216,724.56	2010-09-20	2011-04-20	0000-00-00	8 Month(s)	J\$14,914,495.64	\$0.00
Project Location(s)						
St. Mary						
Comments						
<p>The Invitation to Tender was advertised on May 9, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grades 1 - 3. Tenders were to be submitted by June 9, 2010 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Skymar Building Construction & Building Maintenance, in the sum of J\$21,204,188.05, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>Documents which were obtained by the Office of the Contractor General (OCG) indicated that the project experienced delays as a result of the following:</p> <ol style="list-style-type: none"> 1. Discrepancies with the Working Drawings and Bill of Quantities, due to the structural integrity of sections of the existing building; and 2. The intervention of the Jamaica National Heritage Trust to determine whether or not the building was a National Monument. <p>As at December 31, 2011, the project was at 85% complete.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract 85% Complete.					

Reference No.	GCM-921			Ministry	Ministry of Agriculture and Fisheries	
Project Name	Gustav Farm Roads Rehabilitation Project - Bangor Ridge to Spring Hill			Public Body	Ministry of Agriculture	
Contractor	Alcar Construction & Haulage Company Limited			Contract Sum	J\$18,912,436.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2010-09-10	2010-12-06	2010-12-13	2010-12-15	0000-00-00	2011-01-11
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$16,359,750.00	2011-02-07	2011-03-31	2011-10-30	7 Month(s)	J\$17,717,436.00	J\$1,460,000.00
Project Location(s)						
Portland						
Comments						
<p>The Invitation to Pre-qualify was advertised on April 14, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of General Road Works, Grades 1 - 3, were invited to submit a Pre-qualification Questionnaire by May 14, 2010 at 10:00 a.m., followed by a scheduled Pre-qualification Ceremony at 10:15 a.m.</p> <p>Eleven (11) applicants submitted Pre-qualification Questionnaires.</p> <p>The submissions were opened and verified in accordance with the eligibility requirements of the Pre-qualification Questionnaire.</p> <p>Subsequent to the evaluation, eleven (11) applicants qualified and were short-listed.</p> <p>By way of a letter which was dated July 14, 2010, the NCC endorsed the Ministry of Agriculture and Fisheries' request to utilise the Limited Tender Procurement Methodology to invite the eleven (11) Contractors to submit Tenders.</p> <p>The pre-qualified Contractors were invited to two (2) Pre-bid Meetings on July 29, 2010 and August 19, 2010. Tenders were to be submitted by September 10, 2010 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Alcar Construction & Haulage Company Limited, in the sum of J\$18,912,436.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the project was completed and in its 90 day Defects Liability Period which expires in January 2012.</p>						
Status	Project Attained Practical Completion.					

Reference No.	GCM-961			Ministry	Ministry of Agriculture and Fisheries	
Project Name	Gustav Farm Roads Rehabilitation Project - Cranfield to Darlington			Public Body	Ministry of Agriculture	
Contractor	Alcar Construction & Haulage Company Limited			Contract Sum	J\$21,219,500.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2010-09-10	2010-11-26	2010-12-01	2010-12-08	0000-00-00	2011-01-11
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$22,736,593.00	2011-02-07	2011-03-31	2011-09-30	6 Month(s)	J\$19,464,500.00	\$0.00
Project Location(s)						
Portland						
Comments						
<p>The Invitation to Pre-qualify was advertised on April 14, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of General Road Works, Grades 1 - 3, were invited to submit a Pre-Qualification Questionnaire by May 14, 2010 at 10:00 a.m., followed by a scheduled Pre-qualification Ceremony at 10:15 a.m.</p> <p>Eleven (11) applicants submitted Pre-qualification Questionnaires.</p> <p>The submissions were opened and verified in accordance with the eligibility requirements of the Pre-qualification Questionnaire.</p> <p>Subsequent to the evaluation, eleven (11) applicants qualified and were short-listed.</p> <p>By way of a letter which was dated July 14, 2010, the NCC endorsed the Ministry of Agriculture and Fisheries' request to utilise the Limited Tender Procurement Methodology to invite the eleven (11) Contractors to submit Tenders.</p> <p>The pre-qualified Contractors were invited to submit tenders, by way of a letter which was dated August 10, 2010. Tenders were to be submitted by September 10, 2010 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Alcar Construction & Haulage Company Limited, in the sum of J\$21,219,500.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the project obtained Practical Completion and its 90 day Defects Liability Period expired in December 2011.</p>						
Status	Project Attained Practical Completion.					

Reference No.	GCM-931			Ministry	Ministry of Agriculture and Fisheries	
Project Name	Gustav Farm Roads Rehabilitation Project - Guava Ridge to Flamstead			Public Body	Ministry of Agriculture	
Contractor	Marshall Construction Company Limited			Contract Sum	J\$23,000,000.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2010-09-10	2010-11-26	2010-12-06	2010-12-15	0000-00-00	2010-01-11
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$17,808,350.00	2011-02-07	2011-03-31	0000-00-00	8 Month(s)	J\$15,645,030.00	\$0.00
Project Location(s)						
St. Andrew						
Comments						
<p>The Invitation to Pre-qualify was advertised on April 14, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of General Road Works, Grades 1 - 3, were invited to submit a Pre-qualification Questionnaire by May 14, 2010 at 10:00 a.m., followed by a scheduled Pre-qualification Ceremony at 10:15 a.m.</p> <p>Eleven (11) applicants submitted Pre-qualification Questionnaires.</p> <p>The submissions were opened and verified in accordance with the eligibility requirements of the Pre-qualification Questionnaire.</p> <p>Subsequent to the evaluation, eleven (11) applicants qualified and were short-listed.</p> <p>By way of a letter which was dated July 14, 2010, the NCC endorsed the Ministry of Agriculture and Fisheries' request to utilise the Limited Tender Procurement Methodology to invite the eleven (11) Contractors to submit Tenders.</p> <p>The pre-qualified Contractors were invited to two (2) Pre-bid Meetings on July 29, 2010 and August 19, 2010. Tenders were to be submitted by September 10, 2010 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Marshall Construction Company Limited, in the sum of J\$23,000,000.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>The Ministry of Agriculture and Fisheries' monthly report of July 2011 stated that the project experienced delays due to the "Extension of time [which] was given to [the] contractor to complete the incomplete works such as road signs and minor defects to 31st of August 2011." Additionally, the Ministry's monthly report of October 2011 stated that further delays were experienced as a result of the thirty nine (39) days which were lost due to rainy weather and the nine (9) days which were lost due to equipment downtime.</p> <p>As at December 31, 2011, the project was 90% complete and was yet to obtain Practical Completion.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract 90% Complete					

Reference No.	GCM-911			Ministry	Ministry of Agriculture and Fisheries	
Project Name	Gustav Farm Roads Rehabilitation Project - Hodges to Spring Vale			Public Body	Ministry of Agriculture	
Contractor	Maxwell Construction Company Limited			Contract Sum	J\$18,277,875.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2010-09-10	2010-11-26	2010-12-01	2010-12-08	0000-00-00	2011-01-11
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$19,169,600.00	2011-02-07	2011-03-31	2011-03-31	0 Day(s)	J\$17,667,875.00	\$0.00
Project Location(s)						
St. Elizabeth						
Comments						
<p>The Invitation to Pre-qualify was advertised on April 14, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of General Road Works, Grades 1 - 3, were invited to submit a Pre-qualification Questionnaire by May 14, 2010 at 10:00 a.m., followed by a scheduled Pre-qualification Ceremony at 10:15 a.m.</p> <p>Eleven (11) applicants submitted Pre-qualification Questionnaires.</p> <p>The submissions were opened and verified in accordance with the eligibility requirements of the Pre-qualification Questionnaire.</p> <p>Subsequent to the evaluation, eleven (11) applicants qualified and were short-listed.</p> <p>By way of a letter which was dated July 14, 2010, the NCC endorsed the Ministry of Agriculture and Fisheries' request to utilise the Limited Tender Procurement Methodology to invite the eleven (11) Contractors to submit Tenders.</p> <p>The pre-qualified Contractors were invited to two (2) Pre-bid Meetings which were held on July 29, 2010 and August 19, 2010. Tenders were to be submitted by September 10, 2010 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Maxwell Construction Company Limited, in the sum of J\$18,277,875.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the project was completed and its 90 day Defects Liability Period expired in June 2011.</p>						
Status	Project Attained Practical Completion					

Reference No.	GCM-941			Ministry	Ministry of Agriculture and Fisheries	
Project Name	Gustav Farm Roads Rehabilitation Project - Peters Hill to Clifton Hill			Public Body	Ministry of Agriculture	
Contractor	Miller's Electric and Construction Company Limited			Contract Sum	J\$19,800,000.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2010-09-10	2010-12-06	2010-12-13	2010-12-15	0000-00-00	2011-01-11
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$16,967,000.00	2011-02-07	2011-03-31	0000-00-00	8 Month(s)	J\$18,892,000.00	J\$7,060,000.00
Project Location(s)						
Portland						
Comments						
<p>The Invitation to Pre-qualify was advertised on April 14, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of General Road Works, Grades 1 - 3, were invited to submit a Pre-qualification Questionnaire by May 14, 2010 at 10:00 a.m., followed by a scheduled Pre-qualification Ceremony at 10:15 a.m.</p> <p>Eleven (11) applicants submitted Pre-qualification Questionnaires.</p> <p>The submissions were opened and verified in accordance with the eligibility requirements of the Pre-qualification Questionnaire.</p> <p>Subsequent to the evaluation, eleven (11) applicants qualified and were short-listed.</p> <p>By way of a letter which was dated July 14, 2010, the NCC endorsed the Ministry of Agriculture and Fisheries' request to utilise the Limited Tender Procurement Methodology to invite the eleven (11) Contractors to submit Tenders.</p> <p>The pre-qualified Contractors were invited to submit tenders, by way of a letter which was dated August 10, 2010. Tenders were to be submitted by September 10, 2010 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Miller's Electrical & Construction Company Limited, in the sum of J\$19,800,000.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>Documents which were obtained by the Office of the Contractor General indicated that the project incurred a time and cost overrun of eight (8) months and J\$7,060,000.00, respectively. This was as a result of rainy weather and additional Works pertaining to the construction of a rubble stone retaining wall complete with 75mm thick concrete capping and 200mm weep-holes made from PVC pipes.</p> <p>As at December 31, 2011, the project was 90% complete and was yet to obtain Practical Completion.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract 90% Complete					

Reference No.	GCM-2661			Ministry	Ministry of Agriculture and Fisheries	
Project Name	Construction of Water Users Association/NIC Office Building			Public Body	National Irrigation Commission Limited	
Contractor	Bajad Limited			Contract Sum	J\$12,257,399.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-03-25	2011-04-11	2011-05-06	2011-06-01	0000-00-00	2011-06-22
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$13,934,040.00	2011-07-04	2011-11-04	2011-12-08	3 Week(s)	J\$12,257,399.00	\$0.00
Project Location(s)						
Manchester						
Comments						
<p>The Invitation to Tender was advertised on March 2, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grade 4. Tenders were to be submitted by March 25, 2011 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Bajad Limited, in the sum of J\$12,257,399.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>Documents which were obtained by the Office of the Contractor General indicated that the project experienced delays as a result of the following:</p> <ol style="list-style-type: none"> 1. Construction of a U-drain to prevent flooding in adjoining properties; 2. Installation of a block water tank on the roof of the building; and 3. Increased height of handrails by 300mm. <p>These delays resulted in the Contractor being granted a three (3) week extension of time, and an additional cost of J\$967,230.20, which revised the contract sum to J\$13,224,629.20.</p> <p>The project achieved Practical Completion on December 8, 2011, and as at December 31, 2011, the project was within its maintenance period.</p>						
Status	Contract Completed					

Reference No.	GCM-2321			Ministry	Ministry of Agriculture and Fisheries	
Project Name	Development of Production Well			Public Body	National Irrigation Commission Limited	
Contractor	Jamaica Wells & Services			Contract Sum	J\$32,522,432.89	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-10-08	2010-11-26	2010-11-26	2010-12-15	2011-02-28	2011-03-30
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$29,878,629.00	2011-05-06	2011-09-16	2011-08-11	0	J\$18,126,805.97	(J\$ 8,228,079.79)
Project Location(s)						
St. Elizabeth						
Comments						
<p>The Invitation to Tender was advertised on September 15, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Drilling, Grade 2. Tenders were to be submitted by October 8, 2010 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Jamaica Wells & Services, in the sum of J\$32,522,432.89, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>Documents which were obtained by the Office of the Contractor General indicated that the project achieved Practical Completion on August 11, 2011, approximately one (1) month before the scheduled contract completion date. The contract experienced a negative variation of J\$8,228,079.72, as the scope of the project was reduced and the contract sum revised to J\$24,294,374.17.</p> <p>As the end of December 31, 2011, the project was within the maintenance period.</p>						
Status	Contract Completed					

Reference No.	GCM-5752			Ministry	Ministry of Agriculture and Fisheries	
Project Name	Installation of Pipes and Ancillary Works, Eastern Section of Yallahs			Public Body	National Irrigation Commission Limited	
Contractor	Bacchus Engineering Works Limited			Contract Sum	J\$47,062,158.93	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-06-03	2011-06-22	2011-07-01	2011-07-20	2011-09-11	2011-11-22
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$56,587,623.95	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
St. Thomas						
Comments						
<p>The Invitation to Tender was advertised on May 8, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Civil Engineering or Pipe Laying, Grade 2 or higher. Tenders were to be submitted by June 3, 2011 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Bacchus Engineering Works Limited, in the sum of J\$47,062,158.93, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the contract was signed and the Works scheduled to commence in March 2012.</p> <p>The OCG will continue to monitor the implementation of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-2731			Ministry	Ministry of Agriculture and Fisheries	
Project Name	Installation of Pipes and Fittings and Ancillary Works for New Forest/Duff House Irrigation System Block A			Public Body	National Irrigation Commission Limited	
Contractor	Jamaica Drip Irrigation Limited			Contract Sum	J\$48,723,385.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-04-21	2011-06-08	2011-06-17	2011-07-20	2011-09-26	2011-11-22
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$51,491,312.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Manchester						
Comments						
<p>The Invitation to Tender was advertised on March 13, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Civil Engineering or Pipe Laying, Grade 2 or higher. Tenders were to be submitted by April 8, 2011. The deadline for submission was extended to April 21, 2011 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lower responsive tender, which was submitted by Jamaica Drip Irrigation Limited, in the sum of J\$48,723,385.00, was recommended for the award of contract.</p> <p>The NCC, at its meeting which was held on April 27, 2011, considered the recommendation and, subsequently, advised the Procuring Entity, by way of a letter which was dated May 2, 2011, to "...abort the current tender process and negotiate with the lower tenderer."</p> <p>Subsequent to the Procuring Entity's negotiation with the lower Bidder, the requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the contract was signed and the project scheduled to commence in 2012.</p> <p>The OCG will continue to monitor the implementation of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-2771			Ministry	Ministry of Agriculture and Fisheries	
Project Name	Installation of Pipes and Fittings and Ancillary Works for New Forest/Duff House Irrigation System Block B			Public Body	National Irrigation Commission Limited	
Contractor	Jamaica Drip Irrigation Limited			Contract Sum	J\$54,657,800.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-04-21	2011-06-08	2011-06-17	2011-07-20	2011-09-26	2011-11-22
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$58,059,047.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Manchester						
Comments						
<p>The Invitation to Tender was advertised on March 13, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Civil Engineering or Pipe Laying, Grade 2 or higher. Tenders were to be submitted by April 8, 2011. The deadline for submission was extended to April 21, 2011 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lower responsive tender, which was submitted by Jamaica Drip Irrigation Limited, in the sum of J\$54,657,800.00, was recommended for the award of contract.</p> <p>The NCC, at its meeting which was held on April 27, 2011, considered the recommendation and, subsequently, advised the Procuring Entity, by way of a letter which was dated May 2, 2011, to "...abort the current tender process and negotiate with the lower tenderer."</p> <p>Subsequent to the Procuring Entity's negotiation with the lower Bidder, the requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the contract was signed and the project scheduled to commence in 2012.</p> <p>The OCG will continue to monitor the implementation of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-2801			Ministry	Ministry of Agriculture and Fisheries	
Project Name	Installation of Pipes and Fittings and Ancillary Works for New Forest/Duff House Irrigation System Block C			Public Body	National Irrigation Commission Limited	
Contractor	Jamaica Drip Irrigation Limited			Contract Sum	J\$48,216,881.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-04-21	2011-08-08	2011-06-17	2011-07-20	2011-09-26	2011-11-22
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$51,189,820.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Manchester						
Comments						
<p>The Invitation to Tender was advertised on March 13, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Civil Engineering or Pipe Laying, Grade 2 or higher. Tenders were to be submitted by April 8, 2011. The deadline for submission was extended to April 21, 2011 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lower responsive tender, which was submitted by Jamaica Drip Irrigation Limited, in the sum of J\$48,216,881.00, was recommended for the award of contract.</p> <p>The NCC, at its meeting which was held on April 27, 2011, considered the recommendation and, subsequently, advised the Procuring Entity, by way of a letter which was dated May 2, 2011, to "...<i>abort the current tender process and negotiate with the lower tenderer.</i>"</p> <p>Subsequent to the Procuring Entity's negotiation with the lower Bidder, the requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the contract was signed and the project scheduled to commence in 2012.</p> <p>The OCG will continue to monitor the implementation of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-2681			Ministry	Ministry of Agriculture and Fisheries	
Project Name	Supply and Installation of Three (3) Irrigation Deepwell Pumps, Motors, Variable Speed Drives and Construction of Pumphouses			Public Body	National Irrigation Commission Limited	
Contractor	Y.P. Seaton & Associates			Contract Sum	J\$77,316,434.20	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-08-05	2010-10-26	2010-10-26	2010-11-24	2011-01-24	2011-03-18
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$80,000,000.00	2011-04-11	2011-10-26	0000-00-00	2 Month(s)	J\$15,069,958.42	\$0.00
Project Location(s)						
Manchester						
Comments						
<p>The Invitation to Tender was advertised on June 3, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Suppliers of Irrigation Pumps, Civil Engineering, Electrical Engineering or Mechanical Works, Grade 1. Tenders were to be submitted by July 2, 2010. The deadline for submission was extended to August 5, 2010 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Five (5) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Y.P. Seaton & Associates, in the sum of J\$77,316,434.20, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>Documents which were obtained by the Office of the Contractor General indicated that the Contractor was granted a four (4) month extension of time which revised the scheduled completion date to March 2, 2012.</p> <p>During the execution of the contract, the following two (2) variations were approved:</p> <ol style="list-style-type: none"> 1. The construction of Wellheads at each of the three (3) Pump Stations, as they were not included in the original contract; and 2. Changes in the electrical infrastructure which affected two (2) of the three (3) Pumping Stations. This was included in the original contract; however, site conditions rendered the change. <p>As a result of the aforementioned variations, which amounted to J\$1,223,395.75, the contract sum was revised to J\$78,539,829.95. The contract progress was also affected by the Contractor's inability to perform the Works in accordance with the project schedule. The Procuring Entity, on three (3) occasions, wrote to the Contractor to emphasize its dissatisfaction with the work progress.</p> <p>Additionally, records indicated that the contract was delayed as <i>"Testing of pump motor not carried out as required by the contract."</i> It was further indicated that the <i>"...contractor and the manufacturer of the pumps should conduct tests on pump motor and submit report before acceptance of pumps by NIC."</i></p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract 19% Complete					

Reference No.	GCM-3341			Ministry	Ministry of Agriculture and Fisheries	
Project Name	Maggotty Water Supply - Phase II - Carisbrook Extension			Public Body	Rural Water Supply Limited	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-07-06	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$26,880,339.61	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
St. Elizabeth						
Comments						
<p>The Invitation to Tender was advertised on June 8, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Pipe Laying, Grade 2. The deadline for submission was extended to July 6, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender was recommended for the award of contract.</p> <p>As at December 31, 2011, documents which were obtained by the Office of the Contractor General indicated that due to budgetary constraints, the project was put on hold.</p>						
Status	Project On Hold					

Reference No.	GCM-3871			Ministry	Ministry of Education	
Project Name	Construction of a Tunnel Greenhouse at the Agronomy Area West Campus, Passley Gardens			Public Body	College or Agriculture, Science and Education	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-07-15	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$1,600,000.00	0000-00-00	0000-00-00	0000-00-00	0 Day(s)	\$0.00	\$0.00
Project Location(s)						
Portland						
Comments						
<p>The Invitation to Tender was advertised on June 25, 2010. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Building Maintenance, Grades 1 - 4. Tenders were to be submitted by July 15, 2011 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:30 p.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender was recommended for the award of contract.</p> <p>The College of Agriculture, Science and Education (CASE), by way of a letter which was dated October 19, 2011, advised, <i>inter alia</i>, that "...at its Meeting on Friday, October 14, 2011, the Procurement and Contracts Committee took the decision to recommend to the head of the institution to abort the bidding process for the captioned matter. This decision was taken as the lowest bid amount received was more than 2 (two) times the comparable estimate of the College."</p> <p>As at December 31, 2011, the CASE advised the Office of the Contractor General that it was in the process of seeking approval from the Head of Entity to re-tender using the Limited Tender Procurement Methodology.</p>						
Status	Project Aborted					

Reference No.	GCM-3731			Ministry	Ministry of Education	
Project Name	Repairing Roads & Drains at the Campus at Passley Gardens			Public Body	College of Agriculture, Science and Education	
Contractor	Lascar Fencing & Construction Limited			Contract Sum	J\$2,789,100.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-07-15	2011-08-11	2011-09-22	0000-00-00	0000-00-00	2011-10-18
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$2,500,000.00	2011-10-18	2011-11-14	2011-11-24	1 Week(s)	J\$2,649,645.00	\$0.00
Project Location(s)						
Portland						
Comments						
<p>The Invitation to Tender was advertised on June 25, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of General Road Works, Grade 3. Tenders were to be submitted by July 15, 2011 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:30 p.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Lascar Fencing & Construction Limited, in the sum of J\$2,789,100.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>The Director of Property, Farm & Transport at the College of Agriculture, Science and Education (CASE) in a Memorandum to the President of CASE, which was dated November 21, 2011, stated, <i>inter alia</i>, that "I am recommending that the extension be granted up to November 23, 2011 on the basis that in the latter stages of the contract there were periods of delay due to rains..." The recommendation was approved on November 22, 2011.</p> <p>As at December 31, 2011, the project was completed and is in its six (6) month Defects Liability Period which expires in May 2012.</p>						
Status	Contract Completed					

Reference No.	GCM-4281			Ministry	Ministry of Education	
Project Name	Renovation of the Excelsior Community College, Deanery Road Campus			Public Body	Excelsior Community College	
Contractor	E. G. Rowe Engineering Limited			Contract Sum	J\$9,960,332.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-08-08	2011-08-25	2011-08-26	0000-00-00	0000-00-00	2011-09-05
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$9,840,889.00	2011-09-19	2012-02-29	0000-00-00	0 Day(s)	J\$4,409,362.60	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on July 20, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC). Tenders were to be submitted by August 3, 2011 at 1:00 p.m., followed by a scheduled Tender Opening Ceremony at 1:15 p.m.</p> <p>Upon review of the advertisement, the Office of the Contractor General (OCG), by way of a letter which was dated July 28, 2011, advised the Implementing Agency that "...the category and grade for which potential Bidders are to be registered with the National Contracts Commission (NCC), was not indicated...further to same, and in an effort to ensure that only suitably, qualified bidders respond to the Invitation to Tender, the required category of NCC registration is to be indicated." The OCG further recommended that the advertisement be amended and an Addendum to the Tender Document be issued addressing the deviation.</p> <p>Subsequently, an Addendum to the Tender Document was issued which invited Contractors registered with the NCC, in the category of Building Construction, Grade 4 or higher. Tenders were to be submitted by August 8, 2011 at 1:00 p.m., followed by a Tender Opening Ceremony at 1:35 p.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by E. G. Rowe Engineering Limited, in the sum of J\$9,960,322.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>It was reported that delays were experienced as a result of modifications to the Scope of Works which were requested by the Kingston and St. Andrew Corporation (KSAC). It was also reported that the project was stopped on September 30, 2011, pending the receipt of the requisite approvals. The Works, however, "...restarted based on verbal discussions with the KSAC that NEPA had approved the drawings pending formal correspondence from the KSAC."</p> <p>The Contractor was also advised to procure all requisite material and items required for the Works, in an effort to minimize the overall delays on the project.</p> <p>As at December 31, 2011, the project was reported as being 45% complete, and is scheduled to be completed in February 2012 pending final written approval from the KSAC.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract 45% Complete					

Reference No.	GCM-2961			Ministry	Ministry of Education	
Project Name	Installation of Floor Finishes			Public Body	Human Employment and Resource Training/Heart Trust/NTA	
Contractor	CP Specialists Limited			Contract Sum	J\$8,511,100.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-12-22	2011-01-04	2011-01-07	0000-00-00	0000-00-00	2011-03-31
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$9,349,700.00	2011-03-14	2011-08-02	0000-00-00	4 Month(s)	J\$1,606,453.68	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on December 6, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Interior Construction Works, Grades 1 - 3. The deadline for submission was extended to December 22, 2010 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:05 a.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by CP Specialists Limited, in the sum of J\$8,511,100.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, documents which were obtained by the Office of the Contractor General (OCG) indicated that the contract was not completed on schedule due to administrative issues in the Organization which impacted the proposed layout of the offices.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract 19% Complete					

Reference No.	GCM-2971			Ministry	Ministry of Education	
Project Name	Proposed (Steel Span) Warehouse Facilities			Public Body	Human Employment and Resource Training/Heart Trust/NTA	
Contractor	Aegisco Limited			Contract Sum	J\$12,103,483.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-09-20	2010-11-16	2010-11-19	2011-01-26	0000-00-00	2011-03-31
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$13,464,000.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on August 25, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction or Systems Building, Grade 3. Tenders were to be submitted by September 20, 2010 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:05 a.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Aegisco Limited, in the sum of J\$12,103,483.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, documents which were obtained by the Office of the Contractor General (OCG) indicated that commencement of the project was delayed due to the required approval from the Kingston & St. Andrew Corporation (KSAC) and delays in signing of the contract.</p> <p>The OCG will continue to monitor the implementation of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-3941			Ministry	Ministry of Education	
Project Name	Proposed Construction of Security Block Wall at Jonathan Grant High School			Public Body	Ministry of Education	
Contractor	Artrog Construction Company Limited			Contract Sum	J\$15,557,269.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-08-03	2011-04-01	2011-05-06	2011-06-29	0000-00-00	2011-07-18
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$15,983,925.00	2011-07-18	2011-09-18	2011-12-22	3 Month(s)	J\$13,861,840.00	\$0.00
Project Location(s)						
St. Catherine						
Comments						
<p>The Invitation to Tender was advertised on July 18, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grades 1 - 3. Tenders were to be submitted by August 3, 2010 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Five (5) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Artrog Construction Limited, in the sum of J\$15,557,269.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>The project had a variation cost of J\$1,439,945.00, which the Entity reported was due to the construction of additional walls and the installation of three (3) gates to access the school.</p> <p>As at December 31, 2011, the project was completed.</p>						
Status	Contract Completed					

Reference No.	GCM-3911			Ministry	Ministry of Education	
Project Name	Rehabilitation of Knockalva Agricultural School			Public Body	Ministry of Education	
Contractor	N.R. Diaram Construction Limited			Contract Sum	J\$15,544,085.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-08-17	2010-11-01	2010-12-13	2011-01-12	0000-00-00	2011-03-01
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$18,982,065.00	2011-03-04	2011-06-27	0000-00-00	6 Month(s)	J\$13,596,726.00	\$0.00
Project Location(s)						
Hanover						
Comments						
<p>The Invitation to Tender was advertised on July 25, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grades 1 - 3, or Building Maintenance, Grade 3. Tenders were to be submitted by August 17, 2010 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>Six (6) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by N.R. Diaram Construction Limited, in the sum of J\$15,544,085.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>The Ministry of Education (MOE) reported that an extension of time was granted to March 27, 2012. The additional time was granted to facilitate the following:</p> <ol style="list-style-type: none"> 1. To review and decide whether to replace the defective metal fire escape on the female dormitory with a similar material; and 2. The design and approval of the construction drawings for the new reinforced concrete fire escape. <p>Subsequently, the Ministry decided that the more viable option was the design and construction of a new reinforced concrete staircase as the fire escape to the female dormitory. Approval was granted to commence construction of the new fire escape by January 3, 2012.</p> <p>As at December 31, 2011, MOE reported the project to be 90% complete.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract 90% Complete					

Reference No.	GCM-3381			Ministry	Ministry of Education	
Project Name	The Proposed Completion of Two (2) Classrooms at Guy's Hill High School			Public Body	Ministry of Education	
Contractor	Motex Construction Company Limited			Contract Sum	J\$5,008,750.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-10-04	2010-11-26	2010-11-26	0000-00-00	0000-00-00	2010-12-14
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$5,460,518.00	2010-12-14	2011-03-26	2011-05-25	2 Month(s)	J\$5,552,553.75	J\$543,803.75
Project Location(s)						
St. Catherine						
Comments						
<p>The Invitation to Tender was advertised on September 12, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grades 1 - 4. Tenders were to be submitted by October 4, 2010 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Six (6) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Motex Construction Company Limited, in the sum of J\$5,008,750.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>The Contractor expressed in a letter which was dated March 7, 2011 that <i>"I am experiencing some delay due to the Condition of the subsequent rainfall in Guy's Hill and during class time we have to minimize the work to avoid disturbances of classes."</i> Other delays were experienced due to additional Works such as the installation of partition walls for upstairs and downstairs and the construction of a walkway. The Contractor requested a two (2) month extension period for these delays, which was granted by the Ministry of Education by way of a letter which was dated March 11, 2011.</p> <p>The project experienced cost overruns of J\$543,803.75, which the Entity reported was as a result of the construction of an additional walkway, ramp and handrails. The ramp and walkway were necessary to provide the required access for the disabled.</p> <p>As at December 31, 2011, the project was completed.</p>						
Status	Contract Completed					

Reference No.	GCM-3791			Ministry	Ministry of Education	
Project Name	Renovation and Extension of an Existing Facility to be used as a Special High School in Malvern, St. Elizabeth			Public Body	National Education Trust Limited	
Contractor	Bajad Limited			Contract Sum	J\$51,140,700.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-10-29	2010-11-16	2010-11-19	2010-12-01	2011-03-14	2011-04-08
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$51,607,955.00	2011-04-21	2012-01-27	0000-00-00	0	J\$48,342,129.85	\$0.00
Project Location(s)						
St. Elizabeth						
Comments						
<p>The Invitation to Tender was advertised on September 26, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grades 1 - 2. Tenders were to be submitted by October 29, 2010 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Bajad Limited, in the sum of J\$51,140,700.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>Documents which were obtained by the Office of the Contractor General (OCG) indicated that the project was not completed on the scheduled date due to the following reasons:</p> <ol style="list-style-type: none"> 1. The slow progress of the Works by the Contractor; 2. The numerous and <i>ad hoc</i> issuance of design information to the Contractor by the Implementing Agency; and 3. Unforeseen defects in the existing plumbing/water supply, electrical and sewage systems. <p>As such, an extension of time was granted to January 27, 2012 for the completion of the project.</p> <p>Subsequent to the aforementioned, the NCC received a request from the Ministry of Education, by way of a letter which was dated November 10, 2011, for the approval of a supplementary contract to Bajad Limited. The supplementary contract is valued at J\$25,001,519.60 and incorporates additional Works which the contingency sum of the existing contract could not absorb.</p> <p>The additional Works include:</p> <ul style="list-style-type: none"> • The re-design of the electrical system; • The design of a new sewage disposal system; • An increase in the perimeter fencing and the addition of a second security post; and • The provision for the harvesting, storage and treatment of rainwater and the re-routing of existing plumbing from catchment areas to storage tanks. This item of work became necessary due to inconsistencies in the public water supply system. <p>The NCC considered the request at its meeting which was held on November 23, 2011 and granted approval of the variation in the sum of J\$25,001,519.60. The variation represents a 51% increase in the original contract sum and, if approved by the Cabinet, will increase the overall contract sum to J\$76,142,219.60.</p> <p>As at December 31, 2011, the project was reported as being 86% complete.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract 86% Complete					

Reference No.	GCM-3831			Ministry	Ministry of Education	
Project Name	Upgrade of General Facilities and Construction of Boundary Wall at Tivoli High School			Public Body	National Education Trust Limited	
Contractor	Alfrasure Structures and Roofing Limited			Contract Sum	J\$45,418,632.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-10-12	0000-00-00	0000-00-00	2011-01-12	2011-04-11	2011-06-02
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$40,361,854.00	2011-06-02	2011-12-15	0000-00-00	0	J\$39,695,917.50	\$0.00
Project Location(s)						
St. Andrew						
Comments						
<p>The Invitation to Tender was advertised on August 22, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grades 1 - 2. Tenders were to be submitted by September 21, 2010 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m. Subsequently, an Addendum was issued which extended the date for the submission of tenders to October 12, 2010.</p> <p>One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The sole responsive tender, which was submitted by Alfrasure Structures and Roofing Limited, in the sum of J\$45,418,632.00, was recommended for the award of contract.</p> <p>The NCC and Cabinet approvals were obtained and the contract was awarded accordingly. However, the Procurement Committee and Head of Entity approvals were not evidenced.</p> <p>As at December 31, 2011, the project was reported as being 95% complete.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract 95% Complete					

Reference No.	GCM-1491			Ministry	Ministry of Education	
Project Name	Proposed Student Union Relocation Project			Public Body	University of Technology, Jamaica	
Contractor	C. P. Specialists Limited			Contract Sum	J\$10,962,520.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-10-20	2011-02-02	2011-02-10	2011-03-30	0000-00-00	2011-05-24
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$8,506,515.00	2011-06-21	2011-10-01	2011-12-05	2 Month(s)	J\$10,743,269.60	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on September 22, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grade 4 or higher. Tenders were to be submitted by October 20, 2010 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by C. P. Specialists Limited, in the sum of J\$10,962,520.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the project was reported as having obtained Practical Completion on December 5, 2011, with the Defects Liability Period commencing from the date of Practical Completion, and ending on September 5, 2012.</p>						
Status	Project Attained Practical Completion					

Reference No.	GCM-5702			Ministry	Ministry of Education	
Project Name	Waterproofing to Administrative Building & Calvin McKain Library			Public Body	University of Technology, Jamaica	
Contractor	M & S Construction			Contract Sum	J\$1,661,410.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-10-29	2010-11-24	2010-12-14	0000-00-00	0000-00-00	2011-01-13
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$2,377,076.00	2011-03-02	2011-03-23	0000-00-00	9 Month(s)	J\$823,480.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on October 10, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Roofing, Grade 4 or higher. Tenders were to be submitted by October 29, 2010 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The sole responsive tender, which was submitted by M & S Construction, in the sum of J\$1,661,410.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>The project included the supply and application of Waterproofing Membrane to effect repairs to the leaking roofs, replacement of damaged drywall partitions and painting.</p> <p>As at December 31, 2011, the project was reported as being only 70% complete. The University indicated that this was due to the Contractor being delinquent and failing to perform within the specified contract period. It was also reported that the Contractor was informed, by way of a letter which was dated May 7, 2011, of outstanding Works. The status, however, remained the same.</p> <p>The referenced Works, which remained outstanding, included the following:</p> <ul style="list-style-type: none"> • Removal of existing aluminium flashing from up-stand beam; • Dressing up skirting over angle fillet; • Chasing of concrete parapet; • Installation of waterproofing membrane; and • Painting of walls. <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract 70% Complete					

Reference No.	GCM-3111			Ministry	Ministry of Energy and Mining	
Project Name	Construct Foundation and Install two (2) Coalescer Vessels and associated Piping			Public Body	Petrojam Limited	
Contractor	Quality Plus Contracting Company Limited			Contract Sum	J\$5,858,758.78	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-04-06	2011-04-21	2011-05-16	0000-00-00	0000-00-00	2011-06-27
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$8,637,136.76	2011-06-27	2011-06-28	2011-09-15	2 Month(s)	J\$5,021,304.97	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on March 20, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Mechanical Works, Grade 3 minimum. Tenders were to be submitted by April 6, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lower responsive tender, which was submitted by Quality Plus Contracting Company Limited, in the sum of J\$5,858,758.78, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the project was completed.</p>						
Status	Contract Completed					

Reference No.	GCM-2831			Ministry	Ministry of Energy and Mining	
Project Name	Install Electrical Facilities for two (2) HFO Pumps (P66A/B)			Public Body	Petrojam Limited	
Contractor	J.H. Dunstan & Associates Limited			Contract Sum	J\$2,633,410.71	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-07-29	2011-08-25	2011-08-25	0000-00-00	0000-00-00	2011-09-14
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$3,820,306.22	2011-10-03	2011-11-08	2011-11-08	0 Day(s)	J\$2,633,410.71	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on July 17, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Electrical Works, Grade 4. Tenders were to be submitted by July 29, 2011 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:05 a.m.</p> <p>Six (6) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by J.H. Dunstan & Associates Limited, in the sum of J\$2,633,410.71, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the project was completed and is in its twelve (12) month Defects Liability Period which expires November 2012.</p>						
Status	Contract Completed					

Reference No.	GCM-2591			Ministry	Ministry of Energy and Mining	
Project Name	Invitation for Bids (IFB) Drum Cleaning - June Shutdown 2011			Public Body	Petrojam Limited	
Contractor	ADS Maintenance			Contract Sum	J\$2,175,000.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-04-13	2011-05-12	2011-05-20	0000-00-00	0000-00-00	2011-04-20
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$3,495,132.26	2011-04-20	2011-06-14	2011-05-12	0 Day(s)	J\$2,175,000.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on March 27, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Mechanical Works/Industrial Maintenance, Grade 3. Tenders were to be submitted by April 13, 2011 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:05 a.m.</p> <p>Petrojam Limited, by way of a letter which was dated May 27, 2011, advised the Office of the Contractor General (OCG) that "...the evaluation reports for the above projects recommended that the selective tender process be aborted and re-tendered as in most instances the bids were incomplete and also did not satisfy the post qualification requirements stated in the Bidding Document. However, due to the emergency shutdown, the projects had to be procured via the Contract under Emergency Circumstances method as Petrojam would have incurred or suffered financial losses if the procurement was not executed immediately. The method was also utilised to avoid significant public inconvenience."</p> <p>Petrojam Limited proceeded to utilise the Contracting Under Emergency Circumstances procedure, as stipulated in Volume 2 - Section 1.1.5 of the Government of Jamaica Handbook of Public Sector Procurement Procedures (October 2010), to directly source the services of ADS Maintenance to execute the emergency Works for the amount of J\$2,175,000.00.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the project attained Practical Completion and is in its twelve (12) month Defects Liability Period which expires in May 2012.</p>						
Status	Project Attained Practical Completion					

Reference No.	GCM-2571			Ministry	Ministry of Energy and Mining	
Project Name	Invitation for Bids (IFB) Exchanger Cleaning - June Shutdown 2011			Public Body	Petrojam Limited	
Contractor	ADS Maintenance			Contract Sum	J\$6,322,100.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-04-13	2011-05-12	2011-05-20	0000-00-00	0000-00-00	2011-05-24
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$6,241,591.67	2011-04-20	2011-06-14	2011-05-24	0 Day(s)	J\$6,322,100.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on March 27, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Mechanical Work/Industrial Maintenance, Grade 3. Tenders were to be submitted by April 13, 2011 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:05 a.m.</p> <p>Petrojam Limited, by way of a letter which was dated May 27, 2011, advised the Office of the Contractor General (OCG) that "...the evaluation reports for the above projects recommended that the selective tender process be aborted and re-tendered as in most instances the bids were incomplete and also did not satisfy the post qualification requirements stated in the Bidding Document. However, due to the emergency shutdown, the projects had to be procured via the Contract under Emergency Circumstances method as Petrojam would have incurred or suffered financial losses if the procurement was not executed immediately. The method was also utilised to avoid significant public inconvenience."</p> <p>Petrojam Limited proceeded to utilise the Contracting Under Emergency Circumstances procedure, as stipulated in Volume 2 - Section 1.1.5 of the Government of Jamaica Handbook of Public Sector Procurement Procedures (October 2010), to directly source the services of ADS Maintenance to execute the emergency Works for the amount of J\$6,322,100.00.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the project was completed and is in its twelve (12) month Defects Liability Period which expires in May 2012.</p>						
Status	Contract Completed					

Reference No.	GCM-2751			Ministry	Ministry of Energy and Mining	
Project Name	Mechanical Works for Fabrication and Installation of Piping to facilitate its Storage Tanks Nos. 1 & 2			Public Body	Petrojam Limited	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
International Competitive Bidding	2011-09-02	2011-09-15	2011-09-16	2011-11-11	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
US\$707,929.10	0000-00-00	0000-00-00	0000-00-00	0 Day(s)	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on August 7, 2011. The International Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Mechanical Works, Grade 1. Tenders were to be submitted by September 2, 2011 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:05 a.m.</p> <p>One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The sole responsive tender was recommended for the award of contract.</p> <p>As at December 31, 2011, the project was awaiting Cabinet approval.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Cabinet Approval Pending					

Reference No.	GCM-3441			Ministry	Ministry of Energy and Mining	
Project Name	Repairs of Storm Drain Covers at 96 Marcus Garvey Drive, Kgn. 15			Public Body	Petrojam Limited	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-08-30	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$4,557,812.50	0000-00-00	0000-00-00	0000-00-00	0 Day(s)	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on August 21, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of General Road Works and/or Mechanical Works, Grade 4 or higher. Tenders were to be submitted by August 30, 2011 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:05 a.m.</p> <p>Eight (8) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender was recommended for the award of contract.</p> <p>As at December 31, 2011, the procurement process was ongoing.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Evaluation of Tenders Ongoing					

Reference No.	GCM-2691			Ministry	Ministry of Energy and Mining	
Project Name	The Fabrication and Installation of Piping at West Kingston Power Plant (WKPP)			Public Body	Petrojam Limited	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-08-16	2011-09-23	2011-09-26	2011-11-02	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$27,852,050.00	0000-00-00	0000-00-00	0000-00-00	0 Day(s)	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on August 7, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Mechanical Works, Grade 2 minimum. Tenders were to be submitted by August 16, 2011 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:05 a.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender was recommended for the award of contract.</p> <p>The requisite approvals were obtained, however, the contract was not yet awarded.</p> <p>As at December 31, 2011, the procurement process was ongoing.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Procurement process ongoing					

Reference No.	GCM-3471			Ministry	Ministry of Energy and Mining	
Project Name	Waterproofing and General repairs to Montego Bay #2 Post Office, Barrett Street, St. James			Public Body	Post and Telecommunications Department	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-02-17	2011-02-24	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$3,398,871.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
St. Andrew						
Comments						
<p>The Invitation to Tender was advertised on February 9, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grades 1 - 4. Tenders were to be submitted by February 17, 2011 at 1:00 p.m., followed by a scheduled Tender Opening Ceremony at 1:15 p.m.</p> <p>Five (5) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender was recommended for the award of contract.</p> <p>Documents which were obtained by the Office of the Contractor General indicated that the process was aborted and the project is to be re-tendered.</p> <p>As at December 31, 2011, the project is scheduled to be re- tendered.</p>						
Status	Project Aborted					

Reference No.	GCM-1021			Ministry	Ministry of Finance	
Project Name	Renovation of the Pension Fund Building at 76 Knutsford Boulevard			Public Body	Bank of Jamaica	
Contractor	MLO Services Limited			Contract Sum	J\$13,100,130.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-04-27	2011-06-21	2011-07-08	2011-08-17	0000-00-00	2011-10-27
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$15,135,150.00	2011-10-27	2011-12-27	0000-00-00	0 Day(s)	J\$9,000,000.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on March 27, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Interior Construction Works, Grade 2, and Building Construction, Grade 3. Tenders were to be submitted by April 27, 2011 at 2:30 p.m., followed by a scheduled Tender Opening Ceremony at 2:40 p.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by MLO Services Limited, in the sum of J\$13,100,130.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>Documents which were obtained by the Office of the Contractor General (OCG) indicated that the project was scheduled for completion within eight (8) weeks, however, it had experienced delays mainly due to the absence of items of fixtures and fittings that were to be procured. This resulted in a revision to the project schedule.</p> <p>As at December 31, 2011, the contract was 60% complete and was rescheduled to be completed in February 2012.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract 60% Complete					

Reference No.	GCM-461			Ministry	Ministry of Finance	
Project Name	Proposed Upgrading of Conveniences at Summerfield Basic School			Public Body	CHASE Fund	
Contractor	Dennis Barnaby Construction Limited			Contract Sum	J\$5,476,190.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-02-18	2011-03-28	2011-04-05	0000-00-00	0000-00-00	2011-05-06
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$5,540,969.00	2011-05-16	2011-08-16	2011-08-23	7 Day(s)	J\$5,961,501.50	J\$485,311.50
Project Location(s)						
Clarendon						
Comments						
<p>The Invitation to Tender was advertised on February 6, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grade 4 or higher. Tenders were to be submitted by February 18, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:25 p.m.</p> <p>Seven (7) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Dennis Barnaby Construction Limited, in the sum of J\$5,476,190.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the project was completed and is in its six (6) month Defects Liability Period which expires on February 22, 2012.</p>						
Status	Contract Completed					

Reference No.	GCM-2911			Ministry	Ministry of Finance and Planning	
Project Name	Construction of Container Offices and Storage			Public Body	Ministry of Finance and Planning	
Contractor	Tropical Metal Products Limited			Contract Sum	J\$14,627,556.24	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2011-08-19	2011-12-13	2011-11-24	2011-12-07	0000-00-00	2011-12-15
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$18,972,089.09	2012-01-16	2012-04-16	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>At the end of the 2010 reporting period, the previously awarded Contractor encountered delays during the execution of the project, due to changes in the Scope of Works which were made based upon recommendations from the Jamaica Fire Brigade, after the final approval by the Planning Authority.</p> <p>The Ministry and the Contractor disagreed with costs associated with some of the revised Scope of Works and, as such, the matter was referred to the Ministry's Legal Officer, and the contract was terminated.</p> <p>Consequently, the Ministry, by way of a letter which was dated August 2, 2011, utilised the Limited Tender Procurement Methodology to invite five (5) Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grade 3. Tenders were to be submitted by August 19, 2011 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Tropical Metal Products Limited, in the sum of J\$14,627,556.24, was recommended for the award of contract.</p> <p>As at December 31, 2011, the contract was awarded and scheduled to commence in 2012.</p> <p>The OCG will continue to monitor the implementation of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-2541			Ministry	Ministry of Finance and the Public Service	
Project Name	Renovation of the Chudleigh Cultural and Community Centre - Christiana			Public Body	CHASE Fund	
Contractor	Metal Plus Engineering & Construction Limited			Contract Sum	J\$6,200,000.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-03-11	2011-05-24	2011-07-26	0000-00-00	0000-00-00	2011-07-26
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$9,725,000.00	2011-08-11	2011-12-11	0000-00-00	0 Day(s)	J\$1,332,870.46	\$0.00
Project Location(s)						
Manchester						
Comments						
<p>The Invitation to Tender was advertised on February 20, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grade 4. Tenders were to be submitted by March 11, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Five (5) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Metal Plus Engineering & Construction Limited, in the sum of J\$6,200,000.00, was recommended for the award of contract.</p> <p>The requisite approvals were not obtained, however, the contract was awarded.</p> <p>As at December 31, 2011, the project was 90% complete.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract 90% Complete					

Reference No.	GCM-2481			Ministry	Ministry of Finance and the Public Service	
Project Name	Renovation of the Riversdale Cultural and Community Centre - Riversdale			Public Body	CHASE Fund	
Contractor	PAT Construction Services			Contract Sum	J\$8,407,105.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-03-11	2011-05-24	2011-05-25	0000-00-00	0000-00-00	2011-07-07
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$9,972,409.37	2011-07-27	2011-11-28	0000-00-00	1 Month(s)	J\$5,600,097.00	\$0.00
Project Location(s)						
St. Catherine						
Comments						
<p>The Invitation to Tender was advertised on February 20, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grade 4. Tenders were to be submitted by March 11, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:30 p.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by PAT Construction Services, in the sum of J\$8,407,105.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the project was 95% complete, however, the Practical Completion Certificate was not issued.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract 95% Complete					

Reference No.	GCM-2631			Ministry	Ministry of Finance and the Public Service	
Project Name	Renovation of the Rocky Point Cultural and Community Centre, Rocky Point			Public Body	CHASE Fund	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-08-19	2011-09-05	2011-11-10	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$29,958,711.70	0000-00-00	0000-00-00	0000-00-00	0 Day(s)	\$0.00	\$0.00
Project Location(s)						
Clarendon						
Comments						
<p>The procurement opportunity was tendered on two (2) prior occasions but was aborted, in each instance, due to insufficient bid responses.</p> <p>The Invitation to Tender was advertised on April 10, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grade 2 and higher. Tenders were to be submitted by August 19, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Five (5) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the Entity awaits approval from the Cabinet.</p> <p>As at December 31, 2011, Cabinet approval was not received.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Cabinet Approval Pending					

Reference No.	GCM-2001			Ministry	Ministry of Health	
Project Name	Erection of Perimeter Fencing with Guard House at Princess Margaret Hospital			Public Body	South East Regional Health Authority	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2011-02-04	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$38,889,398.70	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
St. Thomas						
Comments						
<p>The Invitation to Tender was advertised on December 26, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grades 1 or 2. Tenders were to be submitted by February 4, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender was recommended for the award of contract.</p> <p>As at December 31, 2011, the procurement process was ongoing.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Submission sent to Sector Committee for review					

Reference No.	GCM-2051			Ministry	Ministry of Health	
Project Name	Mandeville Regional Hospital - Block "J" Electrical Installation Works			Public Body	South East Regional Health Authority	
Contractor	R.E. Forrester Electrical Company			Contract Sum	J\$17,625,793.10	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-10-19	2010-12-08	2010-12-10	2011-03-30	0000-00-00	2011-05-06
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$20,361,062.33	2011-05-06	2011-10-19	0000-00-00	2 Month(s)	J\$9,968,957.40	J\$890,767.82
Project Location(s)						
Manchester						
Comments						
<p>The Invitation to Tender was advertised on September 19, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Electrical Works, Grades 1 - 3. Tenders were to be submitted by October 13, 2010. The deadline for submission was extended to October 19, 2010 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Five (5) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by R.E. Forrester Electrical Company, in the sum of J\$17,625,793.10, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>Documents, which were obtained by the Office of the Contractor General (OCG), indicated that the Electrical Works for the contract were a component of the overall Works required for the renovation of Block "J" Mandeville Regional Hospital. Build-Rite Construction is the main Contractor for the renovation, and R.E. Forrester Electrical Company is a nominated Sub-Contractor.</p> <p>The Electrical Installation Works for Block "J" of the Hospital was delayed due to the late tender procurement proceedings associated with the engagement of nominated Sub-Contractors for specialist components of the renovation, which were required in order to facilitate the Electrical Works.</p> <p>Subsequently, the contract between the main Contractor and the nominated Sub-Contractor for the Electrical Works was signed in May 2011, five (5) months after the commencement date of the main contract. The Electrical Installation Works progressed fairly throughout the reporting period. However, the contract sum was revised to J\$18,516,720.92, as a result of associated project variation to the Fire Alarm System for the entire Hospital.</p> <p>As at December 31, 2011, the Electrical Installation Works was 85% complete and scheduled for completion in March 2012.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract 85% Complete					

Reference No.	GCM-1801			Ministry	Ministry of Health	
Project Name	Renovation of Sewage Treatment Plant			Public Body	South East Regional Health Authority	
Contractor	Champion Industrial Equipment & Supplies			Contract Sum	J\$2,761,608.47	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-06-03	2010-12-01	2010-12-09	0000-00-00	0000-00-00	2010-12-09
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$2,778,389.55	2011-01-20	2011-03-19	2011-06-09	28 Day(s)	J\$2,687,708.47	\$0.00
Project Location(s)						
St. Catherine						
Comments						
<p>The Invitation to Tender was advertised on May 12, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Civil Engineering. Tenders were to be submitted by May 31, 2010. The deadline for submission was extended to June 3, 2010 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>Five (5) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Champion Industrial Equipment & Supplies, in the sum of J\$2,761,608.47, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>Documents which were obtained by the Office of the Contractor General indicated that the project was extended by 28 days, to April 16, 2011, to facilitate the servicing of a second Screw Pump.</p> <p>The Contractor failed to complete the project by the revised completion date and, as such, the Procuring Entity applied Liquidated Damages as per Clause 5.8 of the Contract Document. Liquidated Damages were calculated for 54 days and amounted to J\$108,000.00.</p> <p>As at June 09, 2011, the project was completed.</p>						
Status	Contract Completed					

Reference No.	GCM-1811			Ministry	Ministry of Health	
Project Name	Renovation Works at Olympic Gardens Health Centre			Public Body	South East Regional Health Authority	
Contractor	Another Star is Born (ASB) Construction Company Limited			Contract Sum	J\$9,918,444.20	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-12-09	2010-02-10	2010-02-22	0000-00-00	0000-00-00	2010-02-22
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$12,587,742.00	2010-03-01	2010-07-31	2011-01-08	5 Month(s)	J\$12,217,071.52	J\$2,298,627.32
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on November 15, 2009. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grades 1 - 3. Tenders were to be submitted by December 9, 2009 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Another Star is Born (ASB) Construction Company Limited, in the sum of J\$9,918,444.20, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>Documents which were obtained by the Office of the Contractor General indicated that implementation of some Works on the project was delayed due to the preparation of the electrical drawings and related Bill of Quantities by the Entity. Additional time was lost due to the approval process for additional funds in the sum of J\$2,666,297.80, which was required to carry out the necessary Works. The variation was approved by the Head of Entity on December 31, 2010.</p> <p>Subsequently, the Contractor was granted an extension of time to complete the contract by February 11, 2011.</p> <p>The project achieved Practical Completion on January 8, 2011.</p>						
Status	Contract Completed					

Reference No.	GCM-1901			Ministry	Ministry of Health	
Project Name	Repairs to Roof and Interior of Building at Port Morant Health Centre			Public Body	South East Regional Health Authority	
Contractor	VIP & P Enterprises			Contract Sum	J\$5,294,451.75	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-11-05	2010-04-14	2010-06-11	0000-00-00	0000-00-00	2010-06-11
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$8,690,199.00	2010-06-14	2010-08-31	2011-06-28	10 Month(s)	J\$4,903,585.00	\$0.00
Project Location(s)						
St. Thomas						
Comments						
<p>The Invitation to Tender was advertised on October 7, 2009. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grades 1 – 4, and Building Maintenance, Grade 3. Tenders were to be submitted by November 5, 2009 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>Six (6) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by VIP & P Enterprises, in the sum of J\$5,294,451.75, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>Documents which were obtained by the Office of the Contractor General indicated that the project was not progressing according to schedule. Consequently, on at least two (2) occasions, the Procuring Entity wrote to the Contractor expressing concern about the slow pace of the Works. In the second instance, the Contractor was served with a thirty (30) day Termination Notice, as per Clause 2.6 of the Contract Document, due to its failure to undertake remedial action within the stipulated time.</p> <p>The Entity also advised the Contractor that the <i>"...Region will deduct from any sums due to you the full cost of liquidated damages assessed from September 1, 2010 until practical completion or termination, whichever is sooner."</i></p> <p>Consequently, the Procuring Entity applied Liquidated Damages charges, as per Clause 5.8 of the Contract Document, for the period September 1, 2010 to June 28, 2011, which amounted to J\$382,545.40.</p> <p>The project was granted Sectional Completion for the Cottage on February 3, 2011, and attained Practical Completion on June 28, 2011.</p>						
Status	Contract Completed					

Reference No.	GCM-4351			Ministry	Ministry of Health	
Project Name	Maggotty Health Centre Refurbishing Works			Public Body	Southern Regional Health Authority	
Contractor	Patrick Sweetland			Contract Sum	J\$8,337,920.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-04-08	2011-05-20	2011-05-20	0000-00-00	0000-00-00	2011-06-09
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$8,061,140.98	2011-06-27	2011-09-05	2011-09-19	14 Day(s)	\$0.00	\$0.00
Project Location(s)						
St. Elizabeth						
Comments						
<p>The Invitation to Tender was advertised on March 30, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction/Building Maintenance, Grade 4 or higher. Tenders were to be submitted by April 8, 2011 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Patrick Sweetland, in the sum of J\$8,337,920.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the project was reported as having obtained Practical Completion on September 19, 2011. Expenditure to date was however not received at the time of this report.</p>						
Status	Project Attained Practical Completion					

Reference No.	GCM-4361			Ministry	Ministry of Health	
Project Name	Manchester Health Centre Drainage Works			Public Body	Southern Regional Health Authority	
Contractor	Metal Plus Engineering & Construction Limited			Contract Sum	J\$2,427,982.03	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-04-08	2011-05-06	2011-05-06	0000-00-00	0000-00-00	2011-06-09
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$2,969,735.00	2011-07-18	2011-09-19	2011-09-30	0	\$0.00	\$0.00
Project Location(s)						
Manchester						
Comments						
<p>The Invitation to Tender was advertised on March 30, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grade 4 or higher. Tenders were to be submitted by April 8, 2011 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Five (5) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Metal Plus Engineering & Construction Limited, in the sum of J\$2,427,982.03, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the project was reported as having obtained Practical Completion on September 30, 2011, with the Defects Liability Period to end on March 30, 2012. The Final Accounts is to be agreed with the Contractor. Expenditure to date was however not received at the time of this report.</p>						
Status	Contract 90% Complete					

Reference No.	GCM-4371			Ministry	Ministry of Health	
Project Name	Pratville Health Centre Renovation and New Works			Public Body	Southern Regional Health Authority	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-04-13	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$8,878,996.00	0000-00-00	0000-00-00	0000-00-00	0 Day(s)	\$0.00	\$0.00
Project Location(s)						
Manchester						
Comments						
<p>The Invitation to Tender was advertised on March 30, 2011. The Local Competitive Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction/Building Maintenance, Grade 4 or higher. Tenders were to be submitted by April 13, 2011 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>As at December 31, 2011, the project was reported as being aborted.</p> <p>The Southern Regional Health Authority (SRHA) reported that the project was aborted as a result of "...an overestimation of the balance of available funds from the National Health Fund (NHF) to undertake projects nationally."</p> <p>The SRHA advised the Office of the Contractor General that the Bidders were informed, in writing, on November 4, 2011.</p>						
Status	Project Aborted					

Reference No.	GCM-4381			Ministry	Ministry of Health	
Project Name	Prospect Health Centre Cottage Renovation Works			Public Body	Southern Regional Health Authority	
Contractor	Patrick Sweetland			Contract Sum	J\$2,511,755.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-04-08	2011-05-06	2011-05-06	0000-00-00	0000-00-00	2011-06-01
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$2,826,523.00	2011-06-13	2011-08-08	2011-07-29	0 Day(s)	\$0.00	\$0.00
Project Location(s)						
Manchester						
Comments						
<p>The Invitation to Tender was advertised on March 30, 2011. The Local Competitive Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction/Building Maintenance, Grade 4 or higher. Tenders were to be submitted by April 8, 2011 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Patrick Sweetland, in the sum of J\$2,511,755.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the project was reported as having obtained Practical Completion on July 29, 2011. Expenditure to date was however not received at the time of this report.</p>						
Status	Project Attained Practical Completion					

Reference No.	GCM-2461			Ministry	Ministry of Health	
Project Name	Refurbishment of the Obstetrics & Gynaecology Theatre			Public Body	Western Regional Health Authority	
Contractor	Geecho Consultants & Construction Limited			Contract Sum	J\$11,899,930.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-05-18	2011-01-26	2011-05-06	2011-05-25	0000-00-00	2011-07-25
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$14,151,400.00	2011-08-29	2011-11-25	0000-00-00	2 Month(s)	J\$3,848,153.50	\$0.00
Project Location(s)						
St. James						
Comments						
<p>The Invitation to Tender was advertised on April 21, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction and Building Maintenance, Grade 4 and higher. Tenders were to be submitted by May 18, 2010 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The sole responsive tender, which was submitted by Geecho Consultants & Construction Limited, in the sum of J\$11,899,930.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>In a letter which was dated December 8, 2011, the Western Regional Health Authority (WRHA) reported that the "...project is behind schedule due to the fact that only sections of the area are made available to the contractor at any particular time."</p> <p>The WRHA, by way of a letter which was dated December 12, 2011, stated, <i>inter alia</i>, that "Subsequent to the tender process Geecho Consultant and Construction Limited was re-evaluated on December 17, 2010. The Contract was signed on July 25, 2011. The contract commencement date was Monday August 29, 2011 and the proposed completion date is December 2011. The Contract is divided into 4 Phases. Phase 1 of the contract was completed on September 9, 2011."</p> <p>As at December 31, 2011, the project was ongoing.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract 60% Complete					

Reference No.	GCM-3721			Ministry	Ministry of Housing, Environment, Water and Local Government	
Project Name	Construction of 132 No. Two (2) Bedroom Houses and attendant Infrastructure Works at Westmeade			Public Body	Housing Agency of Jamaica	
Contractor	Y.P. Seaton and Associates			Contract Sum	J\$663,867,750.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2010-01-22	2010-02-23	2010-02-23	2010-03-31	2010-07-12	2010-07-27
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$690,215,759.00	2010-08-10	2012-01-24	0000-00-00	0	J\$245,473,911.58	\$0.00
Project Location(s)						
St. Catherine						
Comments						
<p>The Invitation to Tender was previously sent to Pre-qualified Contractors by way of a letter which was dated December 15, 2009. The Limited Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grade 1. Tenders were to be submitted by January 22, 2010 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Five (5) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Y.P. Seaton and Associates, in the sum of J\$663,867,750.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the project was reported as being 52% complete and significantly behind schedule due to poor works methodology and lack of material.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract 52% Complete					

Reference No.	GCM-1031			Ministry	Ministry of Housing, Environment, Water and Local Government	
Project Name	Infrastructure Works, Grange Pen, (Brownfield)			Public Body	Housing Agency of Jamaica	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-10-27	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$330,730,286.69	0000-00-00	0000-00-00	0000-00-00	0 Day(s)	\$0.00	\$0.00
Project Location(s)						
St. James						
Comments						
<p>The Invitation to Tender was advertised on September 21, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Civil Engineering or Road Works, Grade 1. Tenders were to be submitted by October 27, 2011 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Six (6) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender was recommended for the award of contract.</p> <p>As at December 31, 2011, the Housing Agency of Jamaica Limited, by way of a Status Report which was dated December 29, 2011, advised the Office of the Contractor General (OCG) that they had "...requested the supporting letter from the Permanent Secretary of its portfolio Ministry to facilitate submission to the Sector Committee (Housing). It is anticipated that said submission will be made by the first week of January 2012."</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	National Contracts Commission (NCC) Endorsement Pending					

Reference No.	GCM-3971			Ministry	Ministry of Housing, Environment, Water and Local Government	
Project Name	Topographic and Boundary Survey, Whitehall Phase 4, Westmoreland			Public Body	Housing Agency of Jamaica	
Contractor	Andrew Bromfield & Associates			Contract Sum	J\$8,764,750.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-03-25	2010-05-11	2010-05-19	0000-00-00	0000-00-00	2010-06-07
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
\$0.00	2010-06-09	2010-09-01	2011-07-28	10 Month(s)	J\$8,764,500.00	\$0.00
Project Location(s)						
Westmoreland						
Comments						
<p>The Invitation to Tender was advertised on March 7, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors. Bidders were not required to be registered with the National Contracts Commission (NCC), however, they were required to provide a Tax Compliant Certificate (TCC), a copy of their Commissioned Land Surveyor's Certificate and a current Commissioned Land Surveyor's Practising Certificate. Tenders were to be submitted by March 25, 2010 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>Seven (7) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Andrew Bromfield & Associates, in the sum of J\$8,764,750.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>Documents which were obtained by the Office of the Contractor General (OCG) indicated that subsequent to the implementation of the Works, the Housing Agency of Jamaica Limited (HAJL) extended the contact period by six (6) months due to delays resulting from the following:</p> <ol style="list-style-type: none"> 1. Encroachment issues; and 2. Inclement weather. <p>An additional delay was caused by the Contractor's request to submit Boundary Plans on an unregulated sheet size.</p> <p>As at December 31, 2011, the contract was completed.</p>						
Status	Contract Completed					

Reference No.	GCM-571			Ministry	Ministry of Housing, Environment, Water and Local Government	
Project Name	Housing and Infrastructure Works - Boscobel (Greenfield), St. Mary			Public Body	Housing Agency of Jamaica Limited	
Contractor	N.F. Barnes Construction & Equipment Company Limited			Contract Sum	J\$802,522,476.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Open Tender	2010-07-06	2010-08-19	2010-08-20	2010-10-06	2011-03-28	2011-04-11
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$759,682,437.31	2010-04-26	2012-10-26	0000-00-00	0	J\$189,425,699.57	\$0.00
Project Location(s)						
St. Mary						
Comments						
<p>The Ministry of Housing, Water and Local Government, under its National Housing Programme, had previously pre-qualified Grade 1 Contractors, in the categories of Civil Engineering and Building Construction.</p> <p>Subsequently, the Housing Agency of Jamaica Limited (HAJL) invited eleven (11) Contractors who had pre-qualified. Tender Documents were to be returned by June 29, 2010. An Addendum was issued extending the deadline for the submission of tenders to July 6, 2010 at 12:00 noon.</p> <p>Six (6) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by N.F. Barnes Construction & Equipment Company Limited, in the sum of J\$802,522,476.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the project was 20% complete.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract 20% Complete					

Reference No.	GCM-3361			Ministry	Ministry of Housing, Environment, Water and Local Government	
Project Name	Land Surveying Services - Belle Air 3 & Mt. Edgecombe, St. Ann			Public Body	Housing Agency of Jamaica Limited	
Contractor	Gilpin McFarlane & Associates			Contract Sum	J\$9,661,465.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2010-04-01	2010-05-11	2010-05-17	0000-00-00	0000-00-00	2010-05-28
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
\$0.00	2010-06-07	2010-11-08	0000-00-00	418 Day(s)	J\$768,450.00	\$0.00
Project Location(s)						
St. Ann						
Comments						
<p>The Invitation to Tender was advertised on March 10, 2010. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors. Bidders were not required to be registered with the National Contracts Commission (NCC), however, they were required to submit their Tax Compliant Certificate (TCC), a copy of their Commissioned Land Surveyor's Certificate and a Current Commissioned Land Surveyor's Practicing Certificate. Tenders were to be submitted by April 1, 2010 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>Seven (7) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Gilpin McFarlane and Associates, in the sum of J\$9,661,465.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>At the end of the 2010 reporting period, the Contractor completed the respective Subdivision Layouts and was awaiting instructions from the Housing Agency of Jamaica Limited to commence activities relating to the preparation of the Pre-checked Subdivision Plans.</p> <p>As at December 31, 2011, directives to the Land Surveyor to commence preparation of the Pre-checked Subdivision Plans have been withheld.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-3481			Ministry	Ministry of Housing, Environment, Water and Local Government	
Project Name	Pre-Checked Subdivision Plan - Boscobel & Green Pond			Public Body	Housing Agency of Jamaica Limited	
Contractor	Lofters and Associates			Contract Sum	J\$5,989,710.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-06-18	2010-07-01	2010-07-01	0000-00-00	0000-00-00	2010-07-19
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
\$0.00	2010-07-26	2010-10-22	0000-00-00	435 Day(s)	\$0.00	\$0.00
Project Location(s)						
St. Mary						
Comments						
<p>The Invitation to Tender was advertised on June 9, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors. Bidders were not required to be registered with the National Contracts Commission (NCC), however, they were required to provide a Tax Compliant Certificate (TCC), a copy of their Commissioned Land Surveyor's Certificate and a current Commissioned Land Surveyor's Practising Certificate. Tenders were to be submitted by June 18, 2010 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lower responsive tender, which was submitted by Lofters and Associates, in the sum of J\$5,989,710.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, instructions were given to the Contractor to prepare Pre-checked Plans for Boscobel, St. Mary. The instruction to prepare the Pre-checked Plans for Green Pond, St. James has been deferred.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-2041			Ministry	Ministry of Housing, Environment, Water and Local Government	
Project Name	Public Private Partnership Housing Programme			Public Body	Housing Agency of Jamaica Limited	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-11-18	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
\$0.00	0000-00-00	0000-00-00	0000-00-00	0 Day(s)	\$0.00	\$0.00
Project Location(s)						
All Island						
Comments						
<p>The Invitation to Pre-qualify was advertised on October 30, 2011. Contractors registered with the National Contracts Commission (NCC), were invited to submit Pre-qualification Documents by October 31, 2011 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>Subsequently, six (6) Addenda were issued, resulting from modifications to the Pre-qualification Document. These modifications included, <i>inter alia</i>, the outlining of the eligibility and qualification criteria for potential Bidders, such as registration with the NCC in the Category of Building Construction and Civil Engineering, Grade 1. The date for the return of Pre-qualification Documents was extended to November 18, 2011 at 3:00 p.m.</p> <p>Seven (7) applicants submitted Pre-qualification Documents. The submissions were opened and verified in accordance with the eligibility requirements which were outlined in the Pre-qualification Documents and accompanying Addenda.</p> <p>As at December 31, 2011, the Housing Agency of Jamaica Limited reported that the evaluation of tenders had not commenced and it is anticipated that the exercise will be completed by the second week in January 2012.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Pre-Tender Stage					

Reference No.	GCM-5952			Ministry	Ministry of Housing, Environment, Water and Local Government	
Project Name	Glendevon Infrastructure Improvement Project			Public Body	Ministry of Housing, Environment, Water & Local Government	
Contractor	Seal Investment Company Limited			Contract Sum	J\$67,555,918.87	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Emergency Contracting	2010-10-05	2010-10-14	2010-10-19	2010-10-20	0000-00-00	2011-01-12
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$42,574,081.00	2011-01-31	2011-07-11	0000-00-00	5 Month(s)	J\$51,062,572.10	\$0.00
Project Location(s)						
St. James						
Comments						
<p>The Invitation to Tender was advertised on September 15, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of General Roads and/or Civil Engineering, Grade 2 or higher. Tenders were to be submitted by October 5, 2010 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:30 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Seal Investment Company Limited, in the sum of J\$46,046,264.00, was recommended for the award of contract.</p> <p>Subsequent to the evaluation and recommendation for the award of contract, the Ministry wrote to the NCC, by way of a letter which was dated October 19, 2010, advising of its utilisation of the Contracting under Emergency Circumstances Procedure to award the contract.</p> <p>This Procedure was utilised as a result of the passage of Tropical Storm Nicole, in September 2010, which generated intense rainfall resulting in flooding, which caused damage to the road network, footbridge and buried pipeline. As such, the Scope of Works increased by 25% of the original quantity tendered.</p> <p>By way of a letter which was dated October 20, 2010, the NCC noted the Ministry's use of the Contracting under Emergency Circumstances Procedure.</p> <p>Documents which were obtained by the Office of the Contractor General (OCG) indicated that the Contractor was given a Letter of Possession, which was dated January 31, 2011, to commence the Works within 14 days of its receipt.</p> <p>Additional documents indicated that the project experienced delays as a result of frequent outbreaks of violence on site. Also, residents prevented the work from progressing as they protested the type of bridge being constructed. The Ministry advised the Contractor to seek the assistance of the Security Forces so that the Works are completed without further disruption.</p> <p>As at December 31, 2011, the project was reported as being 90% complete. The Contractor was granted two (2) extensions of time which, in the first instance, revised the completion date to September 30, 2011. In the second instance, the completion date was revised to February 2012.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract 90% Complete					

Reference No.	GCM-4391			Ministry	Ministry of Housing, Environment, Water and Local Government	
Project Name	Maggotty Water Supply - Phase 2 - Carisbrook Extension - Contract No. P07			Public Body	Ministry of Housing, Environment, Water & Local Government	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender		0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
\$0.00	0000-00-00	0000-00-00	0000-00-00	0 Day(s)	\$0.00	\$0.00
Project Location(s)						
St. Elizabeth						
Comments						
<p>The initial Invitation to Tender was advertised on November 21, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Pipe Laying, Grade 2. Tenders were to be submitted by December 16, 2010 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>The process was, however, aborted and re-opened for tender in July 2011.</p> <p>Tenders were received, evaluated, and a recommendation made for the award of contract. However, the recommendation was not forwarded to the NCC for endorsement as there was a change in the Capital "A" Budget and the Tender Validity Period subsequently expired.</p> <p>As at December 31, 2011, it was reported that as result of the reduction in the Capital "A" Budget and the removal of budgetary support for this project, the contract was not awarded and the process aborted.</p> <p>The Ministry advised that the project may be re-tendered when there is confirmed budgetary support.</p>						
Status	Project Aborted					

Reference No.	GCM-6341			Ministry	Ministry of Housing, Environment, Water and Local Government	
Project Name	Infrastructure Works, Hague			Public Body	Ministry of Housing, Environment, Water and Local Government	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2011-11-07	2011-12-21	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$9,526,125.00	0000-00-00	0000-00-00	0000-00-00	0 Day(s)	\$0.00	\$0.00
Project Location(s)						
Trelawny						
Comments						
<p>The initial Invitation to Tender was advertised on November 14, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of General Road Works or Civil Engineering, Grade 3 or higher. Tenders were to be submitted by December 2, 2010 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>The process was subsequently aborted and the procurement opportunity re-tendered.</p> <p>A second Invitation to Tender was advertised on October 26, 2011. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the NCC, in the category of Civil Engineering, Grade 4. Tenders were to be submitted by November 7, 2011, followed by a scheduled Tender Opening Ceremony.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lower responsive tender was recommended for the award of contract.</p> <p>As at December 31, 2011, a document which was obtained by the Office of the Contractor General (OCG) indicated that the Head of Entity approval was pending.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Head of Entity Approval Pending					

Reference No.	GCM-1531			Ministry	Ministry of Housing, Environment, Water and Local Government	
Project Name	Construction of Wastewater Pump Station at Darling Street			Public Body	National Water Commission	
Contractor	Kier Construction Limited			Contract Sum	US\$6,343,220.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Open Tender	2010-08-11	2011-03-11	2011-03-28	2011-04-20	2011-05-24	2011-07-14
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
US\$4,562,627.00	2011-10-04	2013-04-04	0000-00-00	0	US\$634,322.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Pre-qualify was advertised on January 20, 2010. The Open Tender Procurement Methodology was utilised to invite qualified Civil Works Contractors/Firms and Joint Ventures of sound financial status, who are nationals of member countries of the Inter-American Development Bank. Completed Pre-qualification Documents were to be submitted by March 10, 2010 at 2:00 p.m.</p> <p>Four (4) completed Pre-qualification Documents were received, opened and verified in accordance with the eligibility requirements which were outlined in the Pre-qualification Document.</p> <p>Upon evaluation, three (3) Contractors met the pre-qualification requirements and were invited to submit tenders by August 11, 2010.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Kier Construction Limited, in the sum of US\$6,343,220.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the Contractor had possession of the site and temporary Construction Works were being performed. The Works are scheduled to commence in January 2012.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-601			Ministry	Ministry of Housing, Environment, Water and Local Government	
Project Name	Construction of Western Sewage Treatment Works Diversion Sewers, Western Kingston			Public Body	National Water Commission	
Contractor	Champion Industrial Equipment & Supplies Limited			Contract Sum	J\$17,363,869.24	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2008-07-16	2009-05-27	2009-06-02	2009-10-07	0000-00-00	2009-11-26
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$10,005,618.04	2010-09-20	2011-02-28	2011-09-29	214 Day(s)	J\$24,549,053.17	J\$7,185,183.93
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on June 25, 2008. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Pipe Laying or Civil Engineering, Grade 2. Tenders were to be submitted by July 16, 2008 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Subsequent to the Tender Opening Ceremony, the National Water Commission (NWC) adjusted its Comparable Estimate of J\$10,005,618.04 to J\$15,343,246.62 as the negotiated cost from the lowest responsive Bidder was 73% higher. The revised Comparable Estimate was submitted to the Water and Housing Sector Committee for consideration on June 11, 2009, and was endorsed by way of a letter which was dated July 21, 2009.</p> <p>The lowest responsive tender, which was submitted by Champion Industrial Equipment & Supplies Limited, in the sum of J\$17,363,869.24, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>Documents which were obtained by the Office of the Contractor General indicated that the Contractor requested an extension of time for the following reasons:</p> <ol style="list-style-type: none"> 1. Inclement weather; 2. Saturated soil due to inclement weather and the need for the reduction of high water content; and 3. The shortage of pipes. <p>The request was, however, rejected by the NWC.</p> <p>The project incurred a cost overrun in the amount of J\$7,185,183.93, due to labour and material cost fluctuations, and a time overrun of 214 days.</p> <p>The project achieved Practical Completion on September 29, 2011.</p>						
Status	Project Attained Practical Completion					

Reference No.	GCM-1301			Ministry	Ministry of Housing, Environment, Water and Local Government	
Project Name	Installation of Twenty-Three (23) Flow Meters and Associated Enclosure complete with Transmitter Pressure Transducer and Loggers			Public Body	National Water Commission	
Contractor	H.D.B. Construction Limited			Contract Sum	J\$13,114,985.97	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-03-31	0000-00-00	2010-07-16	2010-08-04	0000-00-00	2010-08-16
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$21,122,766.20	2010-10-08	2011-06-08	2011-10-24	4 Month(s)	J\$9,181,664.29	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on February 15, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Pipe Laying, Grade 2, to submit tenders by March 16, 2010. The deadline for submission was extended to March 31, 2010 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by H.D.B. Construction Limited, in the sum of J\$13,114,985.97, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>Documents which were obtained by the Office of the Contractor General indicated that a delay was experienced on the project as a result of poor coordination between the National Water Commission's operations staff and the Contractor.</p> <p>The project achieved Practical Completion on October 24, 2011, which was four (4) months after the scheduled completion date.</p>						
Status	Project Attained Practical Completion					

Reference No.	GCM-1761			Ministry	Ministry of Housing, Environment, Water and Local Government	
Project Name	Luana to Sandy Ground/Brompton Water Supply Rehabilitation Project			Public Body	National Water Commission	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-11-11	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$20,022,762.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
St. Elizabeth						
Comments						
<p>The Invitation to Tender was advertised on October 5, 2009. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Pipe Laying or Civil Engineering, Grade 2 or higher. Tenders were to be submitted by November 11, 2009 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>Seven (7) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender was recommended for the award of contract.</p> <p>The submission was referred to the NCC for its endorsement of the contract. However, at its meeting dated July 13, 2011, the Commission rejected the recommendation and noted the following:</p> <ul style="list-style-type: none"> • The Contractor's unwillingness to stand by its 2009 prices; • The tender period of October 5, 2009 to November 11, 2009 and the significant passage of time it took for the completion of the tender exercise; and • The extended time taken for submission to the NCC for consideration. <p>As at December 31, 2011, the procurement process was ongoing.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Project On Hold					

Reference No.	GCM-641			Ministry	Ministry of Housing, Environment, Water and Local Government	
Project Name	Old Harbour Water Supply Scheme, St. Catherine Rehabilitation/Upgrade of Potable Water Distribution Network			Public Body	National Water Commission	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-11-30	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
\$0.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
St. Catherine						
Comments						
<p>The Invitation to Tender was advertised on October 26, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Pipe Laying or Civil Engineering, Grade 2. Tenders were to be submitted by November 30, 2011 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>As at December 31, 2011, the evaluation of the tenders was ongoing.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Evaluation of Tenders Ongoing					

Reference No.	GCM-651			Ministry	Ministry of Housing, Environment, Water and Local Government	
Project Name	The Clarks Town Water Supply Rehabilitation & Upgrade Project, Trelawny (Georgia to Duncans/Silver Sands)			Public Body	National Water Commission	
Contractor	Bajad Limited			Contract Sum	J\$43,554,730.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-02-23	2011-03-29	2011-06-08	2011-07-06	2011-08-15	2011-09-26
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$36,128,100.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Trelawny						
Comments						
<p>The Invitation to Tender was advertised on February 11, 2011. The Local Competitive Bidding procurement methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Pipe Laying or Civil Engineering, Grade 2. Tenders were to be submitted by February 23, 2011 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>Five (5) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Bajad Limited, in the sum of J\$43,554,730.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the Implementing Agency withheld the commencement order for the project as the requisite Performance and Mobilization Bonds were not submitted by the Contractor.</p> <p>The OCG will continue to monitor the implementation of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-621			Ministry	Ministry of Housing, Environment, Water and Local Government	
Project Name	The Construction of Mona Road (Extension) & Roads Leading - Off, Sanitary Collector Sewers, Liguanea, St. Andrew			Public Body	National Water Commission	
Contractor	Bajad Limited			Contract Sum	J\$47,004,380.10	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-10-06	2011-03-11	2011-05-17	2011-06-08	2011-07-25	2011-09-01
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$41,243,624.15	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
St. Andrew						
Comments						
<p>The Invitation to Tender was advertised on September 8, 2010. The Selective Tender Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Pipe Laying or Civil Engineering, Grade 2. Tenders were to be submitted by September 29, 2010 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m. Due to the passage of Tropical Storm Nicole, the Tender Opening Ceremony was held on October 6, 2010 at 11:15 a.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. Subsequently, one (1) tender was deemed non-responsive and rejected.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The responsive tender, which was submitted by Bajad Limited, in the sum of J\$47,004,380.10, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the Contractor was awaiting the commencement order.</p> <p>The OCG will continue to monitor the implementation of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-1731			Ministry	Ministry of Housing, Environment, Water and Local Government	
Project Name	Twickenham Park Sewage Rehabilitation & Upgrading Project			Public Body	National Water Commission	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2011-07-27	2011-09-14	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$3,857,925.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
St. Catherine						
Comments						
<p>The Invitation to Tender was advertised on March 7, 2011. The Local Competitive Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Pipe laying and/or Civil Engineering, Grade 3. Tenders were to be submitted by March 30, 2011 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:30 a.m.</p> <p>Tenders were not received by the submission deadline and, consequently, the Entity took the decision to abort the process and utilise the Limited Tender Procurement Methodology to invite qualified Contractors.</p> <p>The second Invitation to Tender was issued, by way of a letter which was dated July 7, 2011, to six (6) Contractors registered with the NCC, in the category of Pipe Laying and/or Civil Engineering, Grade 3. Tenders were to be submitted by July 27, 2011 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender was recommended for the award of contract.</p> <p>As at December 31, 2011, the requisite approvals were being sought.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Head of Entity Approval Pending					

Reference No.	GCM-3391			Ministry	Ministry of Housing, Environment, Water and Local Government	
Project Name	Montego Bay Convention Centre Drainage Improvement Project			Public Body	National Works Agency	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-08-02	2011-09-12	2011-09-16	2011-11-16	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$14,807,156.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
St. James						
Comments						
<p>The Invitation to Tender was advertised on July 17, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Civil Engineering and General Road Works, Grade 3. Tenders were to be submitted by August 2, 2011 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:30 p.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender was recommended for the award of contract.</p> <p>The requisite approvals were obtained.</p> <p>As at December 31, 2011, the contract award was pending.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Contract Not Yet Signed					

Reference No.	GCM-3021			Ministry	Ministry of Housing, Environment, Water and Local Government	
Project Name	Comfort Hall/Copperwood Hill Water Supply Scheme			Public Body	Rural Water Supply Limited	
Contractor	Frederick Rodrigues & Associates			Contract Sum	J\$25,938,214.50	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-06-16	2011-07-15	2011-07-28	2011-09-07	0000-00-00	2011-10-19
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$29,379,542.50	2011-10-30	2012-03-05	0000-00-00	0	J\$8,812,721.44	\$0.00
Project Location(s)						
St. James						
Comments						
<p>The Invitation to Tender was advertised on May 2, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Pipe Laying, Grade 2. Tenders were to be submitted by June 16, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Frederick Rodrigues & Associates, in the sum of J\$25,938,214.50, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>Documents which were obtained by the Office of the Contractor General (OCG) indicated that excavation works commenced on September 30, 2011, with a scheduled completion date of March 5, 2012.</p> <p>As at December 31, 2011, the contract was approximately 34% complete and behind scheduled for the project completion date.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract 34% Complete					

Reference No.	GCM-3031			Ministry	Ministry of Housing, Environment, Water and Local Government	
Project Name	Maldon and Chatsworth Primary School - Rainwater Harvesting System Upgrade			Public Body	Rural Water Supply Limited	
Contractor	S. Creary General Construction			Contract Sum	J\$5,180,591.03	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-05-26	2011-06-14	2011-07-04	0000-00-00	0000-00-00	2011-07-26
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$5,974,721.50	2011-07-26	2011-09-06	0000-00-00	3 Month(s)	J\$3,057,819.68	\$0.00
Project Location(s)						
St. James						
Comments						
<p>The Invitation to Tender was advertised on May 1, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grade 4 or higher, Civil Engineering, Grade 4 or higher or Building Maintenance, Grade 3 or higher. Tenders were to be submitted by May 26, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Six (6) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by S. Creary General Construction, in the sum of J\$5,180,591.03, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, documents which were obtained by the Office of the Contractor General (OCG) indicated that the project was 85% complete as a result of the following delays:</p> <ol style="list-style-type: none"> 1. The Contractor experienced difficulties in obtaining specific low-flush toilets; and 2. Works had to be re-scheduled to reduce dislocation, as school was in session. <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract 85% Complete					

Reference No.	GCM-3041			Ministry	Ministry of Housing, Environment, Water and Local Government	
Project Name	Mile Gully/Warwick Castle Water Supply			Public Body	Rural Water Supply Limited	
Contractor	KG Action Construction			Contract Sum	J\$2,427,046.30	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-06-23	2011-07-22	2011-07-28	0000-00-00	0000-00-00	2011-08-23
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$2,728,396.00	2011-09-01	2011-09-28	0000-00-00	3 Month(s)	J\$2,052,223.41	\$0.00
Project Location(s)						
St. Mary						
Comments						
<p>The Invitation to Tender was advertised on May 29, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Civil Engineering, Grade 4. Tenders were to be submitted by June 23, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by KG Action Construction, in the sum of J\$2,427,046.30, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>Documents which were obtained by the Office of the Contractor General (OCG) indicated that the project's scheduled completion date was not achieved due to delays which were experienced in the delivery of water tanks and payments to the Contractor.</p> <p>As at December 31, 2011, minor activities remained for the project to be completed.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract 95% Complete					

Reference No.	GCM-1971			Ministry	Ministry of National Security	
Project Name	Alwyn Ashley Multipurpose Centre Renovation & Extension			Public Body	Citizen Security & Justice Programme (CSJP)	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2011-10-18	2011-12-06	2011-12-06	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$26,857,768.00	0000-00-00	0000-00-00	0000-00-00	0 Day(s)	\$0.00	\$0.00
Project Location(s)						
St. Andrew						
Comments						
<p>The initial invitation to tender was advertised on December 26, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grade 2 or higher. Tenders were to be submitted by January 20, 2011 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:05 p.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. After arithmetic corrections, the lower responsive tender was recommended for the award of contract. The Contractor, however, did not accept the corrected bid price and, as such, the procurement process was aborted and the contract re-tendered.</p> <p>A second Invitation to Tender was advertised on September 19, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the NCC, in the category of Building Construction, Grade 2 or higher. Tenders were to be submitted by October 18, 2011 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:05 p.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lower responsive tender was recommended for the award of contract.</p> <p>As at December 31, 2011, endorsement from the NCC was pending.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	National Contracts Commission (NCC) Endorsement Pending					

Reference No.	GCM-2011			Ministry	Ministry of National Security	
Project Name	Parade Gardens Community Centre Rehabilitation			Public Body	Citizen Security & Justice Programme (CSJP)/JSIF	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-07-05	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$29,012,248.09	0000-00-00	0000-00-00	0000-00-00	0 Day(s)	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The initial Invitation to Tender was advertised on April 10, 2011, however, no tenders were received. The procurement opportunity was re-advertised on May 8, 2011, and one (1) tender was received. After arithmetic correction, however, the recommended Contractor did not accept the corrected bid price and, as a result, the procurement process was aborted and re-tendered.</p> <p>The third Invitation to Tender was advertised on June 19, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grade 2 or higher. Tenders were to be submitted by July 5, 2011 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:05 p.m.</p> <p>One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>As at December 31, 2011, the Citizen Security and Justice Programme (CSJP) reported that "...there was a long delay between the receipt of the bid and the contract award, causing the bid validity period to expire and the procurement process to be abandoned."</p> <p>The CSJP further reported that the Jamaica Social Investment Fund (JSIF), the Implementing Agency for the project, is in the process of requesting approval from the NCC to utilise the Limited Tender Procurement Methodology and invite five (5) Contractors to submit tenders for the project.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Project Aborted					

Reference No.	GCM-3231			Ministry	Ministry of Transport and Works	
Project Name	Jamaica Development Infrastructure Programme - Eden River Bridge, St. Mary			Public Body	National Works Agency	
Contractor	China Harbour Engineering Company (CHEC)/Ashtrom Building Systems Limited (Sub-Contractor)			Contract Sum	J\$123,149,488.70	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Direct Contracting	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00	2009-08-20
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
\$0.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
St. Mary						
Comments						
<p>Subsequent to the Tender Opening Ceremony, which was held on February 25, 2010, the National Works Agency (NWA) advised the Office of the Contractor General (OCG) that the project would be executed under the Jamaica Development Infrastructure Programme (JDIP). The JDIP resulted from a Bilateral Agreement between the Governments of Jamaica and China and is, therefore, exempted from the Government of Jamaica Public Sector Procurement Procedures.</p> <p>The OCG was further advised that the Contractor with responsibility for the project is China Harbour Engineering Company (CHEC). The Contractor subsequently engaged Ashtrom Building Systems Limited as a Sub-Contractor on the project at a cost of \$123,149,488.70.</p> <p>As at December 31, 2011, the project was on hold.</p>						
Status	Project On Hold					

Reference No.	GCM-3321			Ministry	Ministry of Transport and Works	
Project Name	Jamaica Development Infrastructure Programme - Eleven Miles Box Culverts, Bull Bay, St. Thomas			Public Body	National Works Agency	
Contractor	China Harbour Engineering Company/Alcar Construction and Haulage Company (Sub-Contractor)			Contract Sum	J\$135,823,783.18	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Direct Contracting	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00	2009-08-20
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
\$0.00	2011-02-17	2012-02-17	0000-00-00	0	J\$49,416,286.96	\$0.00
Project Location(s)						
St. Thomas						
Comments						
<p>Subsequent to the Tender Opening Ceremony, which was held on October 1, 2008, the National Works Agency (NWA) advised the Office of the Contractor General (OCG) that the project would be executed under the Jamaica Development Infrastructure Programme (JDIP). The JDIP resulted from a Bilateral Agreement between the Governments of Jamaica and China and is, therefore, exempted from the Government of Jamaica Public Sector Procurement Procedures.</p> <p>The OCG was further advised that the Contractor with responsibility for the project is China Harbour Engineering Company (CHEC). The Contractor subsequently engaged Alcar Construction and Haulage Company as a Sub-Contractor on the project at a cost of J\$135,823,783.18.</p> <p>The project commenced on February 17, 2011.</p> <p>As at December 31, 2011, the project was reported as being 39% complete and significantly behind schedule.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract 39% Complete					

Reference No.	GCM-1141			Ministry	Ministry of Transport and Works	
Project Name	Jamaica Development Infrastructure Programme - Fern Gully Restoration & Rehabilitation Stage II			Public Body	National Works Agency	
Contractor	China Harbour Engineering Company (CHEC)/Y.P. Seaton and Associates Company Limited (Sub-Contractor)			Contract Sum	J\$184,992,976.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Direct Contracting	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00	2009-08-20
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
\$0.00	2011-03-07	2012-03-19	0000-00-00	0	J\$149,981,382.81	\$0.00
Project Location(s)						
St. Ann						
Comments						
<p>Subsequent to the Tender Opening Ceremony, which was held on August 31, 2009, the National Works Agency (NWA) advised the Office of the Contractor General (OCG) that the project would be executed under the Jamaica Development Infrastructure Programme (JDIP). The JDIP resulted from a Bilateral Agreement between the Governments of Jamaica and China and is, therefore, exempted from the Government of Jamaica Public Sector Procurement Procedures.</p> <p>The OCG was further advised that the Contractor with responsibility for the project is China Harbour Engineering Company (CHEC). The Contractor subsequently engaged Y.P. Seaton and Associates Company Limited as a Sub-Contractor on the project at a cost of J\$184,992,976.00. The project commenced on March 7, 2011.</p> <p>As at December 31, 2011, the project was reported as being 98% complete.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract 98% Complete					

Reference No.	GCM-1201			Ministry	Ministry of Transport and Works	
Project Name	Jamaica Development Infrastructure Programme - Queens Drive, Montego Bay			Public Body	National Works Agency	
Contractor	China Harbour Engineering Company (CHEC)/Surrey Paving and Aggregate Company Limited (Sub-Contractor)			Contract Sum	J\$99,051,480.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Direct Contracting	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00	2009-08-20
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
\$0.00	2010-10-25	2011-10-25	0000-00-00	0	J\$163,529,186.73	J\$74,099,077.28
Project Location(s)						
St. James						
Comments						
<p>Subsequent to the Tender Opening Ceremony, which was held on January 5, 2010, the National Works Agency (NWA) advised the Office of the Contractor General (OCG) that the project would be executed under the Jamaica Development Infrastructure Programme (JDIP). The JDIP resulted from a Bilateral Agreement between the Governments of Jamaica and China and is, therefore, exempted from the Government of Jamaica Public Sector Procurement Procedures.</p> <p>The OCG was further advised that the Contractor with responsibility for the project is China Harbour Engineering Company (CHEC). The Contractor subsequently engaged Surrey Paving and Aggregate Company Limited as a Sub-Contractor on the project at a cost of \$99,051,480.00.</p> <p>The project commenced on October 25, 2010.</p> <p>As at December 31, 2011, the project was reported as being complete. Due to changes in the Scope of Works, the project incurred a variation of \$74,099,077.28.</p>						
Status	Contract Completed					

Reference No.	GCM-3171			Ministry	Ministry of Transport and Works	
Project Name	Jamaica Development Infrastructure Programme - Sunset Boulevard to Gloucester Avenue			Public Body	National Works Agency	
Contractor	China Harbour Engineering Company (CHEC)/Surrey Paving & Aggregate Company Limited (Sub-Contractor)			Contract Sum	J\$167,056,025.39	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Direct Contracting	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00	2009-08-20
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
\$0.00	2011-03-16	2012-03-16	0000-00-00	0	J\$67,968,757.73	\$0.00
Project Location(s)						
St. James						
Comments						
<p>Subsequent to the Tender Opening Ceremony, which was held on January 7, 2010, the National Works Agency (NWA) advised the Office of the Contractor General (OCG) that the project would be executed under the Jamaica Development Infrastructure Programme (JDIP). The JDIP resulted from a Bilateral Agreement between the Governments of Jamaica and China and is, therefore, exempted from the Government of Jamaica Public Sector Procurement Procedures.</p> <p>The OCG was further advised that the Contractor with responsibility for the project is China Harbour Engineering Company (CHEC). The Contractor subsequently engaged Surrey Paving & Aggregate Company Limited as a Sub-Contractor on the project at a cost of \$167,056,025.39.</p> <p>The project commenced on March 16, 2011. As at December 31, 2011, the project was reported as being 42% complete.</p>						
Status	Contract 42% Complete					

Reference No.	GCM-3641			Ministry	Ministry of Transport and Works	
Project Name	Repairs to Reinforced Concrete Roof, Gordon House			Public Body	National Works Agency	
Contractor	HDB Construction Limited			Contract Sum	J\$10,104,475.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Contracting Under Emergency Circumstances	0000-00-00	0000-00-00	0000-00-00	2011-08-31	0000-00-00	2011-08-03
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
\$0.00	2011-08-03	2011-10-21	2011-11-17	4 Week(s)	J\$31,749,452.92	J\$21,644,977.92
Project Location(s)						
St. Andrew						
Comments						
<p>The Invitation to Tender was advertised on August 15, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grades 1 - 4. Tenders were to be submitted by September 10, 2010 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>The sole tender that was submitted was approximately 43.3% above the Engineer's Estimate and, after a detailed evaluation, the decision was taken to re-tender the project.</p> <p>The NCC was advised, by way of a letter which was dated August 31, 2011, that the Procuring Entity, in accordance with the Government of Jamaica (GOJ) Handbook of Public Sector Procurement Procedures (2010), had utilised the Contracting under Emergency Circumstances Procedure to engage HDB Construction Limited.</p> <p>The contract was originally awarded in the sum of J\$10,104,475.00, however, changes in the Scope of Works resulted in an increase of J\$21,644,977.92.</p> <p>As at December 31, 2011, the project was reported as being completed and the Final cost was estimated to be J\$31,749,452.92.</p>						
Status	Contract Completed					

Reference No.	GCM-4712			Ministry	Ministry of Transport and Works	
Project Name	Rural Roads Rehabilitation Project - Phase II			Public Body	National Works Agency	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
\$0.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Clarendon						
Comments						
<p>The Invitation to Pre-qualify was originally advertised on March 8, 2009. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of General Road Repairs, Grade 1. Tenders were to be submitted by April 29, 2009. However, this was extended to May 22, 2009 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:30 p.m.</p> <p>Documents which were obtained by the Office of the Contractor General (OCG) indicated that a new Pre-qualification opportunity for this project was advertised locally and internationally for Contractors in the appropriate category. Questionnaires were to be submitted by February 24, 2012 at 11:00 a.m.</p> <p>As at December 31, 2011, the OCG found that the National Works Agency (NWA) was in the process of completing land acquisition activities. By way of Cabinet Decision No. 29/11, which was dated July 18, 2011, the Cabinet approved an allocation of J\$50 Million for the acquisition of several parcels of land for the project.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Procurement Process is Ongoing					

Reference No.	GCM-3451			Ministry	Ministry of Transport and Works	
Project Name	The Renovation and Restoration of Canteen Kitchen and Two Serving Areas at the Central Sorting Office, South Camp Road			Public Body	National Works Agency	
Contractor	Bogues Brothers Industries Limited			Contract Sum	J\$5,167,420.31	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-04-09	2010-09-16	2010-09-20	0000-00-00	0000-00-00	2011-04-07
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$5,577,100.00	2011-04-18	2011-08-18	2011-08-18	0	J\$5,167,420.31	\$0.00
Project Location(s)						
St. Andrew						
Comments						
<p>The Invitation to Tender was advertised on February 28, 2010 and March 3, 2010. The Selective Tendering Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Electrical Appliances, Equipment and General Supplies. Tenders were to be submitted by April 9, 2010 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Bogues Brothers Industries Limited, in the sum of J\$5,167,420.31, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the project was completed.</p>						
Status	Contract Completed					

Reference No.	GCM-1961			Ministry	Ministry of Transport and Works	
Project Name	Transportation Infrastructure Rehabilitation Programme - Dry River Bunding Works			Public Body	National Works Agency	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
International Competitive Bidding	2011-04-13	2011-06-20	2011-06-21	2011-08-17	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$80,423,781.50	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
St. Andrew						
Comments						
<p>The Invitation to Pre-qualify was advertised on February 20, 2011. The International Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Civil Works, Grade 1. Tenders were to be submitted by April 13, 2011 at 11:00 a.m., followed by a scheduled Pre-qualification Opening Ceremony at 11:15 a.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Pre-qualification Document. One (1) Contractor pre-qualified and subsequently a Tender Opening Ceremony was held on April 13, 2011.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The sole responsive tender was recommended for the award of contract.</p> <p>As at December 31, 2011, Cabinet approval was pending.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Cabinet Approval Pending					

Reference No.	GCM-1871			Ministry	Ministry of Transport and Works	
Project Name	Transportation Infrastructure Rehabilitation Programme - Loan No. IDB Loan 2026 (Red Hills to Bog Walk Road Rehabilitation)			Public Body	National Works Agency	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-04-11	2011-05-24	2011-05-25	2011-07-20	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$179,567,850.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
St. Andrew						
Comments						
<p>The Invitation to Tender was advertised on March 9, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Road Surfacing - Asphaltic Concrete Works, Grade 1. Tenders were to be submitted by April 11, 2011 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lower responsive tender was recommended for the award of contract.</p> <p>As at December 31, 2011, Cabinet approval was pending.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Cabinet Approval Pending					

Reference No.	GCM-4021			Ministry	Ministry of Transport and Works	
Project Name	Transportation Infrastructure Rehabilitation Programme - Negril to Sheffield Drainage Improvement Work - Phase 1			Public Body	National Works Agency	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-08-04	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$79,174,882.26	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Westmoreland						
Comments						
<p>The Invitation to Tender was originally advertised on November 14, 2010 and a Tender Opening Ceremony was held on December 15, 2010. The project was subsequently re-tendered.</p> <p>The second Invitation to Tender was advertised on July 17, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Civil Engineering, Grades 1 - 2. Tenders were to be submitted by August 4, 2011 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>Five (5) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>As at December 31, 2011, the procurement process was ongoing.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Evaluation of Tenders Ongoing					

Reference No.	GCM-1821			Ministry	Ministry of Transport and Works	
Project Name	Transportation Infrastructure Rehabilitation Programme - Scott's Cove to Belmont, Westmoreland (Asphaltic Concrete Road Resurfacing Works)			Public Body	National Works Agency	
Contractor	Asphaltic Concrete Enterprise Limited			Contract Sum	J\$279,092,105.05	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-12-23	2011-01-10	2011-06-13	2011-06-29	2011-07-25	2011-10-04
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$301,382,859.83	2011-11-03	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Westmoreland						
Comments						
<p>The Invitation to Tender was advertised on December 1, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Road Surfacing - Asphaltic Concrete Works, Grade 1. Tenders were to be submitted by December 23, 2010 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lower responsive tender, which was submitted by Asphaltic Concrete Enterprise Limited, in the sum of J\$279,092,105.05, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>Documents which were received by the Office of the Contractor General (OCG) indicated that the progress of the project was hindered by the pending approval of a Variation Order to install National Water Commission (NWC) pipelines. The Contractor was only able to carry out drain cleaning, cleaning of sidewalks and shoulders, bushing and road patching works.</p> <p>As at December 31, 2011, this project was 6% complete.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract 6% Complete					

Reference No.	GCM-2021			Ministry	Ministry of Transport and Works	
Project Name	Transportation Infrastructure Rehabilitation Programme - Yallahs River Bunding Works			Public Body	National Works Agency	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
International Competitive Bidding	2011-04-13	2011-08-15	2011-09-01	2011-10-26	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$103,853,127.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
St. Andrew						
Comments						
<p>The Invitation to Pre-qualify was advertised on February 20, 2011. The International Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Civil Engineering Works, Grade 1. Tenders were to be submitted by April 13, 2011 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Pre-qualification Document. One (1) Contractor pre-qualified and subsequently a Tender Opening Ceremony was held on April 13, 2011.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The sole responsive tender was recommended for the award of contract.</p> <p>As at December 31, 2011, Cabinet approval was pending.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Cabinet Approval Pending					

Reference No.	GCM-801			Ministry	Ministry of Transport and Works	
Project Name	Tropical Storm Nicole Drainage Network Rehabilitation Project - (Addition to Azmart, Azmart - Barbican Way and Cherry Gardens - Upper Caramel)			Public Body	National Works Agency	
Contractor	Roger's Land Development Limited			Contract Sum	J\$203,832,038.03	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Contracting Under Emergency Circumstances	2011-06-08	0000-00-00	2011-06-27	2011-07-06	0000-00-00	2011-07-15
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$189,251,833.93	2011-09-12	2012-03-12	0000-00-00	0	J\$61,663,343.62	\$0.00
Project Location(s)						
St. Andrew						
Comments						
<p>The National Works Agency (NWA), by way of a letter which was dated May 30, 2011, invited five (5) Contractors to submit tenders. The Limited Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Civil Engineering or General Road Works, Grades 1 or 2. Tenders were to be submitted by June 8, 2011 at 1:00 p.m., followed by a scheduled Tender Opening Ceremony at 1:15 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Roger's Land Development Limited, in the sum of J\$203,832,038.03, was recommended for the award of contract.</p> <p>Subsequently, the NWA, by way of a letter which was dated June 27, 2011, informed the NCC that the Contracting under Emergency Circumstances Procedure was utilised to award the contract.</p> <p>As at December 31, 2011, the project was 38% complete.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract 38% Complete					

Reference No.	GCM-751			Ministry	Ministry of Transport and Works	
Project Name	Tropical Storm Nicole Drainage Network Rehabilitation Project - (Dunbarton Bridge - Molyne's Road, Jew Gully & Shoe Marker Gully)			Public Body	National Works Agency	
Contractor	Surrey Paving & Aggregates Company Limited			Contract Sum	J\$157,665,405.96	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Contracting Under Emergency Circumstances	2011-06-08	0000-00-00	2011-06-27	2011-07-06	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$142,597,886.81	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
St. Andrew						
Comments						
<p>The National Works Agency (NWA), by way of letter dated May 30, 2011, invited six (6) Contractors to submit tenders. The Limited Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Civil Engineering or General Road Works, Grades 1 or 2. Tenders were to be submitted by June 8, 2011 at 1:00 p.m., followed by a scheduled Tender Opening Ceremony at 1:15 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Surrey Paving & Aggregates Company Limited, in the sum of J\$157,665,405.96, was recommended for the award of contract.</p> <p>Subsequently, the NWA, by way of a letter which was dated June 27, 2011, informed the NCC that the Contracting under Emergency Circumstances Procedure was utilised to award the contract.</p> <p>However, documents which were obtained by the Office of the Contractor General (OCG) indicated that the project was put on hold, due to financial constraints, until the 2012/2013 financial year.</p> <p>As at December 31, 2011, the project remained on hold.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Project On Hold					

Reference No.	GCM-781			Ministry	Ministry of Transport and Works	
Project Name	Tropical Storm Nicole Drainage Network Rehabilitation Project - (Grovedale, Drumblair Crescent - Washington Close)			Public Body	National Works Agency	
Contractor	Roger's Land Development Limited			Contract Sum	J\$195,021,817.63	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Contracting Under Emergency Circumstances	2011-06-08	0000-00-00	2011-06-27	2011-07-06	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$180,850,594.93	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
St. Andrew						
Comments						
<p>The National Works Agency (NWA), by way of a letter which was dated May 30, 2011, invited five (5) Contractors to submit tenders. The Limited Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Civil Engineering or General Road Works, Grades 1 or 2. Tenders were to be submitted by June 8, 2011 at 1:00 p.m., followed by a scheduled Tender Opening Ceremony at 1:15 p.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Roger's Land Development Limited, in the sum of J\$195,021,817.63, was recommended for the award of contract.</p> <p>Subsequently, the NWA, by way of a letter which was dated June 27, 2011, informed the NCC that the Contracting under Emergency Circumstances Procedure was utilised to award the contract.</p> <p>However, documents which were obtained by the Office of the Contractor General (OCG) indicated that the project was put on hold, due to financial constraints, until the 2012/2013 financial year.</p> <p>As at December 31, 2011 the project remained on hold.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Project On Hold					

Reference No.	GCM-841			Ministry	Ministry of Transport and Works	
Project Name	Tropical Storm Nicole Drainage Network Rehabilitation Project - (Sherlock Drive - Roehampton Close and CVM - Trade Centre)			Public Body	National Works Agency	
Contractor	Nakash Construction Limited			Contract Sum	J\$93,432,067.59	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Contracting Under Emergency Circumstances	2011-06-08	0000-00-00	2011-06-27	2011-07-06	0000-00-00	2011-07-15
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$85,887,553.28	2011-08-08	2012-02-08	0000-00-00	0	J\$76,751,698.00	\$0.00
Project Location(s)						
St. Andrew						
Comments						
<p>The National Works Agency (NWA), by way of a letter which was dated May 30, 2011, invited five (5) Contractors to submit tenders. The Limited Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Civil Engineering or General Road Works, Grades 1 or 2. Tenders were to be submitted by June 8, 2011 at 1:00 p.m., followed by a scheduled Tender Opening Ceremony at 1:15 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Nakash Construction Limited, in the sum of J\$93,432,067.59, was recommended for the award of contract.</p> <p>Subsequently, the NWA, by way of a letter which was dated June 27, 2011, informed the NCC that the Contracting under Emergency Circumstances Procedure was utilised to award the contract.</p> <p>As at December 31, 2011, the Sherlock Drive to Roehampton Close phase was 68%, while the CVM to Trade Centre phase was 100% complete.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract 82% Complete					

Reference No.	GCM-771			Ministry	Ministry of Transport and Works	
Project Name	Tropical Storm Nicole Drainage Network Rehabilitation Project - Cariwina Avenue and Red Hills Boulevard/Renfield Drive			Public Body	National Works Agency	
Contractor	Chin's Construction Limited			Contract Sum	J\$49,156,327.13	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Contracting Under Emergency Circumstances	2011-06-08	0000-00-00	2011-06-27	2011-07-06	0000-00-00	2011-07-15
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$46,357,849.72	2011-07-19	2012-01-19	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
St. Andrew						
Comments						
<p>The National Works Agency (NWA), by way of a letter which was dated May 30, 2011, invited five (5) Contractors to submit tenders. The Limited Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Civil Engineering or General Road Works, Grades 1 or 2. Tenders were to be submitted by June 8, 2011 at 1:00 p.m., followed by a scheduled Tender Opening Ceremony at 1:15 p.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Chin's Construction Limited, in the sum of J\$49,156,327.13, was recommended for the award of contract.</p> <p>Subsequently, the NWA, by way of a letter which was dated June 27, 2011, informed the NCC that the Contracting under Emergency Circumstances Procedure was utilised to award the contract.</p> <p>As at December 31, 2011, the project was 5% complete and significantly behind schedule.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract 5% Complete					

Reference No.	GCM-821			Ministry	Ministry of Transport and Works	
Project Name	Tropical Storm Nicole Drainage Network Rehabilitation Project - Cassia Park Fording - Trade Centre (Invert Construction)			Public Body	National Works Agency	
Contractor	Dwight's Construction Limited			Contract Sum	J\$161,081,431.83	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Contracting Under Emergency Circumstances	2011-06-08	0000-00-00	2011-06-27	2011-07-06	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$142,500,000.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
St. Andrew						
Comments						
<p>The National Works Agency (NWA), by way of letter dated May 30, 2011, invited six (6) Contractors to submit tenders. The Limited Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Civil Engineering or General Road Works, Grades 1 or 2. Tenders were to be submitted by June 8, 2011 at 1:00 p.m., followed by a scheduled Tender Opening Ceremony at 1:15 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Dwight's Construction Limited, in the sum of J\$161,081,431.83, was recommended for the award of contract.</p> <p>Subsequently, the NWA, by way of a letter which was dated June 27, 2011, informed the NCC that the Contracting under Emergency Circumstances Procedure was utilised to award the contract.</p> <p>However, documents which were obtained by the Office of the Contractor General (OCG) indicated that the project was put on hold, due to financial constraints, until the 2012/2013 financial year.</p> <p>As at December 31, 2011 the project remained on hold.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Project On Hold					

Reference No.	GCM-831			Ministry	Ministry of Transport and Works	
Project Name	Tropical Storm Nicole Drainage Network Rehabilitation Project - Cassia Park Fording - Trade Centre (Wall Construction)			Public Body	National Works Agency	
Contractor	Dwight's Construction Limited			Contract Sum	J\$58,498,388.79	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Contracting Under Emergency Circumstances	2011-06-08	0000-00-00	2011-06-27	2011-07-06	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$55,898,923.85	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
St. Andrew						
Comments						
<p>The National Works Agency (NWA), by way of a letter which was dated May 30, 2011, invited five (5) Contractors to submit tenders. The Limited Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Civil Engineering or General Road Works, Grades 1 or 2. Tenders were to be submitted by June 8, 2011 at 1:00 p.m., followed by a scheduled Tender Opening Ceremony at 1:15 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Dwight's Construction Limited, in the sum of J\$58,498,388.79, was recommended for the award of contract.</p> <p>Subsequently, the NWA, by way of a letter which was dated June 27, 2011, informed the NCC that the Contracting under Emergency Circumstances Procedure was utilised to award the contract.</p> <p>However, documents which were obtained by the Office of the Contractor General (OCG) indicated that the project was put on hold, due to financial constraints, until the 2012/2013 financial year.</p> <p>As at December 31, 2011 the project remained on hold.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Project On Hold					

Reference No.	GCM-761			Ministry	Ministry of Transport and Works	
Project Name	Tropical Storm Nicole Drainage Network Rehabilitation Project - DuPont Primary School and Lime Tree Lane - Olympic Way			Public Body	National Works Agency	
Contractor	General Paving Company Limited			Contract Sum	J\$55,940,807.52	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Contracting Under Emergency Circumstances	2011-06-08	0000-00-00	2011-06-27	2011-07-06	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$53,962,828.82	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
St. Andrew						
Comments						
<p>The National Works Agency (NWA), by way of a letter which was dated May 30, 2011, invited five (5) Contractors to submit tenders. The Limited Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Civil Engineering or General Road Works, Grades 1 or 2. Tenders were to be submitted by June 8, 2011 at 1:00 p.m., followed by a scheduled Tender Opening Ceremony at 1:15 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by General Paving Company Limited, in the sum of J\$55,940,807.52, was recommended for the award of contract.</p> <p>Subsequently, the NWA, by way of a letter which was dated June 27, 2011, informed the NCC that the Contracting under Emergency Circumstances Procedure was utilised to award the contract.</p> <p>However, documents which were obtained by the Office of the Contractor General (OCG) indicated that the project was put on hold, due to financial constraints, until the 2012/2013 financial year.</p> <p>As at December 31, 2011 the project remained on hold.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Project On Hold					

Reference No.	GCM-731			Ministry	Ministry of Transport and Works	
Project Name	Tropical Storm Nicole Drainage Network Rehabilitation Project- Halifax Avenue and Lewisville Close			Public Body	National Works Agency	
Contractor	Roger's Land Development Limited			Contract Sum	J\$99,903,671.99	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Contracting Under Emergency Circumstances	2011-06-08	0000-00-00	2011-06-27	2011-07-06	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$92,957,021.72	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
St. Andrew						
Comments						
<p>The National Works Agency (NWA), by way of letter dated May 30, 2011, invited five (5) Contractors to submit tenders. The Limited Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Civil Engineering or General Road Works, Grades 1 or 2. Tenders were to be submitted by June 8, 2011 at 1:00 p.m., followed by a scheduled Tender Opening Ceremony at 1:15 p.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Roger's Land Development Limited, in the sum of J\$99,903,671.99, was recommended for the award of contract.</p> <p>Subsequently, the NWA, by way of a letter which was dated June 27, 2011, informed the NCC that the Contracting under Emergency Circumstances Procedure was utilised to award the contract.</p> <p>However, documents which were obtained by the Office of the Contractor General (OCG) indicated that the project was put on hold, due to financial constraints, until the 2012/2013 financial year.</p> <p>As at December 31, 2011 the project remained on hold.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Project On Hold					

Reference No.	GCM-741			Ministry	Ministry of Transport and Works	
Project Name	Tropical Storm Nicole Drainage Rehabilitation Project - PriceSmart (Red Hills - Perkins Boulevard)			Public Body	National Works Agency	
Contractor	Chin's Construction Limited			Contract Sum	J\$72,613,190.70	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Contracting Under Emergency Circumstances	2011-06-08	0000-00-00	2011-06-27	2011-07-06	0000-00-00	2011-07-15
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$72,434,012.30	2011-07-22	2012-01-22	0000-00-00	0	J\$49,299,075.00	\$0.00
Project Location(s)						
St. Andrew						
Comments						
<p>The National Works Agency (NWA), by way of a letter which was dated May 30, 2011, invited five (5) Contractors to submit tenders. The Limited Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Civil Engineering or General Road Works, Grades 1 or 2. Tenders were to be submitted by June 8, 2011 at 1:00 p.m., followed by a scheduled Tender Opening Ceremony at 1:15 p.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Chin's Construction Limited, in the sum of J\$72,613,190.70, was recommended for the award of contract.</p> <p>Subsequently, the NWA, by way of a letter which was dated June 27, 2011, informed the NCC that the Contracting under Emergency Circumstances Procedure was utilised to award the contract.</p> <p>As at December 31, 2011 the project was 35% complete.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract 35% Complete					

Reference No.	GCM-691			Ministry	Ministry of Transport and Works	
Project Name	Tropical Storm Nicole Drainage Rehabilitation Project - Sandy Gully, 7th Day Adventist, New Haven & Washington Court Apt. (Cassia Park, Molyne's Road)			Public Body	National Works Agency	
Contractor	Dwight's Construction Limited			Contract Sum	J\$230,501,644.02	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Contracting Under Emergency Circumstances	2011-06-08	0000-00-00	2011-06-27	2011-07-06	0000-00-00	2011-07-15
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$209,952,797.86	2011-08-30	2012-02-28	0000-00-00	0	J\$183,991,701.00	\$0.00
Project Location(s)						
St. Andrew						
Comments						
<p>The National Works Agency (NWA), by way of a letter which was dated May 30, 2011, invited five (5) Contractors to submit tenders. The Limited Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Civil Engineering or General Road Works, Grades 1 or 2. Tenders were to be submitted by June 8, 2011 at 1:00 p.m., followed by a scheduled Tender Opening Ceremony at 1:15 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Dwight's Construction Limited, in the sum of J\$230,501,644.02, was recommended for the award of contract.</p> <p>Subsequently, the NWA, by way of a letter which was dated June 27, 2011, informed the NCC that the Contracting under Emergency Circumstances Procedure was utilised to award the contract.</p> <p>As at December 31, 2011, the project was 70% complete.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract 70% Complete					

Reference No.	GCM-3981			Ministry	Ministry of Transport and Works	
Project Name	Upgrade of Electrical Distribution System for National Works Agency's Corporate Office			Public Body	National Works Agency	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-06-30	2011-08-23	2011-09-06	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$3,637,677.72	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
St. Andrew						
Comments						
<p>The Invitation to Tender was advertised on May 29, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Electrical Works, Grades 1 - 4. Initially, tenders were to be submitted by June 24, 2011, however, the date was extended to June 30, 2011 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lower responsive tender was recommended for the award of contract.</p> <p>As at December 31, 2011, the project was reported to be on hold pending the allocation of funding.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Project On Hold					

Reference No.	GCM-1461			Ministry	Ministry of Transport and Works	
Project Name	East Airfield Development - Phase 1			Public Body	NMIA Airports Authority	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-08-26	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$63,399,076.90	0000-00-00	0000-00-00	0000-00-00	0 Day(s)	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on August 19, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Civil Engineering and General Road Works, Grade 2 or higher. Tenders were to be submitted by August 19, 2011, however, an Addendum was issued which modified the Tender Document and the date for the submission of tenders was extended to August 26, 2011 at 12:00 p.m. followed by a Tender Opening Ceremony at 12:15 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document and submitted to the Consultant, Peter Jervis & Associates, for evaluation.</p> <p>As at December 31, 2011, it was reported that the Bid Evaluation Report was submitted to the Ministry of Transport and Works and the Sector Committee for the requisite recommendations and approvals.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	National Contracts Commission (NCC) Endorsement Pending					

Reference No.	GCM-1471			Ministry	Ministry of Transport and Works	
Project Name	Extension of Chilled Water Distribution System			Public Body	NMIA Airports Authority	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2011-01-14	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$186,748,294.03	0000-00-00	0000-00-00	0000-00-00	0 Day(s)	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on December 1, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Heating, Ventilation, Air Conditioning and Refrigeration, Grade 2 or higher. Tenders were to be submitted by December 7, 2010 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>An Addendum was subsequently issued outlining modifications to the Tender Document and the date for the submission of tenders was extended to January 14, 2011.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. As at December 2010, both Bidders had submitted expired NCC Certificates. The Procuring Entity sought guidance from the Chairman of the NCC, and the evaluation of tenders was put on hold. The NCC advised that the current process be aborted and the project re-tendered.</p> <p>As at December 31, 2011, it was reported that the procurement opportunity was re-opened on November 24, 2011, and was scheduled to be closed on December 29, 2011. Based upon a request for the extension of the tender period, the date for the submission of tenders was subsequently extended to January 17, 2012.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Procurement process ongoing					

Reference No.	GCM-3751			Ministry	Ministry of Transport and Works	
Project Name	Reinforced Concrete Water Storage Tank - Norman Manley International Airport			Public Body	NMIA Airports Authority	
Contractor	Kier Construction Limited			Contract Sum	J\$22,273,695.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Open Tender	2010-09-27	2010-11-02	2010-12-07	2010-12-15	0000-00-00	2011-01-27
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$20,400,000.00	2011-02-21	2011-07-09	2011-10-25	15 Week(s)	J\$26,671,715.87	J\$4,398,020.87
Project Location(s)						
St. Andrew						
Comments						
<p>The Invitation to Tender was advertised on September 20, 2010. The Open Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Civil Engineering, Grades 1 and 2. Tenders were to be submitted by September 27, 2010 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Kier Construction Limited, in the sum of J\$22,273,695.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the project attained Practical Completion and commissioning of the tank is scheduled to be done in January 2012.</p>						
Status	Project Attained Practical Completion					

Reference No.	GCM-1481			Ministry	Ministry of Transport and Works	
Project Name	Taxiway Alpha Remedial Works			Public Body	NMIA Airports Authority	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-09-30	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$25,850,106.40	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The initial Invitation to Tender was advertised on March 12, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Civil Engineering Works/ Road Works, Grade 1. Tenders were to be submitted by April 18, 2011 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Subsequently, an Addendum was issued outlining modifications to the Tender Document and the request for an extension by a prospective Bidder to facilitate the preparation of a Tender Bond. The Addendum further indicated that the date for the submission of tenders was extended to April 27, 2011.</p> <p>One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. The sole tender was submitted to the Consultant for evaluation. The recommendation for the award of contract was approved by the NMIAL and submitted to the Port Authority Sector Committee. The process was subsequently aborted based upon recommendations from the Sector Committee.</p> <p>A second Invitation to Tender was advertised on August 28, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the NCC, in the category of Asphaltic Concrete Works, Grade 2 or higher. Tenders were to be submitted by September 30, 2011 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. The tender was subsequently submitted to the Consultant for evaluation.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The sole tender was recommended for the award of contract.</p> <p>As at December 31, 2011, it was reported that the Evaluation Report was before the Ministry of Transport and Works and the Sector Committee.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	National Contracts Commission (NCC) Endorsement Pending					

Reference No.	GCM-481			Ministry	Ministry of Transport and Works	
Project Name	Repairs to Paver Block Pavement Phase 2, Gordon Cay			Public Body	The Port Authority of Jamaica	
Contractor	C.A.B. Construction Limited			Contract Sum	J\$48,820,090.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-08-27	2010-10-14	2010-10-21	2010-10-27	0000-00-00	2010-12-23
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$46,086,000.00	2010-12-23	2011-02-17	2011-02-17	0 Day(s)	J\$48,820,090.00	\$0.00
Project Location(s)						
St. James						
Comments						
<p>The Invitation to Tender was advertised on July 2, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of General Road Works or Civil Engineering, Grades 1 or 2. Tenders were to be submitted by August 27, 2010 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>Five (5) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by C.A.B. Construction Limited, in the sum of J\$48,820,090.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the project was completed and its six (6) month Defects Liability Period expired in August 2011.</p>						
Status	Contract Completed					

Reference No.	GCM-6122			Ministry	Ministry of Youth and Culture	
Project Name	Construction of Youth Information Centre and National Youth Service Training Centre; Trenton Road, May Pen			Public Body	Ministry of Education / Ministry of Youth, Sports and Culture	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2011-05-04	2011-07-15	2011-07-15	2011-08-31	2011-11-07	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$65,669,956.45	0000-00-00	0000-00-00	0000-00-00	0 Day(s)	\$0.00	\$0.00
Project Location(s)						
Clarendon						
Comments						
<p>The initial Invitation to Tender was advertised on December 1, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grade 2 or higher. Tenders were to be submitted by January 4, 2011 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:30 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>The process was subsequently aborted.</p> <p>A second Invitation to Tender was advertised on April 13, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the NCC, in the category of Building Construction, Grade 2 or higher. Tenders were to be submitted by May 4, 2011 at 12:00 p.m. followed by a scheduled Tender Opening Ceremony at 12:30 p.m.</p> <p>Five (5) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender was recommended for the award of contract.</p> <p>As at December 31, 2011, the requisite approvals were obtained. The contract, however, was not signed.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Contract Not Yet Signed					

Reference No.	GCM-4401			Ministry	Ministry of Youth and Culture	
Project Name	Construction of Youth Information Centre and National Youth Service Training Centre, 42 Young Street, Spanish Town			Public Body	Ministry of Youth and Culture - Youth Development Programme	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2011-05-04	2011-07-15	2011-07-15	2011-08-24	2011-11-07	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
JS\$65,337,278.00	0000-00-00	0000-00-00	0000-00-00	0 Day(s)	\$0.00	\$0.00
Project Location(s)						
St. Catherine						
Comments						
<p>The initial Invitation to Tender was advertised on December 1, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grades 2 or higher. Tenders were to be submitted by January 4, 2011 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:30 p.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. Subsequently, the process was aborted.</p> <p>A second Invitation to Tender was advertised on April 13, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the NCC, in the category of Building Construction, Grade 2 or higher. Tenders were to be submitted by May 4, 2011 at 12:00 p.m. followed by a scheduled Tender Opening Ceremony at 12:30 p.m.</p> <p>Five (5) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. After arithmetic correction, the lowest responsive tender was recommended for the award of contract.</p> <p>As at December 31, 2011, the requisite approvals were obtained, however, the contract was not signed.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Contract Not Yet Signed					

Reference No.	GCM-2621			Ministry	Office of the Prime Minister	
Project Name	Rocky Point Market Reconstruction (#72406)			Public Body	Jamaica Bauxite Mining Limited	
Contractor	Share Con Limited			Contract Sum	J\$45,542,492.15	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2011-03-08	2011-04-19	2011-04-20	2011-05-04	0000-00-00	2011-06-09
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$40,656,622.57	2011-12-09	2012-06-12	0000-00-00	0	J\$1,496,023.45	\$0.00
Project Location(s)						
Clarendon						
Comments						
<p>The Invitation to Tender was initially advertised on November 11, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grade 2 or higher. Tenders were to be submitted by December 6, 2010 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:05 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. The Bidders were subsequently advised, by way of a letter which was dated February 14, 2011, that the tenders will not be accepted and the process aborted pursuant to Clause 31.1 "Instruction to Bidders" of the Tender Document, which states that "...the employer reserves the right to accept or reject any Bid, and to cancel the bidding process and reject all bids, at any time prior to the award of Contract, without thereby incurring any liability to the affected Bidder or bidders or any obligation to inform the affected Bidder or bidders of the grounds for the Employer's action."</p> <p>A second Invitation to Tender was advertised on February 13, 2011. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the NCC, in the category of Building Construction, Grade 2 or higher. Tenders were to be submitted by March 8, 2011 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:05 p.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lower responsive tender, which was submitted by Share Con Limited, in the sum of J\$45,542,492.15, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the project was reported as being 5% complete, with Sub-structure Works ongoing.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract 5% Complete					

Reference No.	GCM-4341			Ministry	Office of the Prime Minister	
Project Name	Rehabilitative Work, Santa Cruz Sub-Station			Public Body	Jamaica Fire Brigade	
Contractor	Seivwright Building Construction Supplies Limited			Contract Sum	J\$12,000,205.76	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-05-10	2011-05-16	2011-05-19	2011-10-26	0000-00-00	2011-11-18
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$11,824,374.40	0000-00-00	0000-00-00	0000-00-00	0 Day(s)	\$0.00	\$0.00
Project Location(s)						
St. Elizabeth						
Comments						
<p>The initial Invitation to Tender was advertised on March 4, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Maintenance (No Grade indicated). Tenders were to be submitted by March 28, 2011 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>An evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The sole tender was recommended for the award of contract. The process was, however, aborted and the procurement opportunity re-tendered.</p> <p>A second Invitation to Tender was advertised on April 26, 2011. The Local Competitive Procurement Methodology was utilised to invite Contractors registered with the NCC, in the category of Building Construction, Grade 2. Tenders were to be submitted by May 10, 2011 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Subsequently, it was reported that the contingency figure of one million, five hundred thousand dollars (J\$1,500,000.00) was erroneously omitted from the Tender Document. This resulted in the Bidders submitting tenders with varying contract sum amounts.</p> <p>The Jamaica Fire Brigade, by way of a letter which was dated June 2, 2011, advised the Office of the Contractor General (OCG) that <i>"At the Closing/Opening of the process, we received three (3) bids. In analyzing the bids, it was discovered that one of the bidders did not include a contingency amount in his BQ. The other two (2) bidders included in their respective BQ's, amounts of fifty thousand dollars (J\$ 50,000.00) and eighty thousand dollars (J\$ 80,000.00)."</i></p> <p>The Entity, in its Tender Report, advised that it had received the advice of the OCG <i>"...to evaluate the bids in the form which they were received, that is, do not add or delete figures."</i> Subsequently, the Entity was advised by the NWA Sector Committee, at its meeting of September 2, 2011, that the tenders were to be re-evaluated.</p> <p>As such, the tenders were re-evaluated. It was further reported that, in the re-evaluation process, the contingency amount submitted by two (2) of the Bidders, was deducted and re-calculated in the final cost. The inconsistencies in the contingency figure were due to the omission in the Comparable Estimate.</p> <p>The higher responsive tender was recommended for the award of contract. However, the NCC rejected the recommendation and endorsed the lower responsive tender, which was submitted by Seivwright Building Construction Supplies Limited, in the sum of J\$12,000,205.76.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the contract was reported as being signed and the project is scheduled to commence in January 2012.</p> <p>The OCG will continue to monitor the implementation of the contract.</p>						
Status	Contract Signed					

Reference No.	GCM-6221			Ministry	Office of the Prime Minister	
Project Name	Alfredo Collins/Saint Clare's Basic School Construction (#071904)			Public Body	Jamaica Social Investment Fund	
Contractor	Marshall Construction Company Limited			Contract Sum	J\$8,944,318.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-03-02	2010-04-29	2010-04-29	2010-05-26	0000-00-00	2010-06-11
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$7,862,635.04	2010-06-22	2010-09-22	2011-04-05	7 Month(s)	J\$8,963,193.00	J\$18,875.00
Project Location(s)						
St. Catherine						
Comments						
<p>The Invitation to Tender was advertised on February 7, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grade 4 or higher. Tenders were to be submitted by March 2, 2010 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:05 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Marshall Construction Company Limited, in the sum of J\$8,944,318.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, documents which were obtained by the Office of the Contractor General indicated that the project obtained Final Completion on April 5, 2011.</p>						
Status	Contract Completed					

Reference No.	GCM-5812			Ministry	Office of the Prime Minister	
Project Name	Allman Town Infant School Rehabilitation (#72388)			Public Body	Jamaica Social Investment Fund	
Contractor	Ricom Construction			Contract Sum	J\$23,724,427.30	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2011-02-15	2011-03-29	2011-03-29	2011-04-20	0000-00-00	2011-05-17
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$24,026,187.72	2011-06-15	2011-10-17	0000-00-00	2 Month(s)	J\$18,899,570.90	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was initially advertised on November 7, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grade 2 or higher. Tenders were to be submitted by December 13, 2010 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:05 p.m.</p> <p>No tenders were received.</p> <p>A second Invitation to Tender was advertised on December 19, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the NCC, in the category of Building Construction, Grade 2 or higher. Tenders were to be submitted by January 20, 2011 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:05 p.m.</p> <p>One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. The process was, however, subsequently aborted.</p> <p>A third Invitation to Tender was advertised on January 31, 2011. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the NCC, in the category of Building Construction, Grade 3 or higher. Tenders were to be submitted by February 15, 2011 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:05 p.m.</p> <p>One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The sole tender, which was submitted by Ricam Construction, in the sum of J\$23,724,427.30, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly. The NCC, in its Letter of Endorsement, which was dated April 21, 2011, recommended that the Jamaica Social Investment Fund closely monitor the contracts which were endorsed for award to Ricam Construction.</p> <p>As at December 31, 2011, the project was reported as being 75% complete.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract 75% Complete					

Reference No.	GCM-2111			Ministry	Office of the Prime Minister	
Project Name	Allman Town Primary School Expansion (#72389)			Public Body	Jamaica Social Investment Fund	
Contractor	Artrog Construction Limited			Contract Sum	J\$13,538,500.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-12-13	2011-02-03	2011-02-03	2011-03-16	0000-00-00	2011-05-12
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$13,994,443.47	2011-06-01	2011-10-01	0000-00-00	2 Month(s)	J\$6,159,669.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on November 7, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grade 3 or higher. Tenders were to be submitted by December 13, 2010 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:05 p.m.</p> <p>One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The sole tender, which was submitted by Artrog Construction Company Limited, in the sum of J\$13,538,500.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the project was reported as being 80% complete.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract 80% Complete					

Reference No.	GCM-2121			Ministry	Office of the Prime Minister	
Project Name	Alpha Boys' Home Rehabilitation (#72436)			Public Body	Jamaica Social Investment Fund	
Contractor	Artrog Construction Company Limited			Contract Sum	J\$20,077,428.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-12-06	2011-02-03	2011-02-03	2011-03-16	0000-00-00	2011-05-12
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$21,240,707.51	2011-05-27	2011-09-27	0000-00-00	3 Month(s)	J\$20,077,198.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on November 7, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grade 3 or higher. Tenders were to be submitted by December 6, 2010 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:05 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Artrog Construction Company Limited, in the sum of J\$20,077,428.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the project was reported as being 80% complete.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract 80% Complete					

Reference No.	GCM-2141			Ministry	Office of the Prime Minister	
Project Name	Brandon Hill to Bellair Bridge & Road Project - Part 2 (#072019)			Public Body	Jamaica Social Investment Fund	
Contractor	Aegisco Limited			Contract Sum	J\$16,983,500.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-05-07	2010-10-07	2010-10-07	2011-01-12	0000-00-00	2011-06-16
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$12,279,674.00	2011-06-20	2011-11-20	0000-00-00	1 Month(s)	J\$5,123,500.00	\$0.00
Project Location(s)						
St. Andrew						
Comments						
<p>The Invitation to Tender was advertised on April 4, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Bridge Construction, Grade 4 or higher. Tenders were to be submitted by May 7, 2010 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:05 p.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lower responsive tender, which was submitted by Aegisco Limited, in the sum of J\$16,983,500.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the project was reported as being 50% complete, with a projected completion date of May 25, 2012.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract 50% Complete					

Reference No.	GCM-2171			Ministry	Office of the Prime Minister	
Project Name	Central Village Integrated Infrastructure - Package 1 - Andrews Lane (#72258)			Public Body	Jamaica Social Investment Fund	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-08-19	2011-11-07	2011-11-07	2011-12-07	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$32,791,430.00	0000-00-00	0000-00-00	0000-00-00	0 Day(s)	\$0.00	\$0.00
Project Location(s)						
St. Catherine						
Comments						
<p>The Invitation to Tender was advertised on July 24, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Civil Engineering and/or General Road Works, Grade 2 or higher. Tenders were to be submitted by August 19, 2011 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:05 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender was recommended for the award of contract.</p> <p>As at December 31, 2011, the approval of the Cabinet was pending.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Cabinet Approval Pending					

Reference No.	GCM-2181			Ministry	Office of the Prime Minister	
Project Name	Central Village Integrated Infrastructure - Package 2 - Little Lane (#72259)			Public Body	Jamaica Social Investment Fund	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-08-19	2011-10-13	2011-10-13	2011-11-09	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$39,916,320.00	0000-00-00	0000-00-00	0000-00-00	0 Day(s)	\$0.00	\$0.00
Project Location(s)						
St. Catherine						
Comments						
<p>The Invitation to Tender was advertised on July 24, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Civil Engineering and/or General Road Works, Grade 2 or higher. Tenders were to be submitted by August 19, 2011 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:05 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender was recommended for the award of contract.</p> <p>As at December 31, 2011, Cabinet approval was pending.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Cabinet Approval Pending					

Reference No.	GCM-2191			Ministry	Office of the Prime Minister	
Project Name	Central Village Integrated Infrastructure - Package 4 - West Side (#72261)			Public Body	Jamaica Social Investment Fund	
Contractor	Construction Solutions Limited			Contract Sum	J\$29,354,800.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-09-18	2009-10-22	2009-10-22	2009-11-11	0000-00-00	2010-01-21
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$25,663,370.00	2010-02-04	2010-10-14	0000-00-00	0	J\$29,354,800.00	\$0.00
Project Location(s)						
St. Catherine						
Comments						
<p>The Invitation to Tender was advertised on August 16, 2009. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Civil Engineering and/or General Road Works, Grade 4 or higher. Tenders were to be submitted by September 18, 2009 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:05 p.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Construction Solutions Limited, in the sum of J\$ 29,354,800.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the project was reported as having obtained Practical Completion, however, the Practical Completion Certificate was not yet issued at the time of this report.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract 98% Complete					

Reference No.	GCM-2201			Ministry	Office of the Prime Minister	
Project Name	Central Village Integrated Infrastructure - Package 5 - Big Lane (#72303)			Public Body	Jamaica Social Investment Fund	
Contractor	Bacchus Engineering Works Limited			Contract Sum	J\$26,402,650.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-09-18	2010-01-28	2010-01-28	2010-03-31	0000-00-00	2010-10-20
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$36,824,954.00	2010-11-03	2011-08-03	0000-00-00	4 Month(s)	J\$26,392,650.00	\$0.00
Project Location(s)						
St. Catherine						
Comments						
<p>The Invitation to Tender was advertised on August 16, 2009. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Civil Engineering and/or General Road Works, Grade 2 or higher. Tenders were to be submitted by September 18, 2009 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:05 p.m.</p> <p>Five (5) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Bacchus Engineering Works Limited, in the sum of J\$26,402,650.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the project was reported as having obtained Practical Completion.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract 90% Complete					

Reference No.	GCM-2211			Ministry	Office of the Prime Minister	
Project Name	Crystal City Sanitation Project (#72502)			Public Body	Jamaica Social Investment Fund	
Contractor	Marshall Construction Company Limited			Contract Sum	J\$18,006,969.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2011-06-21	2011-10-13	2011-10-13	2011-11-09	0000-00-00	2011-12-21
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$22,457,587.74	2012-01-30	2012-04-30	0000-00-00	0 Day(s)	\$0.00	\$0.00
Project Location(s)						
St. Thomas						
Comments						
<p>The Invitation to Tender was initially advertised on November 7, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grade 2 or higher. Tenders were to be submitted by December 2, 2010 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:05 p.m.</p> <p>One (1) tender was received and deemed non-responsive, by the Jamaica Social Investment Fund (JSIF) Evaluation Committee, and the process subsequently aborted for re-tender in 2011.</p> <p>A second Invitation to Tender was advertised on January 16, 2011. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the NCC, in the category of Building Construction, Grade 2 or higher. Tenders were to be submitted by February 10, 2011 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:05 p.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. One (1) Bidder was not registered with the NCC at the time of the Tender Opening Ceremony.</p> <p>Subsequently, the tender process was again aborted.</p> <p>A third Invitation to Tender was advertised on June 5, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the NCC, in the category of Building Construction, Grade 3 or higher. Tenders were to be submitted by June 21, 2011 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:05 p.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. One (1) Bidder was not registered with the NCC at the time of the Tender Opening Ceremony.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Marshall Construction Company Limited, in the sum of J\$18,006,969.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained.</p> <p>As at December 31, 2011, the contract was awarded. The Works are scheduled to commence on January 30, 2012, to be completed by April 30, 2012.</p> <p>The OCG will continue to monitor the implementation of the contract.</p>						
Status	Contract 0% Complete					

Reference No.	GCM-2341			Ministry	Office of the Prime Minister	
Project Name	End Time Basic School Construction (#072308)			Public Body	Jamaica Social Investment Fund	
Contractor	D. Bisasor & Associates Limited			Contract Sum	J\$19,490,000.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-04-09	2010-06-24	2010-06-24	2010-07-14	0000-00-00	2010-08-27
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$21,695,144.03	2010-09-10	2011-06-10	2011-02-18	0	J\$19,490,000.00	\$0.00
Project Location(s)						
St. Andrew						
Comments						
<p>The Invitation to Tender was advertised on March 7, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grade 3 or higher. Tenders were to be submitted by April 9, 2010 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:05 p.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lower responsive tender, which was submitted by D. Bisasor & Associates Limited, in the sum of J\$19,490,000.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>Reports from the Jamaica Social Investment Fund indicated that Practical Completion was obtained on February 18, 2011.</p> <p>As at December 31, 2011, documents which were obtained by the Office of the Contractor General indicated that the project obtained Final Completion on September 21, 2011.</p>						
Status	Contract Completed					

Reference No.	GCM-2241			Ministry	Office of the Prime Minister	
Project Name	Freeman Hall Primary & Infant School Sanitation Upgrade & Renovation (#072490)			Public Body	Jamaica Social Investment Fund	
Contractor	G.M. Associates Limited			Contract Sum	J\$27,943,427.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-06-21	2011-08-18	2011-08-18	2011-09-07	0000-00-00	2011-10-27
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$25,354,293.40	2011-11-14	2012-02-15	0000-00-00	0	J\$2,794,342.70	\$0.00
Project Location(s)						
Trelawny						
Comments						
<p>The Invitation to Tender was advertised on June 5, 2011. The Local Competitive Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grade 2 or higher. Tenders were to be submitted by June 21, 2011 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:05 p.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lower responsive tender, which was submitted by G.M. Associates Limited, in the sum of J\$27,943,427.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the project was reported as being 85% complete.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract 85% Complete					

Reference No.	GCM-1011			Ministry	Office of the Prime Minister	
Project Name	Investing for Community Development - Lauriston Electricity Regularization Phase 1			Public Body	Jamaica Social Investment Fund	
Contractor	Arima Engineering Company Limited			Contract Sum	J\$9,174,955.65	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-05-07	2010-07-15	2010-07-15	0000-00-00	0000-00-00	2010-11-04
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$10,357,450.63	2010-11-18	2011-02-14	0000-00-00	10 Month(s)	J\$8,092,310.88	\$0.00
Project Location(s)						
St. Catherine						
Comments						
<p>The Invitation to Tender was advertised on April 11, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Electric Works, Grade 3 or higher. Tenders were to be submitted by May 7, 2010 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The sole responsive tender, which was submitted by Arima Engineering Company Limited, in the sum of J\$9,174,955.65, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>Documents which were obtained by the Office of the Contractor General (OCG) indicated that the project incurred a time overrun of ten (10) months. This was as a result of an increase in the Scope of Works from the initial 100 houses to 122 houses. All houses have been completely wired and would require the planting of new electrical poles, with the exception of meter sockets, which was based on the advice of the Jamaica Public Service Company (JPSCO.).</p> <p>As at December 31, 2011, the project was 80% complete and was yet to obtain Practical Completion.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract 80% Complete					

Reference No.	GCM-521			Ministry	Office of the Prime Minister	
Project Name	Investing for Community Development - Poverty Reduction Programme II (PRP II) Constant Spring Primary and Junior High School Rehabilitation			Public Body	Jamaica Social Investment Fund	
Contractor	Marshall Construction Company Limited			Contract Sum	J\$28,053,638.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-05-14	2010-07-15	2010-07-22	2010-08-04	0000-00-00	2010-09-22
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$27,861,669.28	2010-10-07	2011-02-12	2011-02-11	0 Day(s)	J\$28,844,222.00	J\$790,584.00
Project Location(s)						
St. Andrew						
Comments						
<p>The Invitation to Tender was advertised on April 11, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grade 2 or higher. Tenders were to be submitted by May 14, 2010 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:05 p.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Marshall Construction Company Limited, in the sum of J\$28,053,638.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the project was completed and its six (6) month Defects Liability Period expired in September 2011.</p>						
Status	Project Attained Practical Completion					

Reference No.	GCM-531			Ministry	Office of the Prime Minister	
Project Name	Investing for Community Development - Poverty Reduction Programme II (PRP II), Effortville Basic School Completion			Public Body	Jamaica Social Investment Fund	
Contractor	Marshall Construction Company Limited			Contract Sum	J\$26,597,220.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-05-14	2010-07-15	2010-07-22	2010-08-04	0000-00-00	2010-09-22
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$26,385,240.10	2010-10-25	2011-02-25	2011-05-02	2 Month(s)	J\$26,597,220.00	\$0.00
Project Location(s)						
Clarendon						
Comments						
<p>The Invitation to Tender was advertised on April 11, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grade 2 or higher. Tenders were to be submitted by May 14, 2010 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:05 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Marshall Construction Company Limited, in the sum of J\$26,597,220.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>The Minutes of the Site Meetings of the Jamaica Social Investment Fund (JSIF), which were dated December 7, 2010 and January 4, 2011, indicated that the project underwent approximately twenty (20) Variation Orders. This contributed to the project being extended by two (2) months beyond the scheduled completion date.</p> <p>As at December 31, 2011, the project was completed and its six (6) month Defects Liability Period expired in November 2011.</p>						
Status	Project Attained Practical Completion					

Reference No.	GCM-681			Ministry	Office of the Prime Minister	
Project Name	Investing for Community Development Poverty Reduction Programme II (PRPII) - Completion of Three (3) Classrooms (Upper Floor) Windward Road Primary and Junior High School			Public Body	Jamaica Social Investment Fund	
Contractor	Alcar Construction and Haulage Company Limited			Contract Sum	J\$15,671,259.50	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-05-14	2010-07-15	2010-07-22	2010-08-04	0000-00-00	2010-09-23
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$16,631,515.82	2010-10-11	2011-02-11	2011-08-28	5 Month(s)	J\$21,472,145.70	J\$5,800,886.20
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on April 11, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grade 3 or higher. Tenders were to be submitted by May 14, 2010 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:05 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Alcar Construction & Haulage Company Limited, in the sum of J\$15,671,259.50, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>Documents which were obtained by the Office of the Contractor General indicated that the project incurred a time overrun of five (5) months, and a cost overrun of J\$5,800,866.20. This was as a result of re-measured and additional works which included the following:</p> <ul style="list-style-type: none"> • The construction of a new staircase which was a requirement of the permit approval issued by the Fire Prevention Unit; • The re-design and construction of the roof on the existing Grade one (1) Block; • The construction of an alternative V-drain as a result of the new staircase blocking the previous drainage path for the runoff water; • A new store room for the existing kitchen; and • A book room for the library. <p>As at December 31, 2011, the project was completed and in its six (6) month Defects Liability Period which expires in February 2012.</p>						
Status	Contract Completed					

Reference No.	GCM-3861			Ministry	Office of the Prime Minister	
Project Name	Investing for Community Development Poverty Reduction Programme Phase II (PRP II) - The Construction of Four (4) Classroom Blocks at Newland Basic School			Public Body	Jamaica Social Investment Fund	
Contractor	Marshall Construction Company Limited			Contract Sum	J\$30,393,850.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-05-14	2010-07-15	2010-07-15	2010-08-04	2011-08-03	2011-08-23
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$29,123,954.19	2011-09-22	2012-01-23	0000-00-00	0 Day(s)	J\$22,448,826.00	\$0.00
Project Location(s)						
St. Catherine						
Comments						
<p>The Invitation to Tender was advertised on April 11, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grade 3 or higher. Tenders were to be submitted by May 14, 2010 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:05 p.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The more responsive tender, which was submitted by Marshall Construction Company Limited, in the sum of J\$30,393,850.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the Entity reported that the project was approximately 75% complete.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract 75% Complete					

Reference No.	GCM-2361			Ministry	Office of the Prime Minister	
Project Name	Labyrinth Primary School Refurbishing Tropical Storm Gustav - Emergency Recovery Project (#072521)			Public Body	Jamaica Social Investment Fund	
Contractor	Ricom Construction			Contract Sum	J\$21,574,520.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-04-14	2011-06-09	2011-06-09	2011-07-13	0000-00-00	2011-08-12
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$20,731,940.00	2011-08-28	2011-11-29	0000-00-00	1 Month(s)	J\$21,574,520.00	\$0.00
Project Location(s)						
St. Mary						
Comments						
<p>The Invitation to Tender was advertised on March 27, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grade 3 or higher. Tenders were to be submitted by April 14, 2011 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:05 p.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lower responsive tender, which was submitted by Ricom Construction, in the sum of J\$21,574,520.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the project was reported as being 90% complete.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract 90% Complete					

Reference No.	GCM-2381			Ministry	Office of the Prime Minister	
Project Name	Norman Gardens Primary & Junior High School Upgrading - TS Gustav (#072523)			Public Body	Jamaica Social Investment Fund	
Contractor	Alfrasure Structures & Roofing Limited			Contract Sum	J\$38,190,393.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-03-16	2011-04-19	2011-04-19	2011-05-04	0000-00-00	2011-10-04
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$36,743,390.00	2011-09-19	2011-12-19	2011-10-28	0	J\$38,190,393.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The initial Invitation to Tender was advertised on January 16, 2011. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grade 2 or higher. Tenders were to be submitted by February 10, 2011 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:05 p.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. The process was, however, aborted in keeping with Clause 31.1 of the Tender Document, which states that "...the employer reserves the right to accept or reject any Bid, and to cancel the bidding process and reject all bids, at any time prior to the award of Contract, without thereby incurring any liability to the affected Bidder or bidders or any obligation to inform the affected Bidder or bidders of the grounds for the Employer's action."</p> <p>A second Invitation to Tender was advertised on February 27, 2011. The Local Competitive Procurement Methodology was utilised to re-invite Contractors registered with the NCC, in the category of Building Construction, Grade 2 or higher. Tenders were to be submitted by March 16, 2011 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:05 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Alfrasure Structures & Roofing Limited, in the sum of J\$38,190,393.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, documents which were obtained by the Office of the Contractor General (OCG) indicated that the project obtained Practical Completion on October 28, 2011.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Project Attained Practical Completion					

Reference No.	GCM-2441			Ministry	Office of the Prime Minister	
Project Name	Parotee Rural Feeder Road Rehabilitation			Public Body	Jamaica Social Investment Fund	
Contractor	Contraxx Enterprise Limited			Contract Sum	J\$37,903,300.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-09-16	2010-12-21	2010-12-21	2011-01-12	2011-05-27	2011-06-01
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$40,344,238.80	2011-06-01	2011-10-01	2011-09-28	0	J\$37,903,300.00	\$0.00
Project Location(s)						
St. Elizabeth						
Comments						
<p>The Invitation to Tender was advertised on August 9, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of General Road Works, Grade 2 or higher. Tenders were to be submitted by September 16, 2010 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:05 p.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Contraxx Enterprise Limited, in the sum of J\$37,903,300.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the project was reported as being completed.</p>						
Status	Contract Completed					

Reference No.	GCM-2491			Ministry	Office of the Prime Minister	
Project Name	Riverdale Health Centre Rehabilitation TS- Gustav (#072528)			Public Body	Jamaica Social Investment Fund	
Contractor	SGD Construction & Equipment Limited			Contract Sum	J\$8,418,240.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2011-02-10	2011-03-22	2011-04-07	0000-00-00	0000-00-00	2011-06-14
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$8,908,710.00	2011-06-13	2011-08-13	2011-10-28	3 Month(s)	J\$8,418,240.00	\$0.00
Project Location(s)						
St. Catherine						
Comments						
<p>The Invitation to Tender was advertised on January 16, 2011. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grade 4 or higher. Tenders were to be submitted by February 10, 2011 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:05 p.m.</p> <p>Six (6) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by SGD Construction & Equipment Limited, in the sum of J\$8,418,240.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>Documents which were obtained by the Office of the Contractor General (OCG) indicated that Practical Completion was obtained on October 28, 2011.</p> <p>As at December 31, 2011, documents which were obtained by the OCG indicated that Final Completion was obtained on December 19, 2011.</p>						
Status	Contract Completed					

Reference No.	GCM-2781			Ministry	Office of the Prime Minister	
Project Name	Sawyers Primary School Sanitation Upgrade & Renovation (#072489)			Public Body	Jamaica Social Investment Fund	
Contractor	Ricom Construction			Contract Sum	J\$19,362,669.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-06-21	2011-08-18	2011-08-18	2011-09-21	0000-00-00	2011-10-26
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$21,483,881.00	2011-11-07	2012-02-12	0000-00-00	0	J\$7,784,462.46	\$0.00
Project Location(s)						
Trelawny						
Comments						
<p>The Invitation to Tender was advertised on June 5, 2011. The Local Competitive Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grade 2 or higher. Tenders were to be submitted by June 21, 2011 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:05 p.m.</p> <p>Five (5) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Ricom Construction, in the sum of J\$19,362,669.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the project was reported as being 65% complete.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract 65% Complete					

Reference No.	GCM-2821			Ministry	Office of the Prime Minister	
Project Name	Water Wheel to Peasant Hill Road Rehabilitation (#072531)			Public Body	Jamaica Social Investment Fund	
Contractor	Patrick E. Thompson Limited			Contract Sum	J\$22,394,730.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-06-21	2011-08-18	2011-08-18	0000-00-00	0000-00-00	2011-10-13
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$24,593,325.00	2011-10-19	2012-01-12	0000-00-00	0	J\$12,742,080.00	\$0.00
Project Location(s)						
Westmoreland						
Comments						
<p>The Invitation to Tender was advertised on June 5, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of General Road Works, Grade 2 or higher. Tenders were to be submitted by June 21, 2011 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:05 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Patrick E. Thompson Limited, in the sum of J\$22,394,730.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the project was reported as being 97% complete.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract 97% Complete					

Reference No.	GCM-2851			Ministry	Office of the Prime Minister	
Project Name	Wilson Run Primary School Sanitation Upgrade (# 072491)			Public Body	Jamaica Social Investment Fund	
Contractor	G. M. Associates Limited			Contract Sum	J\$28,233,662.26	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-06-21	2011-08-18	2011-08-18	2011-09-07	0000-00-00	2011-10-27
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$25,555,786.90	2011-11-14	2012-02-15	0000-00-00	0	J\$2,823,366.22	\$0.00
Project Location(s)						
Trelawny						
Comments						
<p>The Invitation to Tender was advertised on June 5, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grade 2 or higher. Tenders were to be submitted by June 21, 2011 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:05 p.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lower responsive tender, which was submitted by G.M. Associates Limited, in the sum of J\$28,233,662.26, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the project was reported as being 50% complete.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract 50% Complete					

Reference No.	GCM-3561			Ministry	Office of the Prime Minister	
Project Name	Bell Rock Phase II Housing Development			Public Body	National Housing Trust	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-05-17	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$13,805,905.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
St. Thomas						
Comments						
<p>The Invitation to Tender was advertised on April 17, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Civil Engineering, Grade 3 or higher. Tenders were to be submitted by May 17, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Documents which were obtained by the Office of the Contractor General (OCG) indicated that the procurement opportunity was aborted as the tenders which were received did not meet the criteria as outlined in the Tender Document.</p> <p>As at December 31, 2011, the procurement opportunity was scheduled to be re-tendered in January 2012.</p>						
Status	Procurement Opportunity Withdrawn					

Reference No.	GCM-5492			Ministry	Office of the Prime Minister	
Project Name	Frome Housing Development, Rehabilitation of Roads and Drains			Public Body	National Housing Trust	
Contractor	Sanjon Asphaltting Company Limited			Contract Sum	J\$10,188,585.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-01-06	2010-05-17	2010-05-20	2010-12-08	0000-00-00	2011-05-04
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$17,000,000.00	2011-05-17	2011-07-25	2011-08-19	25 Day(s)	J\$12,527,540.68	J\$2,338,955.68
Project Location(s)						
Westmoreland						
Comments						
<p>The Invitation to Tender was advertised on December 16, 2009. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Civil Engineering, Grade 3 or higher. Tenders were to be submitted by January 6, 2010 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Sanjon Asphaltting Company Limited, in the sum of J\$10,188,585.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>Documents which were obtained by the Office of the Contractor General (OCG) indicated that:</p> <ol style="list-style-type: none"> 1. The Contractor was granted a 25 day extension of time as result of inclement weather which affected the project; 2. The project incurred Labour Fluctuation, Re-measured Works and Additional Works which revised the contract sum to J\$14,007,648.83; 3. The project was completed as per contract on August 19, 2011. However, the Practical Completion Certificate was not issued to the Contractor as the Westmoreland Parish Council (WPC) was required to accept the Works prior to taking over the project. <p>Subsequently, the WPC conducted an inspection and identified additional Works to be undertaken. The Procuring Entity has since prepared an estimate of the variations which is to be issued to the Contractor.</p> <p>The OCG will continue to monitor the execution of the variations to the contract.</p>						
Status	Contract Completed					

Reference No.	GCM-4191			Ministry	Office of the Prime Minister	
Project Name	Industry Cove Housing Development - Civil Engineering Services			Public Body	National Housing Trust	
Contractor	Beckford & Dixon Associates Limited			Contract Sum	J\$8,297,486.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-10-09	2009-12-15	2009-12-15	0000-00-00	0000-00-00	2010-02-24
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$7,245,000.00	2010-02-24	0000-00-00	0000-00-00	0	J\$3,108,622.75	\$0.00
Project Location(s)						
Hanover						
Comments						
<p>The Request for Proposal was advertised on September 11, 2009. The Selective Tender Procurement Method was utilised to invite Consultants registered with the Professional Engineering Registration Board in Jamaica. Tenders were to be submitted by October 9, 2009 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Five (5) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Request for Proposal.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Request for Proposal. The lowest responsive tender, which was submitted by Beckford & Dixon Associates Limited, in the sum of J\$8,297,486.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>Documents which were obtained by the Office of the Contractor General (OCG) indicated that the contract was terminated due to the non-performance of the Contractor, in accordance with Clause 2.8.1 - Item (a) of the Special Conditions of the Contract.</p> <p>As at December 31, 2011, the National Contracts Commission had endorsed the request of the Procuring Entity to negotiate with the second lowest responsive Bidder to facilitate the development of the 63 Housing Units at Industry Cove in the parish of Hanover.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Procurement Process is Ongoing					

Reference No.	GCM-3551			Ministry	Office of the Prime Minister	
Project Name	Installation of Ductile Iron Pipeline, Bustamante Highway to Inverness			Public Body	National Housing Trust	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-10-05	2011-12-23	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$84,308,400.50	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Clarendon						
Comments						
<p>The Invitation to Tender was advertised on September 4, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Pipe Laying, Grade 1. Tenders were to be submitted by October 5, 2011 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lower responsive tender was recommended for the award of contract.</p> <p>As at December 31, 2011, the procurement process was ongoing.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Head of Entity Approval Pending					

Reference No.	GCM-3541			Ministry	Office of the Prime Minister	
Project Name	Installation of Ductile Iron Pipeline, Inverness to Longville Park			Public Body	National Housing Trust	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-10-13	2011-12-23	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$71,399,900.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Clarendon						
Comments						
<p>The Invitation to Tender was advertised on September 11, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Pipe Laying, Grade1. Tenders were to be submitted by October 13, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lower responsive tender was recommended for the award of contract.</p> <p>As at December 31, 2011, the procurement process was ongoing.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Head of Entity Approval Pending					

Reference No.	GCM-5722			Ministry	Office of the Prime Minister	
Project Name	Land Surveying Services (Boundary Survey) - Longville Park Phase 4			Public Body	National Housing Trust	
Contractor	Lofters & Associates Limited			Contract Sum	J\$3,402,818.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-06-21	2011-07-18	0000-00-00	0000-00-00	0000-00-00	2011-12-01
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$3,316,000.00	2011-08-07	2012-08-07	2011-11-07	0	J\$3,798,395.60	J\$395,577.60
Project Location(s)						
Clarendon						
Comments						
<p>The Invitation to Tender was advertised on June 5, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Commissioned Land Surveyors in Jamaica. Tenders were to be submitted by June 21, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Request for Proposal.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Request for Proposal. The lowest responsive tender, which was submitted by Lofters & Associates Limited, in the sum of J\$3,402,818.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>Documents which were obtained by the Office of the Contractor General indicated that the Works commenced prior to the signing of the contract. This was implemented by way of a Letter of Intent, which was dated August 2, 2011, from the Procuring Entity.</p> <p>As at December 31, 2011, the contract was completed in accordance with the Deliverables.</p>						
Status	Contract Completed					

Reference No.	GCM-4121			Ministry	Office of the Prime Minister	
Project Name	Latium Housing Development			Public Body	National Housing Trust	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-08-25	2011-01-20	2011-01-26	2011-02-16	2011-05-10	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$423,603,183.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
St. James						
Comments						
<p>The Invitation to Tender was advertised on July 7, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grade 1. Tenders were to be submitted by August 25, 2010 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender was recommended for the award of contract.</p> <p>As at December 31, 2011, the requisite approvals were obtained, however, the procurement process was ongoing.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Procurement Process is Ongoing					

Reference No.	GCM-4051			Ministry	Office of the Prime Minister	
Project Name	Nashville Housing Development			Public Body	National Housing Trust	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-11-11	0000-00-00	2009-12-09	2010-01-20	2010-03-29	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$38,700,000.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
St. Mary						
Comments						
<p>The Invitation to Tender was advertised on October 11, 2009. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Civil Engineering Works, Grade 2. Tenders were to be submitted by November 11, 2009 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Eight (8) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender was recommended for the award of contract.</p> <p>The requisite approvals were obtained, however, documents which were obtained by the Office of the Contractor General (OCG) indicated that as at December 31, 2011, the contract was not awarded for the following reasons:</p> <ol style="list-style-type: none"> 1. The Contractor did not provide the Performance Bond in the required form and, consequently, it was not accepted by the Procuring Entity. Subsequently, the National Housing Trust's Secretariat, in dialog with the Contractor, recommended that a Bank Guarantee is acceptable in lieu of the Performance Bond; 2. The St. Mary Parish Council has not provided an update on the Procuring Entity's request for the Conditions of Approval to be amended; and 3. The National Water Commission's approval of the engineering designs for the water distribution system. <p>The contract start date has been rescheduled for May 2012.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Procurement Process is Ongoing					

Reference No.	GCM-4091			Ministry	Office of the Prime Minister	
Project Name	Providence Housing Development			Public Body	National Housing Trust	
Contractor	N/A			Contract Sum	J\$205,059,056.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-11-20	2010-03-01	2010-02-27	2010-03-10	2010-05-25	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$212,988,532.60	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
St. James						
Comments						
<p>The Invitation to Tender was advertised on September 11, 2009. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Civil Engineering, Grade 1. Tenders were to be submitted by November 20, 2009 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender was recommended for the award of contract.</p> <p>The requisite approvals were obtained.</p> <p>Prior to the award of the contract, the National Environmental Planning Agency (NEPA) declined the National Housing Trust's application for an Environmental Permit, as the existing Sewage Treatment Plant was incapable of accommodating the sewage flow from the proposed development.</p> <p>Documents which were obtained by the Office of the Contractor General indicated that the procurement process was annulled due to the high cost of the infrastructure.</p>						
Status	Procurement Opportunity Withdrawn					

Reference No.	GCM-3591			Ministry	Office of the Prime Minister	
Project Name	Renovation Works at NHT St. Thomas Service Centre			Public Body	National Housing Trust	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-04-18	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$9,531,895.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
St. Thomas						
Comments						
<p>The Invitation to Tender was advertised on March 23, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Interior Construction Works, Grade 3. Tenders were to be submitted by April 18, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. Subsequent to the evaluation, the Procuring Entity annulled the tender process in accordance with Clause 32.1 of the Tender Document.</p>						
Status	Procurement Opportunity Withdrawn					

Reference No.	GCM-3511			Ministry	Office of the Prime Minister	
Project Name	Supply of 10.2km Ductile Iron Pipeline Material and Appurtenances			Public Body	National Housing Trust	
Contractor	Deryck A. Gibson Limited			Contract Sum	J\$124,069,299.18	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Direct Contracting	2011-06-09	0000-00-00	2011-07-07	2011-08-03	0000-00-00	2011-10-13
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$137,807,755.64	2011-11-15	2012-04-03	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Clarendon						
Comments						
<p>The Invitation to Tender was advertised on April 27, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Goods and Services under Hardware & Haberdashery or General Supplies or Industrial, Construction Equipment & Machinery. The deadline for submission was extended to June 9, 2011 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. All four (4) tenders were deemed non-responsive.</p> <p>Subsequently, the National Housing Trust (NHT) requested the endorsement of the NCC to utilise the Emergency Contracting Procurement Methodology to negotiate with the second lowest non-responsive Bidder. The referenced Bidder's tender was deemed non-responsive due to its failure to submit a Tender Bond in the format stipulated by the Entity and to provide a Letter of Intent from a recognised Financial Institution.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly to Deryck A. Gibson Limited, in the sum of J\$124,069,299.18.</p> <p>As at December 31, 2011, the contract for the Supply of 10.2 km Ductile Iron Pipeline Materials and Appurtenance had commenced. However, documents which were obtained by the Office of the Contractor General (OCG) indicated that delays in the commencement of the project occurred as a result of the following:</p> <ol style="list-style-type: none"> 1. The requirement of a new policy from the Ministry of Finance (MOF), which stipulated that all Letters of Credit which are being established by the Government Agency should be approved and signed by the MOF. This resulted in delays in the time to award the contract from August to October 13, 2011; and 2. An amendment to the Letter of Credit which further delayed the award of contract from October 13, 2011 to November 15, 2011. <p>Notwithstanding the aforementioned delays, the delivery of all pipes and fittings are scheduled to be on site by April 2012.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-3421			Ministry	Office of the Prime Minister	
Project Name	Supply of 5.8km Ductile Iron Pipeline Material and Appurtenances			Public Body	National Housing Trust	
Contractor	Coantom Limited			Contract Sum	J\$71,215,593.12	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-08-12	2011-01-19	2011-01-27	2011-02-02	2011-05-24	2011-07-26
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$110,530,652.78	2011-09-20	2012-12-27	0000-00-00	0	J\$16,009,289.24	\$0.00
Project Location(s)						
Clarendon						
Comments						
<p>The Invitation to Tender was advertised on July 18, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Goods and Services under Hardware & Haberdashery or General Supplies or Industrial, Construction Equipment & Machinery. The deadline for submission was extended to August 12, 2010 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The sole responsive tender, which was submitted by Coantom Limited, in the sum of J\$71,207,760.43, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, documents which were obtained by the Office of the Contractor General (OCG) indicated that the first shipment of material is scheduled for arrival on site in January 2012.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract 20% Complete					

Reference No.	GCM-3611			Ministry	Office of the Prime Minister	
Project Name	Trench Town Basic School - Consultancy and Construction			Public Body	National Housing Trust	
Contractor	O.K. Damani Construction Company Limited			Contract Sum	J\$20,640,634.27	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-05-10	2010-06-09	2010-06-26	2010-08-18	0000-00-00	2010-10-08
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$20,878,407.67	2011-05-17	2012-02-17	0000-00-00	0	J\$12,692,752.54	\$0.00
Project Location(s)						
St. Andrew						
Comments						
<p>The Invitation to Tender was advertised on March 17, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction, Grade 3. Tenders were to be submitted by April 26, 2010, however, this was extended to May 10, 2010 at 11:00 a.m., followed by a Tender Opening Ceremony at 11:20 a.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lower responsive tender, which was submitted by O.K. Damani Construction Company Limited, in the sum of J\$20,640,634.27, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the project was reported as being 75% complete and there has been one (1) approved variation order in the sum of J\$409,604.98.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract 75% Complete					

Reference No.	GCM-4231			Ministry	Office of the Prime Minister	
Project Name	Twickenham Housing Development - Land Surveying Services (Boundary Survey)			Public Body	National Housing Trust	
Contractor	Llewelyn Allen & Associates			Contract Sum	J\$18,251,765.13	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Direct Contracting	2010-10-22	2010-11-25	2010-11-29	2010-12-01	0000-00-00	2011-06-10
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$17,286,700.00	2011-02-02	2012-01-27	0000-00-00	0	J\$13,002,108.99	\$0.00
Project Location(s)						
St. Catherine						
Comments						
<p>The Invitation to Tender was advertised on June 2, 2010. The Selective Tender Procurement Methodology was utilised to invite qualified Commissioned Land Surveyors. Tenders were to be submitted by July 8, 2010 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Request for Proposal Document. The Procuring Entity sought the National Contracts Commission's (NCC's) permission to utilise the Direct Contract Procurement Methodology to engage the services of the Land Surveyor that was previously engaged on the project. The NCC approved the request on December 01, 2010.</p> <p>The Land Surveyor was requested to submit a proposal by October 22, 2010, at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>A detailed evaluation and negotiation of the sum was conducted in accordance with the Evaluation Criteria which were outlined in the Request for Proposal Document. Llewelyn Allen & Associates, submitted a proposal in the sum of J\$18,251,765.13, and was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>Documents which were obtained by the Office of the Contractor General (OCG) indicated that the Works commenced prior to the signing of the contract. This was implemented by way a letter which was dated January 28, 2011, which stated, <i>inter alia</i>, that this "...is to inform that, subject to a formal agreement, the National Housing Trust (NHT) intends to engage Llewelyn Allen & Associates to provide Land Surveying Services... In addition, this is to confirm that you have agreed to commence on Wednesday, February 02, 2011..."</p> <p>As at December 31, 2011, the project was 75% complete with a scheduled completion date for January 2012.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract 75% Complete					

Reference No.	GCM-3571			Ministry	Office of the Prime Minister	
Project Name	Upgrade of Entrance Road - Longville Park Housing Development			Public Body	National Housing Trust	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-05-12	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$19,678,620.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Clarendon						
Comments						
<p>The Invitation to Tender was advertised on April 24, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Civil Engineering, Grade 3 or higher. Tenders were to be submitted by May 12, 2011 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document.</p> <p>Subsequently, the Consulting Engineer, who conducted the evaluation of the tenders on behalf of the Procuring Entity, recommended that the project be re-tendered as the two (2) responsive tenders could not be recommended.</p> <p>As at December 31, 2011, the tender process was to be aborted.</p>						
Status	Procurement Opportunity Withdrawn					

Reference No.	GCM-4301			Ministry	Office of the Prime Minister	
Project Name	Windsor Housing Development - Civil Engineering Services			Public Body	National Housing Trust	
Contractor	N.O. Whyte & Associates Limited			Contract Sum	J\$5,364,916.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-10-08	2010-01-13	2010-01-13	0000-00-00	0000-00-00	2010-03-16
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$5,161,116.25	2010-03-16	2011-08-16	0000-00-00	0	J\$291,958.62	\$0.00
Project Location(s)						
Trelawny						
Comments						
<p>The Invitation to Tender was advertised on September 9, 2009. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the Professional Engineering Registration Board in Jamaica. Tenders were to be submitted by October 8, 2009 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Seven (7) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Request for Proposal.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Request for Proposal. The lowest responsive tender, which was submitted by N.O. Whyte & Associates Limited, in the sum of J\$5,364,916.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>Documents which were obtained by the Office of the Contractor General indicated that subsequent to implementation of the Services, the Infrastructure Engineering Designs were postponed pending the approval from the Ministry of Agriculture for the change of land use (from agricultural to residential).</p> <p>Consequently, the Ministry did not grant the change of land use and, as such, the Procuring Entity terminated the contract for Engineering Services in accordance with Clause 2.8.1 (f) of the General Conditions of the contract.</p>						
Status	Project Aborted					

Reference No.	GCM-1131			Ministry	Office of the Prime Minister	
Project Name	The Rehabilitation of a section of Market Road, Ocho Rios			Public Body	St. Ann Parish Council	
Contractor	Patrick E. Thompson Limited			Contract Sum	J\$5,642,755.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-09-09	2011-10-04	2011-10-24	0000-00-00	0000-00-00	2011-10-24
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$6,586,050.00	2011-10-30	2012-04-24	0000-00-00	0 Day(s)	\$0.00	\$0.00
Project Location(s)						
St. Ann						
Comments						
<p>The Invitation to Tender was advertised on August 21, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Road and Related Works, Grade 4. Tenders were to be submitted by September 9, 2011 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 4:00 p.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Patrick E. Thompson Limited, in the sum of J\$5,642,755.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the contract was implemented. No payments have been made to date.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-1101			Ministry	Office of the Prime Minister	
Project Name	The Rehabilitation of a Section of Road 94, Beverley, St. Ann			Public Body	St. Ann Parish Council	
Contractor	Patrick E. Thompson Limited			Contract Sum	J\$4,621,600.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-07-11	2011-08-04	2011-08-05	0000-00-00	0000-00-00	2011-08-05
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$3,658,400.00	2011-08-05	2011-08-26	2011-08-26	0 Day(s)	J\$4,471,600.00	\$0.00
Project Location(s)						
St. Ann						
Comments						
<p>The Invitation to Tender was advertised on June 22, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Road Related Works, Grade 4. Tenders were to be submitted by July 11, 2011 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 4:00 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Patrick E. Thompson Limited, in the sum of J\$4,621,600.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the project was completed and is in its six (6) month Defects Liability Period which expires February 2012.</p>						
Status	Contract Completed					

Reference No.	GCM-1291			Ministry	Office of the Prime Minister	
Project Name	Intervention for Rural Parochial Roads Rehabilitation Programme EU Flex 09/01 - Church Hill School Road and Chambers Pen Road			Public Body	The Department of Local Government	
Contractor	C.A.B. Construction			Contract Sum	J\$16,627,592.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-06-17	0000-00-00	0000-00-00	0000-00-00	0000-00-00	2010-09-16
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$12,337,950.00	2010-11-01	2011-01-17	2011-02-25	1 Month(s)	J\$14,192,280.00	\$0.00
Project Location(s)						
Hanover						
Comments						
<p>The Invitation to Tender was advertised on April 18, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of General Road Works, Grades 1 - 4. Tenders were to be submitted by June 17, 2010 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Six (6) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by C.A.B. Construction, in the sum of J\$16,627,592.00, was recommended for the award of contract.</p> <p>The Office of the Contractor General requested information regarding the Procurement Committee and Head of Entity approvals from the Department of Local Government (DLG). In response, the DLG, by way of a letter which was dated September 9, 2011, stated, <i>inter alia</i>, that "Under the EU/GOJ Agreement, the EU dictates the procurement process. An invitation to tender, procurement and evaluation process was done by the EU and not the Department of Local Government. The European Union was the Head of the Procurement Entity, hence the Department of Local Government does not have any of these documents to enclose."</p> <p>There is no evidence that the Entity requested or received the NCC's endorsement of the contract.</p> <p>As at December 31, 2011, the project was completed.</p>						
Status	Contract Completed					

Reference No.	GCM-1351			Ministry	Office of the Prime Minister	
Project Name	Intervention for Rural Parochial Roads Rehabilitation Programme EU Flex 09/06 - Cotton Tree Road			Public Body	The Department of Local Government	
Contractor	Chin's Equipment Rental & Construction Company Limited			Contract Sum	J\$8,081,950.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-06-17	0000-00-00	0000-00-00	0000-00-00	0000-00-00	2010-09-16
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$5,970,100.00	2010-11-01	2011-01-23	2011-02-25	1 Month(s)	J\$6,804,116.00	\$0.00
Project Location(s)						
Trelawny						
Comments						
<p>The Invitation to Tender was advertised on April 18, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of General Road Works, Grades 1 - 4. Tenders were to be submitted by June 17, 2010 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Six (6) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Chin's Equipment Rental & Construction Company Limited, in the sum of J\$8,081,950.00, was recommended for the award of contract.</p> <p>The Office of the Contractor General requested information regarding the Procurement Committee and Head of Entity approvals from the Department of Local Government (DLG). In response, the DLG, by way of a letter which was dated September 9, 2011, stated, <i>inter alia</i>, that "Under the EU/GOJ Agreement, the EU dictates the procurement process. An invitation to tender, procurement and evaluation process was done by the EU and not the Department of Local Government. The European Union was the Head of the Procurement Entity, hence the Department of Local Government does not have any of these documents to enclose."</p> <p>There is no evidence that the Entity requested or received the NCC's endorsement of the contract.</p> <p>As at December 31, 2011, the project was completed.</p>						
Status	Contract Completed					

Reference No.	GCM-1361			Ministry	Office of the Prime Minister	
Project Name	Intervention for Rural Parochial Roads Rehabilitation Programme EU Flex 09/02 - Woodland and High Level Roads			Public Body	The Department of Local Government	
Contractor	Construction Solutions Limited			Contract Sum	J\$17,779,000.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-06-17	0000-00-00	0000-00-00	0000-00-00	0000-00-00	2010-09-10
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$15,147,800.00	2010-11-01	2011-01-23	2011-02-25	1 Month(s)	J\$15,816,220.00	\$0.00
Project Location(s)						
Hanover						
Comments						
<p>The Invitation to Tender was advertised on April 18, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of General Road Works, Grades 1 - 3. Tenders were to be submitted by June 17, 2010 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Nine (9) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Construction Solutions Limited, in the sum of J\$17,779,000.00, was recommended for the award of contract.</p> <p>The Office of the Contractor General requested information regarding the Procurement Committee and Head of Entity approvals from the Department of Local Government (DLG). In response, the DLG, by way of a letter which was dated September 9, 2011, stated, <i>inter alia</i>, that "Under the EU/GOJ Agreement, the EU dictates the procurement process. An invitation to tender, procurement and evaluation process was done by the EU and not the Department of Local Government. The European Union was the Head of the Procurement Entity, hence the Department of Local Government does not have any of these documents to enclose."</p> <p>There is no evidence that the Entity requested or received the NCC's endorsement of the contract.</p> <p>As at December 31, 2011, the project was completed.</p>						
Status	Contract Completed					

Reference No.	GCM-1421			Ministry	Office of the Prime Minister	
Project Name	Intervention for Rural Parochial Roads Rehabilitation Programme Eu Flex 09/05 - Falmouth Street & Bliss Pasture Road			Public Body	The Department of Local Government	
Contractor	C.A.B. Construction			Contract Sum	J\$20,771,208.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-06-17	0000-00-00	0000-00-00	0000-00-00	0000-00-00	2010-09-16
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$13,412,100.00	2010-11-01	2011-03-01	2011-02-25	0 Day(s)	J\$19,816,783.84	\$0.00
Project Location(s)						
Trelawny						
Comments						
<p>The Invitation to Tender was advertised on April 18, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of General Road Works, Grades 1 - 3. Tenders were to be submitted by June 17, 2010 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by C.A.B. Construction, in the sum of J\$20,771,208.00, was recommended for the award of contract.</p> <p>The Office of the Contractor General requested information regarding the Procurement Committee and Head of Entity approvals from the Department of Local Government (DLG). In response, the DLG, by way of a letter which was dated September 9, 2011, stated, <i>inter alia</i>, that "Under the EU/GOJ Agreement, the EU dictates the procurement process. An invitation to tender, procurement and evaluation process was done by the EU and not the Department of Local Government. The European Union was the Head of the Procurement Entity, hence the Department of Local Government does not have any of these documents to enclose."</p> <p>There is no evidence that the Entity requested or received the NCC's endorsement of the contract.</p> <p>As at December 31, 2011, the project was completed.</p>						
Status	Contract Completed					

Reference No.	GCM-1431			Ministry	Office of the Prime Minister	
Project Name	Intervention for Rural Parochial Roads Rehabilitation Programme EU Flex 09/08 - Marvin Park and Old Buckfield Roads			Public Body	The Department of Local Government	
Contractor	Chin's Equipment Rental & Construction Company Limited			Contract Sum	J\$14,923,600.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-06-17	0000-00-00	0000-00-00	0000-00-00	0000-00-00	2010-09-16
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$10,500,000.00	2010-11-01	2011-03-01	2011-02-25	0 Day(s)	J\$12,919,928.00	\$0.00
Project Location(s)						
St. Ann						
Comments						
<p>The Invitation to Tender was advertised on April 18, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of General Road Works, Grades 1 - 4. Tenders were to be submitted by June 17, 2010 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:15p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Chin's Equipment Rental & Construction Company Limited, in the sum of J\$14,923,600.00, was recommended for the award of contract.</p> <p>The Office of the Contractor General requested information regarding the Procurement Committee and Head of Entity approvals from the Department of Local Government (DLG). In response, the DLG, by way of a letter which was dated September 9, 2011, stated, <i>inter alia</i>, that "Under the EU/GOJ Agreement, the EU dictates the procurement process. An invitation to tender, procurement and evaluation process was done by the EU and not the Department of Local Government. The European Union was the Head of the Procurement Entity, hence the Department of Local Government does not have any of these documents to enclose."</p> <p>There is no evidence that the Entity requested or received the NCC's endorsement of the contract.</p> <p>As at December 31, 2011, the project was completed.</p>						
Status	Contract Completed					

Reference No.	GCM-1541			Ministry	Office of the Prime Minister	
Project Name	Intervention for Rural Parochial Roads Rehabilitation Programme EU Flex 09/10 - Kentish and Bartons Roads			Public Body	The Department of Local Government	
Contractor	Construction Solutions Limited			Contract Sum	J\$13,850,875.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-06-17	0000-00-00	0000-00-00	0000-00-00	0000-00-00	2010-09-16
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$11,769,350.00	2010-11-01	2011-03-01	2011-08-31	5 Month(s)	J\$6,387,272.50	\$0.00
Project Location(s)						
St. Catherine						
Comments						
<p>The Invitation to Tender was advertised on April 18, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of General Road Works, Grades 1 - 4. Tenders were to be submitted by June 17, 2010 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Construction Solutions Limited, in the sum of J\$13,850,875.00, was recommended for the award of contract.</p> <p>The Office of the Contractor General requested information regarding the Procurement Committee and Head of Entity approvals from the Department of Local Government (DLG). In response, the DLG, by way of a letter which was dated September 9, 2011, stated, <i>inter alia</i>, that "Under the EU/GOJ Agreement, the EU dictates the procurement process. An invitation to tender, procurement and evaluation process was done by the EU and not the Department of Local Government. The European Union was the Head of the Procurement Entity, hence the Department of Local Government does not have any of these documents to enclose."</p> <p>There is no evidence that the Entity requested or received the NCC's endorsement of the contract.</p> <p>As at December 31, 2011, the project was completed.</p>						
Status	Contract Completed					

Reference No.	GCM-1391			Ministry	Office of the Prime Minister	
Project Name	Intervention for Rural Parochial Roads Rehabilitation Programme EU Flex 09/03 - Bogue Hill and Garvey Roads			Public Body	The Department of Local Government	
Contractor	Construction Solutions Limited			Contract Sum	J\$17,843,937.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-06-17	0000-00-00	0000-00-00	0000-00-00	0000-00-00	2010-09-10
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$14,127,850.00	2010-11-01	2011-03-01	2011-02-25	0 Day(s)	J\$12,253,858.26	\$0.00
Project Location(s)						
St. James						
Comments						
<p>The Invitation to Tender was advertised on April 18, 2010. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of General Road Works, Grades 1 - 3. Tenders were to be submitted by June 17, 2010 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lower responsive tender, which was submitted by Construction Solutions Limited, in the sum of J\$17,843,937.00, was recommended for the award of contract.</p> <p>The Office of the Contractor General requested information regarding the Procurement Committee and Head of Entity approvals from the Department of Local Government (DLG). In response, the DLG, by way of a letter which was dated September 9, 2011, stated, <i>inter alia</i>, that "Under the EU/GOJ Agreement, the EU dictates the procurement process. An invitation to tender, procurement and evaluation process was done by the EU and not the Department of Local Government. The European Union was the Head of the Procurement Entity, hence the Department of Local Government does not have any of these documents to enclose."</p> <p>There is no evidence that the Entity requested or received the NCC's endorsement of the contract.</p> <p>As at December 31, 2011, the project was completed.</p>						
Status	Contract Completed					

Reference No.	GCM-451			Ministry	Office of the Prime Minister	
Project Name	Asphaltic Concrete Overlay at Tivoli Multi-Purpose Court			Public Body	Urban Development Corporation	
Contractor	C.A.B. Construction Limited			Contract Sum	J\$4,853,631.25	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-07-05	2011-08-26	2011-08-31	0000-00-00	0000-00-00	2011-09-19
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$5,010,200.00	2011-10-05	2011-10-12	2011-10-07	0 Day(s)	J\$4,130,750.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on June 22, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Asphaltic Concrete Works, Grade 4 or higher. Tenders were to be submitted by July 5, 2011 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by C.A.B. Construction Limited, in the sum of J\$4,853,631.25, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the project was completed and is in its six (6) month Defects Liability Period which expires on April 13, 2012.</p>						
Status	Contract Completed					

Reference No.	GCM-2871			Ministry	Office of the Prime Minister	
Project Name	Construction of Sewage Conveyance System at Catherine Hall Entertainment Complex, Montego Bay			Public Body	Urban Development Corporation	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-04-28	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$25,649,050.00	0000-00-00	0000-00-00	0000-00-00	0 Day(s)	\$0.00	\$0.00
Project Location(s)						
St. James						
Comments						
<p>The Invitation to Tender was advertised on April 13, 2011. The Local Competitive Bidding Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the category of Civil Engineering, Grade 3. Tenders were to be submitted by April 28, 2011 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. Subsequent to the evaluation of the tender, the Urban Development Corporation, by way of a letter which was dated October 10, 2011, requested the endorsement of the NCC to negotiate with the sole Bidder and the NCC, at its meeting on October 19, 2011, endorsed same.</p> <p>As at December 31, 2011, the process was ongoing.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Contract Not Yet Signed					

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APPENDIX VI - NON CONSTRUCTION CONTRACTS MONITORED

Reference No.	GCM-1001			Ministry		
Project Name	Procurement of Security Services			Public Body	Office of the Contractor-General	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2012-01-03	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$2,640,000.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Procuring Entity, by way of a letter which was dated July 25, 2011, invited five (5) National Contracts Commission (NCC) registered Contractors to tender for the procurement opportunity. Tenders were to be submitted by August 8, 2011 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>Five (5) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. During the evaluation process, three (3) tenders were deemed non-responsive.</p> <p>Further to the foregoing, the Procurement Officer submitted a Memorandum, which was dated September 13, 2011, to the Head of Entity, which stated, <i>inter alia</i>, that "...it was subsequently deemed by the OCG that a material specification was omitted from the tender document... Having regard to the aforementioned, your approval is being sought to abort the tender process and re-tender using the Limited Tender Method of Procurement."</p> <p>The requisite approval from the Head of Entity was obtained on September 14, 2011.</p> <p>By way of a letter which was dated September 12, 2011, the five (5) companies which were previously invited to tender, were re-invited to submit tenders. Tenders were to be submitted by September 28, 2011 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m. The deadline for submission of tenders was subsequently extended to September 29, 2011 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. During the evaluation process, two (2) tenders were deemed non-responsive. The two (2) remaining tenders were also evaluated and the tender that attained the highest overall score was recommended for the award of contract.</p> <p>The contract award recommendation was submitted to the Procurement Committee for its review. In the foregoing regard, the Procurement Officer submitted a Memorandum which was dated November 3, 2011, to the Head of Entity, which stated, <i>inter alia</i>, that "...during the review of the Evaluation Report by the Procurement Committee on November 1, 2011, it was decided that the tender process should be aborted, as the OCG's panel of interviewers failed to complete the assessment scores for one of the Officers interviewed... The Companies which were previously invited will be re-invited to tender plus one additional."</p> <p>The requisite approval from the Head of Entity to retender was obtained on November 4, 2011.</p> <p>By way of a letter which was dated December 14, 2011, five (5) companies were invited to submit tenders. Four (4) of the five (5) aforementioned companies were from the previous tender process. Tenders were to be submitted by January 3, 2012 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>As at December 31, 2011, the OCG awaits the close of tender.</p>						
Status	Close of Tender Pending					

Reference No.	GCM-3901			Ministry	Ministry of Agriculture and Fisheries	
Project Name	Supply and Delivery of Computers, Accessories and Data Display Items - Items 2, 3 & 4			Public Body	Agro-Investment Corporation	
Contractor	Fujitsu Caribbean Limited			Contract Sum	US\$31,675.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-12-10	2011-02-28	2011-03-21	0000-00-00	0000-00-00	2011-05-02
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
US\$35,000.00	2011-05-02	2011-08-02	2011-06-21	0	J\$2,701,085.63	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on November 7, 2010. The procurement opportunity was divided into six (6) items. Tenders were to be submitted by December 10, 2010 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. Based upon the purchase price, Fujitsu Caribbean Limited was awarded the maximum score for Items 2, 3 & 4 and was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at June 21, 2011, the items were delivered and all payments remitted.</p>						
Status	Contract Completed					

Reference No.	GCM-3881			Ministry	Ministry of Agriculture and Fisheries	
Project Name	Supply of Computers, Accessories and Data Display Items - Items 1, 5 & 6			Public Body	Agro-Investment Corporation	
Contractor	Appliance Traders Limited			Contract Sum	US\$11,104.57	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-12-10	2011-02-28	2011-03-21	0000-00-00	0000-00-00	2011-04-07
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
US\$35,000.00	2011-04-07	2011-07-07	2011-07-13	0	J\$921,577.79	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on November 7, 2010. The procurement opportunity was divided into six (6) items. Tenders were to be submitted by December 10, 2010 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. Based upon the purchase price, Appliance Traders Limited (ATL) was awarded the maximum score for Items 1, 5 & 6 and was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at July 13, 2011, the items were delivered and all payments remitted.</p>						
Status	Contract Completed					

Reference No.	GCM-3531			Ministry	Ministry of Agriculture and Fisheries	
Project Name	Procurement for Network Attached Storage and Tower Server			Public Body	Forestry Department	
Contractor	Media Net Limited			Contract Sum	J\$2,254,898.09	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-09-23	2011-01-24	2011-02-09	0000-00-00	0000-00-00	2011-02-10
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$4,200,000.00	2011-02-02	2011-03-18	2011-03-04	0	J\$2,254,898.09	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on September 1, 2010. Tenders were to be submitted by September 23, 2010 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>The procurement opportunity consisted of two (2) Lots: Lot 1 - Tower Servers (2); and Lot 2 - Network Attached Storage (1). Bidders were allowed to quote on one (1) or both Lots.</p> <p>Two (2) tenders were received for both Lots. The tenders were opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. Media Net Limited attained the highest overall scores for the respective Lots, and was recommended for the award of contract in the sum of J\$2,254,898.09.</p> <p>The Procurement Committee's approval was obtained on January 24, 2011. The Office of the Contractor General (OCG) did not evidence the Head of Entity's approval for the contract award recommendation, however, the Head of Entity signed and dated the Contract Document on February 9, 2011. The Contractor signed the Contract Document on February 10, 2011. The commencement date, as indicated on the Contract Document, was February 2, 2011.</p> <p>The OCG noted the Procuring Entity's stamp of receipt dated March 4, 2011, on the Contractor's invoice. Further, the OCG noted a Payment Voucher which was dated March 18, 2011, in the sum of J\$2,254,898.09.</p> <p>As at December 31, 2011, the contract was completed.</p>						
Status	Contract Completed					

Reference No.	GCM-851			Ministry	Ministry of Agriculture and Fisheries	
Project Name	Supply and Install 150KVA Weatherproof Sound Attenuated Enclosed Standby Generator			Public Body	Ministry of Agriculture	
Contractor	Thomas Hamilton & Associates Company Limited			Contract Sum	J\$5,499,336.14	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-02-12	2010-03-29	0000-00-00	0000-00-00	0000-00-00	2010-03-30
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$6,028,849.43	2010-03-31	2010-06-01	2011-05-17	10.5 Month(s)	J\$4,534,327.62	\$0.00
Project Location(s)						
St. James						
Comments						
<p>The Invitation to Tender was advertised on February 7, 2010. Tenders were to be submitted by February 12, 2010 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The preferred tender, which was submitted by Thomas Hamilton & Associates Company Limited, in the amount of J\$5,499,336.14, was recommended for the award of contract.</p> <p>The Office of the Contractor General (OCG) evidenced that the Procurement Committee granted its approval for the award of contract on March 29, 2010, and the contract was subsequently signed on March 30, 2010. In response to the OCG's request for evidence of the Head of Entity approval, the Ministry provided a copy of an Inter-Office Memorandum, which was dated January 29, 2010, which advised that the Permanent Secretary granted approval for the use of the Selective Tender Procurement Methodology for the captioned procurement opportunity.</p> <p>The OCG noted that the Director of Facilities and Property Management, in an Inter-Office Memorandum to the Permanent Secretary, advised that <i>"While the works were ongoing, cost saving decisions were taken which resulted in Nine Hundred and Sixty-Five Thousand Eight Dollars Fifty-Two Cents (\$965,008.52) savings which is approximately six (6) percent to the Ministry. As a result the total cost for supplying and installation of 150 KVA Generator is Four Million Five Hundred and Thirty-Four Thousand, Three Hundred Twenty-Seven Dollars and Sixty-Two cents (\$4,534,327.62)." A request was made on May 9, 2011, to close the contract for the total value of work done and same was approved by the Permanent Secretary on May 16, 2011.</i></p> <p>The OCG has noted that the Payment Vouchers for the project reflected a cost for General Consumption Tax which is reflected in the indicated expenditure.</p> <p>As at May 17, 2011, the project was complete. Subsequent to same, the OCG noted that a retention, in the amount of J\$434,303.95, was paid to the Contractor on October 11, 2011.</p>						
Status	Contract Completed					

Reference No.	GCM-4922			Ministry	Ministry of Agriculture and Fisheries	
Project Name	Consultancy Services to Audit the Sugar Industry Authority/Sugar Industry Research Institute, Review and Amend the Sugar Industry Control Act			Public Body	Ministry of Agriculture and Fisheries	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2011-09-09	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$9,500,000.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to submit Expressions of Interest was advertised on June 19, 2011. Expressions of Interest were to be submitted by July 11, 2011 at 10:00 a.m.</p> <p>Nine (9) Expressions of Interest were received from Consultants. An Evaluation was conducted on July 27, 2011, subsequent to which four (4) of the Consultants were shortlisted to submit proposals by September 9, 2011.</p> <p>On September 9, 2011, four (4) proposals were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>By way of a Status Report, which was dated November 5, 2011, the OCG was advised, <i>inter alia</i>, that a "Draft Evaluation Report has been prepared for perusal and comments."</p> <p>As at December 31, 2011, the Evaluation Report had not been finalized. The OCG will continue to monitor the procurement process.</p>						
Status	Evaluation of Tenders Ongoing					

Reference No.	GCM-2741			Ministry	Ministry of Agriculture and Fisheries	
Project Name	Consultancy Services to Divest the Commercial Assets of the Cocoa Industry Board			Public Body	Ministry of Agriculture and Fisheries	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-07-22	2011-09-02	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$5,000,000.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Request for Expressions of Interest was advertised on June 15, 2011. Expressions of Interest were to be submitted by June 24, 2011 at 10:00 a.m. Four (4) Expressions of Interest were received. All four (4) Consultants were asked to prepare and submit proposals, by way of a letter which was dated June 29, 2011. The proposals were to be submitted on July 22, 2011 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The tender receiving the highest technical evaluated score was recommended for the award of contract. The recommendation for the award of contract was approved by the Procuring Committee on September 2, 2011.</p> <p>In a Status Report, which was dated December 12, 2011, the Ministry of Agriculture and Fisheries advised the Office of the Contractor General (OCG) that "<i>Due to funding problems, the Ministry made a request to the three (3) interested bidders to extend the validity period of their bids from October 22, 2011 to November 30, 2011 so as to allow adequate time for the financing constraints to be addressed...the DBJ requested the Ministry on November 28, 2011 to seek a further extension to the validity period to December 14, 2011... All 3 bidders subsequently wrote to the Ministry indicating a positive response.</i>"</p> <p>In a separate Report to the OCG, the Ministry of Agriculture and Fisheries further advised that "<i>...the Ministry of Agriculture and Fisheries has again made a further request to the three (3) interested bidders to extend the validity period of their bids from December 14, 2011 to February 29, 2012. Subsequently all 3 consultants responded to the Ministry agreeing to extend the validity period.</i>"</p> <p>As at December 31, 2011, the contract had not been signed.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Contract Not Yet Signed					

Reference No.	GCM-1611			Ministry	Ministry of Agriculture and Fisheries	
Project Name	Provision of Security Services			Public Body	Ministry of Agriculture and Fisheries	
Contractor	Marksman Limited			Contract Sum	J\$90,709,040.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-11-26	2011-03-08	2011-03-18	2011-03-30	2011-09-05	2011-12-12
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$94,828,950.00	2011-11-24	2013-11-23	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston, St. Andrew, St. Catherine, St. James and St. Mary						
Comments						
<p>The Invitation to Tender was advertised on October 31, 2010. Tenders were to be submitted by November 26, 2010 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Six (6) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon preliminary examination, two (2) tenders were deemed non-responsive. A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. Marksman Limited attained the highest evaluated score and was recommended for the award of contract.</p> <p>With regard to the Comparable Estimate, the Evaluation Report which was dated January 20, 2011, stated that <i>"The estimated cost of...(\$52,080,225.00), presented at the tender opening was incorrect as it represented the current cost of services which includes hours which are not being retendered.</i></p> <p><i>The estimated cost that should have been presented is Forty-Seven Million, Four Hundred and Fourteen Thousand, Four Hundred and Seventy-Five Dollars (47,414,475.00) for one year, which amounts in a total of Ninety-Four Million, Eight Hundred and Twenty-Eight Thousand, Nine Hundred and Fifty Dollars (94,828,950.00) for two years."</i></p> <p>The requisite approvals were obtained, however, prior to the signing of the Contract Document, the Office of the Contractor General (OCG) evidenced a letter from Marksman Limited to the Procuring Entity, which was dated December 8, 2011. The Letter, accompanied by a Security Deployment and Costing Table, stated, <i>inter alia</i>, that:</p> <p><i>"We wish to bring to your attention that since the tender was submitted on November 26, 2010 the Government has mandated a ten percent (10%) increase in the minimum wage, plus increases in other benefits for security guards on February 28, 2011. Consequently, we hereby request the requisite ten percent (10%) increase in our billing rates for this contract retroactive to the commencement date of the contract, November 24, 2011."</i></p> <p>The Security Deployment and Costing Table indicated a sum of J\$97,139,936.00. The OCG has not received any documentation in relation to the Procuring Entity's response to Marksman Limited.</p> <p>The contract was signed on December 12, 2011, in the sum of J\$90,709,040.00. Of note, the contract commencement date indicated in the Contract Document was November 24, 2011.</p> <p>By way of a letter which was dated December 12, 2011, the Procuring Entity stated, <i>inter alia</i>, that <i>"The contract commenced on 24th November 2011, and is ongoing with no payment to date."</i></p> <p>As at December 31, 2011, the contract was being executed.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-5442			Ministry	Ministry of Agriculture and Fisheries	
Project Name	Supply, Install & Commission of One (1) Industrial Slicing Machine for Ginger Rhizomes			Public Body	Ministry of Agriculture and Fisheries	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-07-08	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
US\$43,000.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on June 10, 2011. Tenders were to be submitted by July 8, 2011 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:30 a.m.</p> <p>One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The Evaluation Committee recommended that the project be re-tendered as the sole tender which was received was found to be non-competitive and non-responsive.</p> <p>As at December 31, 2011, the project had not been re-tendered.</p>						
Status	Project Aborted					

Reference No.	GCM-2671			Ministry	Ministry of Agriculture and Fisheries	
Project Name	Consultancy Service to Prepare Sub-Division Plans for Relocation of Sugar Estate Barracks			Public Body	Ministry of Agriculture and Fisheries - Sugar Transformation Unit	
Contractor	Sugar Company of Jamaica Limited			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Government to Government	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$14,500,000.00	0000-00-00	2012-01-31	0000-00-00	0	J\$4,597,516.00	\$0.00
Project Location(s)						
All Island						
Comments						
<p>The Invitation to Tender was advertised on July 18, 2010. Tenders were to be submitted by August 13, 2010 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m. This procurement opportunity is part of the Sugar Area Development Programme, approved by the Cabinet in September 2008, under which residents of the Sugar Estate Barracks at Frome, Monymusk, Long Pond/Hampden and St. Thomas will be relocated.</p> <p>One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. In a Status Report, which was dated December 12, 2011, the Ministry of Agriculture and Fisheries advised the Office of the Contractor General (OCG) that <i>"An evaluation report was done and submitted to the Headquarters Contracts Committee, which requested that an amendment be done... an Amended Evaluation Report was prepared. This report was never submitted to the Contracts Committee (HQ) because it was felt that the deadline for the European Union's (EUs) assessment of the Variable Tranche Disbursement Conditions under which the Relocation Exercise was being funded would not have been met."</i></p> <p>An extension of the deadline of November 2011 was obtained on the conditions related to completing the approval of the Sub-Division Plans from the European Union, to January 2012.</p> <p>Due to unexpected delays and the lack of interest from surveyors in the procurement opportunity, the Ministry of Agriculture and Fisheries advised that <i>"Discussions were held with SCJ Holdings, an Agency of this Ministry to undertake the entire Barracks Relocation Project in order to meet the EU deadline since they were in possession of the technical skills, the Sugar Estates and were engaged in a similar project. In the course of these discussion, it was proposed and agreed that SCJH would, in turn where necessary, procure such competencies as were deemed necessary from other GOJ agencies... Given the developments in the sugar divestment exercise during 2011, SCJH's surveyors were fully engaged with surveying activities related to the divestment... Given the new EU deadline to complete Sub-Division Plans for the Barracks Relocation exercise by late 2011, early 2012. SCJH was forced to procure these services through Direct Contracting Methodology."</i></p> <p>Accordingly, the OCG evidenced an unsigned Draft Memorandum of Understanding between the Ministry of Agriculture and the SCJ Holdings Limited, to undertake the Barracks Relocation Project. The Permanent Secretary granted approval to SCJ Holdings Limited, on November 18, 2011, for the use of the Direct Contracting Procurement Methodology for the sub-division of lands.</p> <p>The following three (3) Contractors were engaged to undertake the sub-division of lands:</p> <ol style="list-style-type: none"> 1. Noel Brown & Associates - Sub-Division for Spicey Hill and Gravel Hill, Trelawny, with a contract in the sum of J\$1,672,750.00; 2. A.I. Gracey & Associates - Sub-Division of Hampton Court and Stokes Hall, St. Thomas, with a contract in the sum of J\$2,950,000.00; and 3. Garfield A. Johnson & Associates - Sub-Division of Golden Grove, St. Thomas, with a contract in the sum of J\$1,501,670.00. <p>Subsequently, on December 28, 2011, the Permanent Secretary granted another approval to SCJ Holdings Limited to use the Direct Contracting Procurement Methodology to engage Garfield A. Johnson & Associates to prepare another subdivision of lands for Garden Grove, St. Thomas at a cost of J\$2,105,000.00. The Ministry of Agriculture and Fisheries advised the OCG that the <i>"...location of the Golden Grove site was changed, due to poor drainage at the first site."</i></p> <p>As at December 31, 2011, the execution of the contracts was on-going.</p> <p>The OCG will continue to monitor the execution of the contracts.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-1951			Ministry	Ministry of Agriculture and Fisheries	
Project Name	Supply of Irrigation Pipes and Fittings for Yallahs Irrigation System			Public Body	National Irrigation Commission Limited	
Contractor	Jamaica Drip Irrigation Limited			Contract Sum	J\$51,274,897.81	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-05-27	2011-07-01	2011-07-04	2011-08-03	2011-10-10	2011-11-22
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$47,900,310.00	2011-12-12	2012-03-12	0000-00-00	0	J\$652,370.05	\$0.00
Project Location(s)						
St. Thomas						
Comments						
<p>The Invitation to Tender was advertised on April 24, 2011. Tenders were to be submitted by May 27, 2011 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>The tenders were reviewed in accordance with the "Award Criteria" Clause which was outlined in the Tender Document. The lowest responsive tender, which was submitted by Jamaica Drip Irrigation Limited, in the sum of J\$51,274,897.81, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>The Office of the Contractor General (OCG) evidenced a letter, which was dated November 23, 2011, from the Contractor to the Procuring Entity, which stated the following:</p> <p style="padding-left: 40px;"><i>"There were no provisions in the contract for items such as insurance and performance bonds. The costs incurred are as follows:</i></p> <p style="padding-left: 80px;"><i>Insurance - \$527,370.05</i></p> <p style="padding-left: 80px;"><i>Performance bond - \$125,000</i></p> <p style="padding-left: 40px;"><i>We are hereby requesting a variation order to be done for a total of Six Hundred and Fifty Two Thousand Three Hundred and Seventy Dollars and Five Cents (\$652,370.05) to cover these costs."</i></p> <p>In the foregoing regard, the OCG evidenced the Procuring Entity's Variation Order, which was dated November 23, 2011, in the amount of J\$652,370.05. The Head of Entity's approval for same was received on December 6, 2011.</p> <p>By way of a letter which was dated December 1, 2011, the Procuring Entity informed the Contractor that <i>"The commencement date for this contract shall be December 12, 2011, and the delivery period is three (3) months."</i></p> <p>As at December 31, 2011, the contract was being executed.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-511			Ministry	Ministry of Agriculture and Fisheries	
Project Name	Supply of four (4) Rubber Wheel and eight (8) Handheld/Walk-Behind Tractors			Public Body	Rural Agricultural Development Authority	
Contractor	Machinery and Parts Export Limited			Contract Sum	US\$215,896.77	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-11-12	2010-11-14	2011-01-21	2011-02-09	0000-00-00	2011-03-17
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$20,000,000.00	2011-03-17	2011-06-17	2011-12-21	6 Month(s)	J\$18,388,874.90	\$0.00
Project Location(s)						
All Island						
Comments						
<p>The Invitation to Tender was advertised on October 20, 2010. Tenders were to be submitted by November 12, 2010 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Four (4) tenders were received for the supply of four (4) Rubber Wheel Tractors and three (3) tenders were received for the supply of eight (8) Handheld/Walk-Behind Tractors. The tenders were opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document.</p> <p>The tender which was submitted by Machinery and Parts Export Limited (MAPEX Ltd.) received the highest evaluated scores for the four (4) Rubber Wheel Tractors and the eight (8) Handheld/Walk-Behind Tractors, in the sums of US\$166,541.77 and US\$49,445.00, respectively, and was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>The eight (8) Handheld/Walk-Behind Tractors were delivered as scheduled and distributed to seven (7) RADA Parish Offices for assisting farmers.</p> <p>The four (4) Rubber Wheel Tractors had factory delays and as such, they were not delivered as scheduled.</p> <p>As at December 21, 2011, the four (4) Rubber Wheel Tractors were delivered to the Knocalva Agricultural School in Hanover and three (3) RADA Parish Offices namely: St. Catherine, Clarendon and St. Elizabeth.</p>						
Status	Contract Completed					

Reference No.	GCM-1371			Ministry	Ministry of Education	
Project Name	Canteen Concessionaire			Public Body	Brown's Town Community College	
Contractor	MGD Catering			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-07-26	2011-08-04	0000-00-00	0000-00-00	0000-00-00	2011-08-22
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
\$0.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
St. Ann						
Comments						
<p>The Invitation to Tender was initially advertised on June 12, 2011. Tenders were to be submitted by July 1, 2011 at 2:00 p.m.</p> <p>Upon a review of the Tender Document which was submitted to the Office of the Contractor General (OCG) by the Brown's Town Community College (BTCC), it was observed that the Standard Bidding Documents had not been utilized. The OCG, by way of a letter which was dated July 4, 2011, advised the BTCC that it should revise its Tender Document to ensure full compliance with the requirements of the Government of Jamaica Public Sector Procurement Procedures.</p> <p>The recommendations were accepted by BTCC and a revised Invitation to Tender was advertised on June 24, 2011. Tenders were to be submitted by July 12, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:30 p.m. The submission deadline was further extended to July 26, 2011 at 2:00 p.m.</p> <p>The BTCC indicated that a Comparative Estimate was not prepared as the <i>"...College will not be undertaking any expenditure or incur costs as a result of the activity."</i></p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>An evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The sole responsive tender, which was submitted by MGD Catering, was recommended for the award of contract for <i>"...an initial period of two (2) years renewable by the agreement in writing at least (1) month prior to the expiration of the agreement."</i></p> <p>The Procurement Committee endorsed the recommendation to award the contract on August 4, 2011. Upon request of the Head of Entity approval, the BTCC failed to provide evidence of same.</p> <p>As at December 31, 2011, the contract was being executed.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-1851			Ministry	Ministry of Education	
Project Name	Voice Over Internet Protocol (VOIP) for the Administration Office and the Registry			Public Body	College of Agriculture, Science and Education	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
\$0.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Portland						
Comments						
<p>The Invitation to Tender was advertised on April 8, 2011. Tenders were to be submitted by June 10, 2011 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony on June 21, 2011 at 3:00 p.m.</p> <p>The Office of the Contractor General (OCG), by way of a letter which was dated April 26, 2011, recommended that the College of Agriculture, Science and Education (CASE) amend its advertisement and Tender Document to allow the Tender Opening Ceremony to be conducted "as soon as possible" after the close of tender.</p> <p>The CASE accepted the OCG's recommendation and by way of a revised advertisement, informed Bidders that tenders were to be submitted by June 10, 2011 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:30 p.m.</p> <p>No tenders were received by the close of tender.</p>						
Status	No Tenders Received					

Reference No.	GCM-4541			Ministry	Ministry of Education	
Project Name	Procurement of Mobile Interactive Whiteboard Solution			Public Body	E-Learning Jamaica Company Limited	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-09-19	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
US\$420,000.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on August 21, 2011. Tenders were to be submitted by September 12, 2011 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:10 p.m. The deadline for submission of tenders was subsequently extended to September 19, 2011 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:10 p.m.</p> <p>Seven (7) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>As at December 31, 2011, the evaluation process was ongoing.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Evaluation of Tenders Ongoing					

Reference No.	GCM-1991			Ministry	Ministry of Education	
Project Name	External Auditor			Public Body	Edna Manley College of the Visual and Performing Arts	
Contractor	Smith and Associates			Contract Sum	J\$686,300.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-03-18	2011-06-29	2011-06-30	0000-00-00	0000-00-00	2011-07-01
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$1,200,000.00	2011-07-01	2013-07-01	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on February 20, 2011. Tenders were to be submitted by March 18, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>The Office of the Contractor General (OCG) noted that one of the eligibility requirements which was outlined was registration with the National Contracts Commission (NCC).</p> <p>Accordingly, and by way of a letter which was dated April 7, 2011, the OCG indicated, <i>inter alia</i>, that it noted that the Tender Document which was utilized related to Consultants and not General Services. At the time, External Auditors were being registered with the NCC under the category of "General Services. The OCG indicated that an anomaly existed in this regard.</p> <p>Further to same, and by way of a letter which was dated June 6, 2011, the Edna Manley College advised that following a meeting with representatives from the then Ministry of Finance and the Public Sector, no objection was offered regarding the use of the referenced document.</p> <p>One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>The Office of the Contractor General (OCG), by way of a letter which was dated April 7, 2011, further recommended that the evaluation "...criteria be broken out in sub-criteria." The OCG further recommended that "...the associated weighting be circulated to all bidders and to the OCG, prior to the evaluation of the bids."</p> <p>The Edna Manley College accepted the OCG's recommendation to further expand its Evaluation Criteria and a detailed evaluation was conducted. The sole tender, in the sum of J\$686,300.00, which was submitted by Smith and Associates, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>The contract which was signed on July 1, 2011, indicated that "...the Procuring Entity shall pay the Consultant an amount not to exceed a ceiling of Six Hundred and Eighty six Thousand Three Hundred Dollars [686,300] per annum in the first year of the contract... Notwithstanding the foregoing the ceiling amount of Six Hundred and Eighty six Thousand Three Hundred Dollars [686,300] per annum will be reviewed in the second year of the contract."</p> <p>As at December 31, 2011, "...the service was not yet in force..."</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-4562			Ministry	Ministry of Education	
Project Name	Consultancy Services - Refurbishing and Upgrading of the Waste Water Treatment Facilities			Public Body	Human Employment and Resource Training/HEART Trust/NTA	
Contractor	Caribbean Eco Waste Treatment Services Limited			Contract Sum	J\$8,196,800.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-09-13	2010-11-30	2010-12-02	0000-00-00	0000-00-00	2011-02-17
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
\$0.00	2011-02-17	0000-00-00	0000-00-00	0	J\$2,281,627.23	\$0.00
Project Location(s)						
All Island						
Comments						
<p>The Invitation to Tender was advertised on August 22, 2010. Tenders were to be submitted by September 13, 2010 at 11:00 a.m. followed by a scheduled Tender Opening Ceremony at 11:05 a.m. The procurement opportunity was advertised for five (5) locations.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>The Technical Proposals were evaluated in accordance with the Evaluation Criteria which were outlined in the Tender Document. One (1) Bidder was deemed ineligible for failure to submit the required Tax Compliance Certificate (TCC).</p> <p>Subsequent to the evaluation, the sole Bidder which was deemed responsive, received the minimum required score of 70 points and advanced to the opening of the Financial Proposals.</p> <p>The Financial Proposal of the sole Bidder was opened on November 17, 2010.</p> <p>The sole Bidder, Caribbean Eco Waste Treatment Services Limited, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly. The Office of the Contractor General (OCG) has noted that the scheduled completion date for the contract was not indicated, however, HEART Trust/NTA advised that "<i>The contract with Caribbean Eco Waste Water Treatment facilities involves both pre and post construction services... We are therefore unable to say definitely when this consultancy will come to an end though we expect it should be within the next financial year 2012/2013.</i>"</p> <p>As at December 31, 2011, the project was ongoing.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-881			Ministry	Ministry of Education	
Project Name	Provision of Computers			Public Body	Knox Community College	
Contractor	Illuminat Jamaica Limited			Contract Sum	J\$1,698,069.80	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-08-29	0000-00-00	2011-12-12	0000-00-00	0000-00-00	2011-12-13
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$1,500,000.00	2011-12-13	2012-01-03	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Clarendon						
Comments						
<p>The Invitation to Tender was initially advertised on July 17, 2011. Tenders were to be submitted by August 5, 2011 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:30 p.m.</p> <p>The Office of the Contractor General (OCG), by way of a letter which was dated August 5, 2011, noted that the the Knox Community College (KCC) had not used the Standard Bidding Document. The OCG recommended that the referenced Entity extend its deadline of submission in an effort to revise its Tender Document.</p> <p>The KCC accepted the OCG's recommendation and an amended advertisement was published on August 21, 2011. Tenders were to be submitted by August 29, 2011 at 12:15 p.m., followed by a scheduled Tender Opening Ceremony at 12:30 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>The OCG, upon a review of the KCC's Bid Receipt Record and Bid Opening Record, noted that the number of bids which were recorded as being received did not correspond with the number of bids which were opened.</p> <p>The KCC, in its response to the OCG which was dated October 3, 2011, outlined the sequence of events and indicated that <i>"...although there was human error in misplacing the record of submission, these persons can attest to the fact that these bids were duly taken out of the same box at the time and date mentioned"</i>. Attached to the referenced letter was a listing of the persons who were present at the Tender Opening Ceremony.</p> <p>An evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, in the sum of J\$1,698,069.80, which was submitted by Illuminat Jamaica Limited, was recommended for the award of contract.</p> <p>By way of a letter, which was dated December 12, 2011, the Head of Entity wrote to the Manager of Illuminat Jamaica Limited, notifying same that the company was the successful Bidder.</p> <p>The contract, which was dated December 13, 2011, was awarded to Illuminat Jamaica Limited, in the sum of J\$1,698,069.80.</p> <p>No delivery schedule was provided in the Contract Document which was submitted to the OCG. However, Illuminat Jamaica Limited, by way of a letter to the KCC, which referred to the contract, indicated that it would <i>"...proceed to place the order...which would take 2-3 weeks."</i></p> <p>The OCG has not been provided with any evidence of the Procurement Committee endorsement of the recommendation for the award of contract, although same was requested from the Entity. As at December 31, 2011, the Procuring Entity was awaiting delivery of the procured items.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Procuring Entity Awaiting Delivery of the Procured Items					

Reference No.	GCM-1911			Ministry	Ministry of Education	
Project Name	Appliances, Safety Equipment and Computerized Equipment and Supplies for "Time Out Facility" at Malvern, St. Elizabeth			Public Body	Ministry of Education	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-09-23	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$8,672,000.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
St. Elizabeth						
Comments						
<p>The Invitation to Tender was advertised on September 4, 2011. Tenders were to be submitted by September 23, 2011 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>The procurement opportunity consisted of six (6) Lots. One (1) tender was received for Lot number 5. No tenders were received for the additional Lots.</p> <p>The sole tender was opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Correspondence from the Ministry indicated that <i>"the procurement opportunity has been put on hold because of the emergence of some unexpected circumstances which have stalled the process."</i></p> <p>As at December 31, 2011, the project was on hold.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Project On Hold					

Reference No.	GCM-1241			Ministry	Ministry of Education	
Project Name	BOOKSTART JAMAICA 2011 Pilot Programme			Public Body	Ministry of Education	
Contractor	METO Corporation Limited			Contract Sum	J\$2,040,500.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-01-31	2011-02-23	2011-04-01	0000-00-00	0000-00-00	2011-04-01
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$2,000,000.00	0000-00-00	0000-00-00	2011-10-10	0	J\$2,040,500.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was initially advertised on December 3, 2010. An amended Invitation to Tender was advertised on December 12, 2010. Tenders were to be submitted by January 31, 2011 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>The Ministry of Education (MOE), along with other Entities, sought "...locally developed, age appropriate 'child friendly children's literature' to be included in the BOOKSTART JAMAICA 2011 PILOT package."</p> <p>Five (5) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tenders, in the sum of J\$1,078,000.00 and J\$962,500.00, which were both submitted by METO Corporation Limited, were recommended for the award of contract.</p> <p>The contract was awarded to METO Corporation Limited for the supply of 14,000 books.</p> <p>Although requested, the Office of the Contractor General (OCG) was not provided with any evidence to indicate that Head of Entity approval was received prior to the award of contract. The OCG, however, found that the contract was signed by the Permanent Secretary.</p> <p>A Status Report from the MOE indicated that the "...14,000 books ordered for distribution in hospitals islandwide...were delivered to the MOE's Caenwood Centre as of the middle of October 2011." The OCG has further noted that METO Corporation Limited, in an invoice to MOE, had indicated that the goods were delivered on October 10, 2011.</p> <p>As at December 31, 2011, the goods had been delivered.</p>						
Status	Contract Completed					

Reference No.	GCM-2431			Ministry	Ministry of Education	
Project Name	Development of Web Portal for Jamaica Teaching Council (JTC)			Public Body	Ministry of Education	
Contractor	BMAK Business & Technology Consultants Inc.			Contract Sum	US\$107,400.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-12-16	2011-04-14	2011-05-02	0000-00-00	0000-00-00	2011-05-02
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
US\$100,000.00	2011-05-09	2011-11-09	0000-00-00	0	US\$51,015.00	\$0.00
Project Location(s)						
All Island						
Comments						
<p>The Invitation to submit Expressions of Interest was advertised on July 25, 2010. Expressions of Interest were to be submitted by August 20, 2010 at 12:00 noon.</p> <p>Nine (9) Expressions of Interest were received. By way of a letter, which was dated September 1, 2010, the Office of the Contractor General (OCG) was provided with an outline of the Evaluation Criteria which indicated that a <i>"Candidate must attain a minimum of 70 points to Qualify."</i></p> <p>The Expressions of Interest were evaluated by a team from the Ministry of Education (MOE) on September 2, 2010.</p> <p>The Report from the MOE further stated, <i>"...this was not an evaluation to select a specific contractor but instead, to select the six highest rated contenders..."</i></p> <p>Subsequent to the evaluation, six (6) Consultants were short-listed. The OCG noted that two (2) of the six (6) companies which were short-listed had not achieved the minimum qualifying score and should not have been invited to submit a tender. This was expressed under cover of letter, which was dated May 2, 2010 and, which was addressed to the MOE.</p> <p>The short-listed Consultants were invited to submit tenders, by way of a letter which was dated November 10, 2010. Tenders were to be submitted by December 16, 2010 at 12:00 noon.</p> <p>One (1) tender was received. The OCG had noted that there was no official opening of the tender. The MOE asserted that <i>"...because we received only one Tender there was no formal Tender Opening as the sole bidder did not have a representative present..."</i></p> <p>The OCG's letter, which was dated May 2, 2010, posited that a Tender Opening Ceremony should have been conducted irrespective of the number of tenders which were received and also irrespective of whether Bidder representatives were present for the opening exercise. The Technical Proposals were evaluated in accordance with the Evaluation Criteria which were outlined in the Tender Document.</p> <p>Subsequent to the evaluation, the sole Bidder, BMAK Business & Technology Consultant Inc., received the minimum required score of 70 points and advanced to the opening of the Financial Proposals.</p> <p>BMAK Business & Technology Consultant Inc. was recommended for the award of the contract.</p> <p>Approvals were received from the World Bank on March 23, 2011 and the Procurement Committee on April 14, 2011.</p> <p>The contract was awarded accordingly. The OCG has not been provided with any evidence to indicate that Head of Entity (HOE) approval was received prior to the award of contract. The HOE approval date indicated above represents the date that the contract was signed by the Permanent Secretary.</p> <p>As at December 31, 2011, the contract was being executed.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-2331			Ministry	Ministry of Education	
Project Name	Equipment for the National Students Registration to Support Education Management Information System (EMIS) - Lot 1			Public Body	Ministry of Education	
Contractor	Fujitsu Caribbean (Jamaica) Limited			Contract Sum	US\$42,921.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-12-06	2011-04-14	2011-04-21	0000-00-00	0000-00-00	2011-04-21
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
US\$79,000.00	0000-00-00	0000-00-00	2011-05-19	0	US\$42,921.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on October 31, 2010. Tenders were to be submitted by December 6, 2010 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:15 p.m. The procurement opportunity consisted of the following two (2) Lots:</p> <ul style="list-style-type: none"> • Lot 1 - Image Storage Area Network; Imaging Server (2); High Capacity Duplex Scanner (2); and • Lot 2 - Imaging & Indexing Software. <p>Bidders were allowed to quote on one (1) or both Lots. The Comparable Estimate reflects the computed estimate for the components of Lots 1 and 2.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. Three (3) Bidders submitted tenders for Lot 1 only; and the remaining Bidder submitted a tender for Lot 2 only.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The companies which met the specifications, and offered the best price for the respective components of Lot 1, were recommended for contract awards.</p> <p>Fujitsu Caribbean (Jamaica) Limited submitted the lowest responsive tender, in the sum of US\$42,921.00, for the two (2) Image Servers and the Image Storage Area Network (SAN), and was recommended for the award of contract.</p> <p>The Office of the Contractor General (OCG) noted that though Lot 1 included two (2) High Capacity Duplex Scanners, a separate contract award recommendation was made to the Bidder who had submitted the lowest price for that component.</p> <p>The Procurement Committee approval was obtained on April 14, 2011, however, the OCG did not evidence the Head of Entity's approval for the contract award recommendation. The Head of Entity's signature was noted on the Contract Document which was dated April 21, 2011. In light of the OCG's observation, the Procuring Entity informed that "<i>Regarding the copy of the Permanent Secretary's approval for the contract, the Permanent Secretary signs the contract on seeing the supporting documentation on file...</i>"</p> <p>The contract was awarded accordingly, however, the OCG noted that the contract duration was not indicated in the Contract Document. Based upon the foregoing, the Procuring Entity indicated that "<i>Regarding the start and end dates, please note that neither IDB or World Bank Standard contracts for Goods have a clause for start date and delivery date.</i>"</p> <p>The OCG evidenced a Delivery Note, which was dated May 19, 2011, which indicated that the procured items were delivered. Documents which were submitted by the Procuring Entity indicated that all payments were made to the Contractor.</p> <p>As at December 31, 2011, the contract was completed.</p>						
Status	Contract Completed					

Reference No.	GCM-2401			Ministry	Ministry of Education	
Project Name	Equipment for the National Students Registration to Support Education Management Information System (EMIS) - Lot 2			Public Body	Ministry of Education	
Contractor	Productive Business Solutions Limited			Contract Sum	US\$8,700.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-12-06	2011-04-14	2011-04-21	0000-00-00	0000-00-00	2011-04-21
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
US\$79,000.00	0000-00-00	0000-00-00	2011-06-29	0	US\$8,700.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on October 31, 2010. Tenders were to be submitted by December 6, 2010 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:15 p.m. The procurement opportunity consisted of the following two (2) Lots:</p> <ul style="list-style-type: none"> • Lot 1 - Image Storage Area Network; Imaging Server (2); High Capacity Duplex Scanner (2); and • Lot 2 - Imaging & Indexing Software. <p>Bidders were allowed to quote on one (1) or both Lots. The Comparable Estimate reflects the computed estimate for the components of Lots 1 and 2.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. Only one (1) Bidder submitted a tender for Lot 2.</p> <p>A detailed evaluation of the sole tender for Lot 2 was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The sole tender which was submitted by Product Business Solutions (PBS) Limited, in the sum of US\$8,700.00, was deemed responsive and recommended for the award of contract.</p> <p>The Procurement Committee's approval was obtained on April 14, 2011, however, the Office of the Contractor General (OCG) did not evidence the Head of Entity's approval for the contract award recommendation. The Head of Entity's signature was noted on the Contract Document which was dated April 21, 2011. In light of the OCG's observation, the Procuring Entity informed that "<i>Regarding the copy of the Permanent Secretary's approval for the contract, the Permanent Secretary signs the contract on seeing the supporting documentation on file...</i>"</p> <p>The contract was awarded accordingly, however, the OCG noted that the contract duration was not indicated in the Contract Document. Based upon the foregoing, the Procuring Entity indicated that "<i>Regarding the start and end dates, please note that neither IDB or World Bank Standard contracts for Goods have a clause for start date and delivery date.</i>"</p> <p>Subsequently, the OCG evidenced the Contractor's Invoice, which was dated June 29, 2011, which showed the Procuring Entity's stamp confirming the satisfactory delivery of the goods. Full payment was subsequently made to the Contractor.</p> <p>As at December 31, 2011, the contract was completed.</p>						
Status	Contract Completed					

Reference No.	GCM-2391			Ministry	Ministry of Education	
Project Name	Equipment of the National Students Registration to Support Education Management Information System (EMIS) - Lot 1			Public Body	Ministry of Education	
Contractor	Digicel Jamaica Limited			Contract Sum	US\$19,919.15	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-12-06	2011-04-14	2011-04-21	0000-00-00	0000-00-00	2011-04-21
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
US\$79,000.00	0000-00-00	0000-00-00	2011-05-11	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on October 31, 2010. Tenders were to be submitted by December 6, 2010 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:15 p.m. The procurement opportunity consisted of the following two (2) Lots:</p> <ul style="list-style-type: none"> • Lot 1 - Image Storage Area Network; Imaging Server (2); High Capacity Duplex Scanner (2); and • Lot 2 - Imaging & Indexing Software. <p>Bidders were allowed to quote on one (1) or both Lots. The Comparable Estimate reflects the computed estimate for the components of Lots 1 and 2.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. Three (3) Bidders submitted tenders for Lot 1 only; and the remaining Bidder submitted a tender for Lot 2 only.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The companies which met the specifications, and offered the best price for the respective components of Lot 1, were recommended for contract awards.</p> <p>Digicel Jamaica Limited submitted the lowest responsive tender, in the sum of US\$19,919.15, for the two (2) High Capacity Duplex Scanners, and was recommended for the award of contract.</p> <p>The Office of the Contractor General (OCG) noted that though Lot 1 included two (2) Image Servers and the Image Storage Area Network (SAN), a separate contract award recommendation was made to the Bidder who had submitted the lowest price for those components.</p> <p>The Procurement Committee's approval was obtained on April 14, 2011, however, the OCG did not evidence the Head of Entity's approval for the contract award recommendation. The Head of Entity's signature was noted on the Contract Document which was dated April 21, 2011. In light of the OCG's observation, the Procuring Entity informed that <i>"Regarding the copy of the Permanent Secretary's approval for the contract, the Permanent Secretary signs the contract on seeing the supporting documentation on file..."</i></p> <p>The contract was awarded accordingly, however, the OCG noted that the contract duration was not indicated in the Contract Document. Based upon the foregoing, the Procuring Entity indicated that <i>"Regarding the start and end dates, please note that neither IDB or World Bank Standard contracts for Goods have a clause for start date and delivery date."</i></p> <p>The OCG evidenced the Contractor's <i>"Customer Equipment Receipt Form"</i>, which was dated May 11, 2011, which indicated that the procured items were delivered.</p> <p>The Procuring Entity subsequently informed the OCG that no payments had been made to the Contractor to date.</p> <p>As at December 31, 2011, payment to the Contractor was pending.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Final Payment to the Contractor Pending					

Reference No.	GCM-2411			Ministry	Ministry of Education	
Project Name	Hardware and Equipment for School Inspection - Lot 1			Public Body	Ministry of Education	
Contractor	Management Control Systems (MCS) Limited			Contract Sum	US\$77,223.33	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-11-26	2011-07-05	2011-07-29	0000-00-00	0000-00-00	2011-07-29
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
US\$140,000.00	0000-00-00	0000-00-00	2011-12-07	0	US\$43,546.36	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on October 24, 2010. Tenders were to be submitted by December 6, 2010 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:15 p.m. An Addendum was subsequently issued which changed the deadline for submission of tenders to November 26, 2010 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>The procurement opportunity consisted of three (3) Lots as follows:</p> <ul style="list-style-type: none"> • Lot 1 - Standard Desktop (10); High End Desktop PCs (3); Laptops (15); Tablet PCs (5); File, Print, Proxy, DC Servers (5); • Lot 2 - 20" Flat Panel Monitor (7); 22" Flat Panel Monitor (6); 50" Flat Panel TV Monitor (2); Electronic Signature Pad (6); Multimedia Projectors (4); and • Lot 3 - High Volume Copier with Scanner, Fax Industrial Photocopier (1); Colour Laser Printer (1). <p>Bidders were allowed to quote on one (1) or all Lots. The Comparable Estimate reflects the computed estimate for the components of all Lots.</p> <p>Three (3) Bidders submitted tenders, however, only one (1) Bidder submitted a tender for all three (3) Lots. The tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender for Lot 1, which was submitted by Management Control Systems Limited, in the sum of US\$77,223.33, was recommended for the award of contract.</p> <p>Note, the Procurement Committee approved the contract award recommendation for Management Control Systems Limited to provide the following: Standard Desktop (10); High End Desktop PCs (3); Laptops (15).</p> <p>The Office of the Contractor General (OCG) did not evidence the Head of Entity's approval for the contract award recommendation. However, the Head of Entity's signature was noted on the Contract Document which was dated July 29, 2011. In light of the OCG's observation, the Procuring Entity informed that "<i>Regarding the copy of the Permanent Secretary's approval for the contract, the Permanent Secretary signs the contract on seeing the supporting documentation on file...</i>"</p> <p>The contract was awarded accordingly, however, the OCG noted that the contract duration was not indicated in the Contract Document. Based upon the foregoing, the Procuring Entity indicated that "<i>Regarding the start and end dates, please note that neither IDB or World Bank Standard contracts for Goods have a clause for start date and delivery date.</i>"</p> <p>The OCG evidenced Delivery Receipts which were signed on November 7, 2011, November 11, 2011 and December 7, 2011, which indicated the delivery of items.</p> <p>As at December 31, 2011, payments were to be made to the Contractor.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Final Payment to the Contractor Pending					

Reference No.	GCM-2421			Ministry	Ministry of Education	
Project Name	Hardware and Equipment for Schools Inspection - Lots 2 & 3			Public Body	Ministry of Education	
Contractor	Appliance Traders Limited			Contract Sum	US\$39,352.27	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-11-26	2011-07-05	2011-07-29	0000-00-00	0000-00-00	2011-07-29
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
US\$140,000.00	0000-00-00	0000-00-00	0000-00-00	0	US\$37,917.08	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on October 24, 2010. Tenders were to be submitted by December 6, 2010 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:15 p.m. An Addendum was subsequently issued which changed the deadline for submission to November 26, 2010 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>The procurement opportunity consisted of three (3) Lots as follows:</p> <ul style="list-style-type: none"> • Lot 1 - Standard Desktop (10); High End Desktop (3); Laptop (15); Tablet PC (5); File, Print, Proxy, DC Servers (5); • Lot 2 - 20" Flat Panel Monitor (7); 22" Flat Panel Monitor (6); 50" Flat Panel TV Monitor (2); Electronic Signature Pad (6); Projector (4); and • Lot 3 - High Volume Copier, Scanner, Fax Industrial Photocopier (1); Colour Laser Printer (1). <p>Bidders were allowed to quote on one (1) or all Lots. The Comparable Estimate reflects the computed estimate for the components of all Lots.</p> <p>Three (3) Bidders submitted tenders, however, only one (1) Bidder submitted a tender for all three (3) Lots. The tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. Appliance Traders Limited was recommended for the award of contract for Lots 2 and 3, in the sum of US\$39,352.27.</p> <p>The Procurement Committee approved the contract award recommendation to Appliance Traders Limited to provide the following: 20" Flat Panel Monitor (7); 22" Flat Panel Monitor (6); 50" Flat Panel Display (1); Tablet PC (5); File, Print, Proxy, DC Servers (5); Projector (4); High Volume Copier, Scanner, Fax Industrial Photocopier (1); Colour Laser Printer (1).</p> <p>The Office of the Contractor General (OCG) did not evidence the Head of Entity's approval for the contract award recommendation. However, the Head of Entity's signature was noted on the Contract Document which was dated July 29, 2011. In light of the OCG's observation, the Procuring Entity informed that "<i>Regarding the copy of the Permanent Secretary's approval for the contract, the Permanent Secretary signs the contract on seeing the supporting documentation on file...</i>"</p> <p>The contract was awarded accordingly, however, the OCG noted that the contract duration was not indicated in the Contract Document. Based upon the foregoing, the Procuring Entity indicated that "<i>Regarding the start and end dates, please note that neither IDB or World Bank Standard contracts for Goods have a clause for start date and delivery date.</i>"</p> <p>Based upon documents which were submitted by the Procuring Entity, Delivery Notes were evidenced for some of the procured items. Payments were made to the Contractor in accordance with the delivered items, and a balance of US\$1,435.19 remained outstanding.</p> <p>As at December 31, 2011, the contract was completed.</p>						
Status	Contract Completed					

Reference No.	GCM-3631			Ministry	Ministry of Education	
Project Name	National Textbook Loan Scheme 2012-2013			Public Body	Ministry of Education	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$624,785,183.95	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
All Island						
Comments						
<p>The Invitation to Pre-qualify was advertised on October 16, 2011. Pre-qualification documents were to be submitted by November 8, 2011 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Six (6) applicants submitted Pre-qualification documents.</p> <p>The submissions were opened and verified in accordance with the eligibility requirements which were outlined in the Pre-qualification Questionnaire.</p> <p>Subsequent to the evaluation, five (5) applicants qualified and were short-listed.</p> <p>As at December 31, 2011, the short-listed applicants were yet to be invited to submit tenders.</p> <p>The OCG will continue to monitor the procurement opportunity.</p>						
Status	Pre-Tender Stage					

Reference No.	GCM-2561			Ministry	Ministry of Education	
Project Name	Procurement of Office Furniture			Public Body	Ministry of Education	
Contractor	Stationery & Office Supplies Limited			Contract Sum	J\$633,944.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-11-09	2011-02-21	2011-03-04	0000-00-00	0000-00-00	2011-03-24
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$5,000,000.00	2011-03-18	2011-05-13	2011-06-09	0	J\$633,944.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was initially advertised on June 13, 2010. Tenders were to be submitted by July 14, 2010 at 2:15 p.m., followed by a scheduled Tender Opening Ceremony at 2:25 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Subsequent to the Tender Opening, the Ministry of Education (MOE) wrote to the National Contracts Commission (NCC) requesting permission to re-tender the procurement opportunity, as <i>"...the procurement process had to be aborted because the specifications for furniture were not properly defined, which resulted in a wide disparity in both items and prices for the bids submitted."</i> The NCC offered no objection, in its meeting of September 1, 2010.</p> <p>The tender was re-advertised on October 10, 2010. Tenders were to be submitted by November 4, 2010 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:15 p.m. The tender comprised of 21 Lots and the MOE Tender Document indicated that Bidders may submit a tender for one, all or any combination of Lots. The comparable estimate indicated above, is representative of all the lots.</p> <p>Eight (8) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. The MOE's Evaluation Report indicated that <i>"...the tender opening occurred on November 9, 2010...based on the fact that the Ministry was closed at 12:00 Noon on November 4, due to the Hurricane Watch."</i></p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, in the sum of J\$633,944.00, which was submitted by Stationery & Office Supplies (SOS) Limited, was recommended for the award of contract for the supply of Mobile Cabinets, Credenzas and Coffee Tables for Lots 8, 21, 13.</p> <p>The approval from the Procurement Committee was received on February 21, 2011 and the contract was awarded accordingly. The contract, which was dated March 18, 2011, was signed by a representative of SOS Limited on March 18, 2011 and by the MOE representative on March 24, 2011.</p> <p>The Office of the Contractor General was not provided with any documentation evidencing Head of Entity approval prior to the award to contract. However, the MOE stated that <i>"... the Permanent Secretary signs the contract on seeing the supporting documentation on file namely, the Tender Report, Central Procurement Committee's recommendation..."</i></p> <p>As at December 31, 2011, the items had been delivered and the contract completed.</p>						
Status	Contract Completed					

Reference No.	GCM-2451			Ministry	Ministry of Education	
Project Name	Procurement of Office Furniture			Public Body	Ministry of Education	
Contractor	NevEast Supplies Limited			Contract Sum	J\$349,860.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-11-09	2011-02-21	2011-03-24	0000-00-00	0000-00-00	2011-03-24
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$5,000,000.00	2011-03-24	2011-05-13	2011-06-09	0	J\$314,874.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was initially advertised on June 13, 2010. Tenders were to be submitted by July 14, 2010 at 2:15 p.m., followed by a scheduled Tender Opening Ceremony at 2:25 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Subsequent to the Tender Opening, the Ministry of Education (MOE) wrote to the National Contracts Commission (NCC) requesting permission to re-tender the procurement opportunity as "...the procurement process had to be aborted because the specifications for furniture were not properly defined, which resulted in a wide disparity in both items and prices for the bids submitted." The NCC offered no objection, in its meeting of September 1, 2010.</p> <p>The tender was re-advertised on October 10, 2010. Tenders were to be submitted by November 4, 2010 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:15 p.m. The tender comprised of 21 Lots and the MOE Tender Document indicated that Bidders may submit a tender for one, all or any combination of Lots. The comparable estimate indicated above, is representative of all the lots.</p> <p>Eight (8) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. The MOE's Evaluation Report indicated that "...the tender opening occurred on November 9, 2010...based on the fact that the Ministry was closed at 12:00 Noon on November 4, due to the Hurricane Watch."</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, in the sum of J\$349,860.00, which was submitted by NevEast Supplies Limited, was recommended for the award of contract for the supply of Visitor's Chairs for Lot 5.</p> <p>The approval from the Procurement Committee was received on February 21, 2011 and the contract was awarded accordingly. The contract which was dated March 18, 2011 was signed by the NevEast representative on March 18, 2011 and by the MOE representative on March 24, 2011.</p> <p>The Office of the Contractor General was not provided with any documentation evidencing Head of Entity approval prior to the award to contract. However, the MOE stated that "... the Permanent Secretary signs the contract on seeing the supporting documentation on file namely, the Tender Report, Central Procurement Committee's recommendation..."</p> <p>The "Payment Schedule" as outlined in the Contract Document had indicated an "Acceptance of Items and Defects Liability" of J\$34,986.00.</p> <p>As at December 31, 2011, the contract was completed.</p>						
Status	Final Payment to the Contractor Pending					

Reference No.	GCM-2511			Ministry	Ministry of Education	
Project Name	Procurement of Office Furniture			Public Body	Ministry of Education	
Contractor	ModOffice by EHC Industries Limited			Contract Sum	J\$229,418.22	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-11-09	2011-02-21	2011-03-24	0000-00-00	0000-00-00	2011-03-24
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$5,000,000.00	2011-03-24	2011-05-13	2011-09-14	0	J\$229,418.15	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was initially advertised on June 13, 2010. Tenders were to be submitted by July 14, 2010 at 2:15 p.m., followed by a scheduled Tender Opening Ceremony at 2:25 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Subsequent to the Tender Opening, the Ministry of Education (MOE) wrote to the National Contracts Commission (NCC) requesting permission to re-tender the procurement opportunity as, "...the procurement process had to be aborted because the specifications for furniture were not properly defined, which resulted in a wide disparity in both items and prices for the bids submitted." The NCC offered no objection in its meeting of September 1, 2010.</p> <p>The tender was re-advertised on October 10, 2010. Tenders were to be submitted by November 4, 2010 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:15 p.m. The tender comprised of 21 Lots and the MOE Tender Document indicated that Bidders may submit a tender for one, all or any combination of Lots. The comparable estimate indicated above, is representative of all the lots.</p> <p>Eight (8) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. The MOE's Evaluation Report indicated that "...the tender opening occurred on November 9, 2010...based on the fact that the Ministry was closed at 12:00 Noon on November 4, due to the Hurricane Watch."</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, in the sum of J\$229,418.22, which was submitted by Modoffice by EHC Industries Limited, was recommended for the award of contract for the supply of Executive Chairs, Meeting Room Tables and Medicine Cabinets, Lots 1, 7 and 17.</p> <p>The approval from the Procurement Committee was received on February 21, 2011 and the contract was awarded accordingly. The contract, which was dated March 18, 2011, was signed by representatives of Modoffice by EHC Industries Limited on March 18, 2011, and by the MOE representative on March 24, 2011.</p> <p>The Office of the Contractor General was not provided with any documentation evidencing Head of Entity approval prior to the award to contract. However, the MOE stated that "... the Permanent Secretary signs the contract on seeing the supporting documentation on file namely, the Tender Report, Central Procurement Committee's recommendation..."</p> <p>As at December 31, 2011, the items were delivered and the contract completed.</p>						
Status	Contract Completed					

Reference No.	GCM-2521			Ministry	Ministry of Education	
Project Name	Procurement of Office Furniture			Public Body	Ministry of Education	
Contractor	T. Geddes Grant (Distributors) Limited			Contract Sum	J\$2,172,000.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-11-09	2011-02-21	2011-03-24	0000-00-00	0000-00-00	2011-03-24
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$5,000,000.00	2011-03-18	2011-05-13	2011-06-10	0	J\$2,172,000.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was initially advertised on June 13, 2010. Tenders were to be submitted by July 14, 2010 at 2:15 p.m., followed by a scheduled Tender Opening Ceremony at 2:25 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Subsequent to the Tender Opening, the Ministry of Education (MOE) wrote to the National Contracts Commission (NCC) requesting permission to re-tender the procurement opportunity, as "...the procurement process had to be aborted because the specifications for furniture were not properly defined, which resulted in a wide disparity in both items and prices for the bids submitted." The NCC offered no objection, in its meeting of September 1, 2010.</p> <p>The tender was re-advertised on October 10, 2010. Tenders were to be submitted by November 4, 2010 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:15 p.m. The tender comprised of 21 Lots and the MOE Tender Document indicated that Bidders may submit a tender for one, all or any combination of Lots. The comparable estimate indicated above, is representative of all the lots.</p> <p>Eight (8) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. The MOE's Evaluation Report indicated that "...the tender opening occurred on November 9, 2010...based on the fact that the Ministry was closed at 12:00 Noon on November 4, due to the Hurricane Watch."</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, in the sum of J\$2,172,000.00, which was submitted by T. Geddes Grant (Distributors) Limited, was recommended for the award of contract for the supply of Executive Desks, Junior Executive Chairs and Book Shelves for Lots 3, 4 and 11.</p> <p>The approval from the Procurement Committee was received on February 21, 2011 and the contract was awarded accordingly. The contract, which was dated March 18, 2011, was signed by a representative of T. Geddes Grant (Distributors) Limited on even date and by the MOE representative on March 24, 2011.</p> <p>The Office of the Contractor General was not provided with any documentation evidencing Head of Entity approval prior to the award to contract. However, the MOE stated that "... the Permanent Secretary signs the contract on seeing the supporting documentation on file namely, the Tender Report, Central Procurement Committee's recommendation..."</p> <p>As at December 31, 2011, the items had been delivered and the contract completed.</p>						
Status	Contract Completed					

Reference No.	GCM-2531			Ministry	Ministry of Education	
Project Name	Procurement of Office Furniture			Public Body	Ministry of Education	
Contractor	VGC Manufacturing & Sales Limited			Contract Sum	J\$271,149.12	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-11-09	2011-02-21	2011-03-24	0000-00-00	0000-00-00	2011-03-24
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$5,000,000.00	2011-03-24	2011-05-13	2011-08-19	0	J\$271,149.12	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was initially advertised on June 13, 2010. Tenders were to be submitted by July 14, 2010 at 2:15 p.m., followed by a scheduled Tender Opening Ceremony at 2:25 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Subsequent to the Tender Opening, the Ministry of Education (MOE) wrote to the National Contracts Commission (NCC) requesting permission to re-tender the procurement opportunity, as <i>"...the procurement process had to be aborted because the specifications for furniture were not properly defined, which resulted in a wide disparity in both items and prices for the bids submitted."</i> The NCC offered no objection, in its meeting of September 1, 2010.</p> <p>The tender was re-advertised on October 10, 2010. Tenders were to be submitted by November 4, 2010 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:15 p.m. The tender comprised of 21 Lots and the MOE Tender Document indicated that Bidders may submit a tender for one, all or any combination of Lots. The comparable estimate indicated above, is representative of all the lots.</p> <p>Eight (8) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. The MOE's Evaluation Report indicated that <i>"...the tender opening occurred on November 9, 2010...based on the fact that the Ministry was closed at 12:00 Noon on November 4, due to the Hurricane Watch."</i></p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, in the sum of J\$271,149.12, which was submitted by VGC Manufacturing and Sales Limited, was recommended for the award of contract for the supply of Meeting Room Chairs for Lot 6.</p> <p>The approval from the Procurement Committee was received on February 21, 2011 and the contract was awarded accordingly. The contract, which was dated March 18, 2011, was signed by VGC Manufacturing and Sales Limited on March 18, 2011 and by the MOE representative on March 24, 2011.</p> <p>The Office of the Contractor General was not provided with any documentation evidencing Head of Entity approval prior to the award to contract. However, the MOE stated that <i>"...the Permanent Secretary signs the contract on seeing the supporting documentation on file namely, the Tender Report, Central Procurement Committee's recommendation..."</i></p> <p>As at December 31, 2011, the items had been delivered and the contract completed.</p>						
Status	Contract Completed					

Reference No.	GCM-2551			Ministry	Ministry of Education	
Project Name	Procurement of Office Furniture			Public Body	Ministry of Education	
Contractor	Corporate Interiors International Limited			Contract Sum	J\$542,406.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-11-09	2011-02-21	2011-10-10	0000-00-00	0000-00-00	2011-10-10
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$5,000,000.00	2011-10-10	2011-10-13	2011-10-25	0	J\$542,406.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was initially advertised on June 13, 2010. Tenders were to be submitted by July 14, 2010 at 2:15 p.m., followed by a scheduled Tender Opening Ceremony at 2:25 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Subsequent to the Tender Opening, the Ministry of Education (MOE) wrote to the National Contracts Commission (NCC) requesting permission to re-tender the procurement opportunity, as "...the procurement process had to be aborted because the specifications for furniture were not properly defined, which resulted in a wide disparity in both items and prices for the bids submitted." The NCC offered no objection, in its meeting of September 1, 2010.</p> <p>The tender was re-advertised on October 10, 2010. Tenders were to be submitted by November 4, 2010 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:15 p.m. The tender comprised of 21 Lots and the MOE Tender Document indicated that Bidders may submit a tender for one, all or any combination of Lots. The comparable estimate indicated above, is representative of all the lots.</p> <p>Eight (8) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. The MOE's Evaluation Report indicated that "...the tender opening occurred on November 9, 2010...based on the fact that the Ministry was closed at 12:00 Noon on November 4, due to the Hurricane Watch."</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, in the sum of J\$713,662.40, which was submitted by Corporate Interiors International Limited, was recommended for the award of contract for Lots 10, 12, 14, 15, 16, 18, 19 and 20.</p> <p>The approval from the Procurement Committee was received on February 21, 2011 and the contract was awarded accordingly. The contract was signed by a representative of Corporate Interiors International Limited on October 7, 2011 and by the MOE representative on October 10, 2011.</p> <p>The Office of the Contractor General (OCG) has noted that although Corporate Interiors International Limited was recommended for the award of contract for eight (8) Lots, the contract was awarded for Lots 14, 15, 16 and 19, in the amount of J\$542,406.00. Of note, the OCG has requested a status on the remaining four (4) Lots.</p> <p>The OCG was not provided with any documentation evidencing Head of Entity approval prior to the award to contract. However, the MOE stated that "... the Permanent Secretary signs the contract on seeing the supporting documentation on file namely, the Tender Report, Central Procurement Committee's recommendation..."</p> <p>As at December 31, 2011, the items had been delivered.</p>						
Status	Contract Completed					

Reference No.	GCM-2721			Ministry	Ministry of Education	
Project Name	Programme for Alternative Student Support (PASS)			Public Body	Ministry of Education	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2011-03-28	2011-07-06	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$9,000,000.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
All Island						
Comments						
<p>The Invitation to submit Expressions of Interest was advertised on December 22, 2010. Expressions of Interest were to be submitted by January 7, 2011 at 12:00 p.m. The deadline for submission was subsequently extended to January 19, 2011.</p> <p>Twenty-six (26) Expressions of Interest were received.</p> <p>The Expressions of Interest were evaluated in accordance with the Evaluation Criteria which were outlined in the Terms of Reference document.</p> <p>Subsequent to the evaluation, seventeen (17) Consultants exceeded the minimum required score and were short-listed.</p> <p>The short-listed Consultants were invited to submit tenders, by way of a letter which was dated March 7, 2011. Tenders were to be submitted by March 28, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Nine (9) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>The Technical Proposals were evaluated in accordance with the criteria for shortlisting the Consultants, which was developed by the MOE.</p> <p>Subsequent to the evaluation, three (3) Bidders advanced to the opening of the Financial Proposals. Consequently, the Financial Proposals of the three (3) bidders were opened.</p> <p>Subsequent to the evaluation of the Financial Proposals, two (2) Bidders were recommended to be contracted to provide Psychosocial Services to students displaying behavioural challenges in the school system for Region 4 and Region 1.</p> <p>As at December 31, 2011, the contracts were yet to be signed.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Contract Not Yet Signed					

Reference No.	GCM-2351			Ministry	Ministry of Education	
Project Name	Provision of Security Services			Public Body	Ministry of Education	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-05-16	0000-00-00	2011-11-10	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$70,000,000.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on April 24, 2011. Tenders were to be submitted by May 16, 2011 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Six (6) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>The Comparative Estimate indicated above represents the Ministry's budget for two (2) years. The Office of the Contractor General (OCG) has noted that the Ministry, during its Tender Opening Ceremony, had only disclosed a Comparative Estimate of J\$35,000,000 which represents one (1) year of the contract.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender was recommended for the award of contract.</p> <p>As at December 31, 2011, the requisite endorsement from the National Contracts Commission was pending.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	National Contracts Commission (NCC) Endorsement Pending					

Reference No.	GCM-2071			Ministry	Ministry of Education	
Project Name	Repair of School Furniture			Public Body	Ministry of Education	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2010-08-11	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
\$0.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
All Island						
Comments						
<p>The Invitation to Tender was advertised on July 21, 2010. Tenders were to be submitted by August 11, 2010 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>Individuals and Companies registered with the National Contracts Commission (NCC) were invited to submit proposals for the repair of a range of school furniture island-wide. Over thirty (30) categories of furniture were listed in the project's Terms of Reference.</p> <p>The Comparative Estimate was based upon an approved rate for the repairs which was set by the Ministry of Finance.</p> <p>Forty-two (42) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The Ministry of Education, in a Status Report to the OCG, indicated that "...the submissions were evaluated and a price list was established...the project, however, is yet to get underway due to lack of funding."</p> <p>As at December 31, 2011, the project was on hold.</p> <p>The OCG will continue to monitor the procurement opportunity.</p>						
Status	Project On Hold					

Reference No.	GCM-2311			Ministry	Ministry of Education	
Project Name	Supply and Delivery of Office Furniture for the National Youth Service (NYS)			Public Body	Ministry of Education	
Contractor	ModOffice by EHC Industries Limited			Contract Sum	J\$4,727,281.60	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-03-15	2011-08-03	0000-00-00	0000-00-00	0000-00-00	2011-09-13
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
US\$200,000.00	2011-09-13	2011-11-15	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
All Island						
Comments						
<p>The Government of Jamaica (GOJ) had secured a loan from the Inter-American Development Bank (IDB) to finance the Youth Development Programme (Phase 1).</p> <p>The Invitation to Tender for the supply and delivery of office furniture was advertised on February 20, 2011. Tenders were to be submitted by March 15, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m. The tender consisted of twenty-two (22) Lots.</p> <p>Five (5) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, in the sum which was submitted by ModOffice by EHC Industries Limited, was recommended for the award of contract for Lots 7 and 10.</p> <p>The Company was further recommended for the award of contract for Lot 18 based upon the MOE assertion, in its tender report, that "<i>...the item depicted in the bid of the highest ranked bidder was not suitable for office purposes or did not suit the aesthetics of the office.</i>"</p> <p>The total value of the Lots which were awarded to ModOffice by EHC Industries Limited amounted to J\$4,727,281.60.</p> <p>The IDB offered no objection to the award of contract to ModOffice by EHC Industries Limited. The Procurement Committee approved the recommendation on August 3, 2011. Although requested, the Office of the Contractor General (OCG) was not provided with evidence of Head of Entity approval.</p> <p>The contract, which was dated August 30, 2011, was signed by the supplier's representative on September 6, 2011 and by the MOE representative on September 13, 2011.</p> <p>As at December 31, 2011, the Supplier was delivering the items to the National Youth Service (NYS) Parish Offices.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-2261			Ministry	Ministry of Education	
Project Name	Supply and Delivery of Office Furniture for the National Youth Service (NYS)			Public Body	Ministry of Education	
Contractor	Stationery & Office Supplies Limited			Contract Sum	J\$1,427,469.40	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-03-15	2011-08-03	0000-00-00	0000-00-00	0000-00-00	2011-09-13
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
US\$200,000.00	2011-09-13	2011-11-15	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
All Island						
Comments						
<p>The Government of Jamaica (GOJ) had secured a loan from the Inter-American Development Bank (IDB) to finance the Youth Development Programme (Phase 1).</p> <p>The Invitation to Tender was advertised on February 20, 2011. Tenders were to be submitted by March 15, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m. The Tender consisted of twenty-two (22) Lots.</p> <p>Five (5) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Stationery & Office Supplies Limited (S.O.S), was recommended for the award of contract for Lots 2, 11, 13, 14, 15, 20.</p> <p>S.O.S was also recommended for the award of contract for Lot 1, as its tender scored the highest in regard to specifications.</p> <p>Further, S.O.S was recommended for Lots 21 and 22, as the Ministry of Education (MOE) indicated in its Tender Report that "...the item depicted in the bid of the highest ranked bidder was not suitable for office purposes or did not suit the aesthetics of the office."</p> <p>The total value of the Lots which were awarded to S.O.S amounted to J\$1,427,469.40.</p> <p>The IDB offered no objection to the award of contract to S.O.S. The Procurement Committee approved the recommendation on August 3, 2011. Although requested, the OCG was not provided with evidence of Head of Entity approval.</p> <p>The contract which was dated August 30, 2011, was signed by the S.O.S representative on September 5, 2011 and by the MOE representative on September 13, 2011.</p> <p>As at December 31, 2011, the items were being delivered to the National Youth Service (NYS) Parish Offices.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-2271			Ministry	Ministry of Education	
Project Name	Supply and Delivery of Office Furniture for the National Youth Service (NYS)			Public Body	Ministry of Education	
Contractor	NevEast Supplies Limited			Contract Sum	J\$2,808,278.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-03-15	2011-10-19	0000-00-00	0000-00-00	0000-00-00	2011-09-13
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
US\$200,000.00	2011-09-13	2011-11-15	2011-11-21	0	\$0.00	\$0.00
Project Location(s)						
All Island						
Comments						
<p>The Government of Jamaica (GOJ) had secured a loan from the Inter-American Development Bank (IDB) to finance the Youth Development Programme (Phase 1).</p> <p>The Invitation to Tender was advertised on February 20, 2011. Tenders were to be submitted by March 15, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m. The Tender consisted of twenty-two (22) Lots.</p> <p>Five (5) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The Ministry's Tender Report indicated that <i>"...some items were awarded to bidders based on greater compliance with the required specifications even though they were not the lowest priced. Price was the determining factor where the specifications from the bidders were at the same degree of compliance."</i></p> <p>The lowest responsive tender, which was submitted by NevEast Supplies Limited, was recommended for the award of contract for Lots 5, and 12. Lots 16, 17 and 19 were awarded based upon the Bidder providing greater compliance with the required specifications.</p> <p>The total value of the Lots which were awarded to NevEast Supplies Limited amounted to J\$2,772,278.00.</p> <p>The IDB offered no objection to the award of contract to NevEast Supplies Limited. The Procurement Committee approved the recommendation on August 3, 2011. Although requested, the OCG was not provided with evidence of Head of Entity approval.</p> <p>Subsequent to the Evaluation Committee's recommendation, it was noted that there was a miscalculation, on the MOE's part, of one of the items being supplied by NevEast Supplies Limited. This resulted in a miscalculation of the total price. The corrected contract sum was J\$2,808,278.00. The Procurement Committee approved the amendment to the contract sum on October 19, 2011.</p> <p>The contract which was dated August 30, 2011, was signed by the NevEast Supplies Limited's representative on September 5, 2011 and by the MOE representative on September 13, 2011.</p> <p>As at December 31, 2011, the Supplier had delivered the items to the National Youth Service (NYS) Parish Offices.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Final Payment to the Contractor Pending					

Reference No.	GCM-2301			Ministry	Ministry of Education	
Project Name	Supply and Delivery of Office Furniture for the National Youth Service (NYS)			Public Body	Ministry of Education	
Contractor	T. Geddes Grant Limited			Contract Sum	J\$1,201,200.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-03-15	2011-10-19	0000-00-00	0000-00-00	0000-00-00	2011-09-13
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
US\$200,000.00	2011-09-13	2011-11-15	0000-00-00	0	J\$1,127,599.04	\$0.00
Project Location(s)						
All Island						
Comments						
<p>The Government of Jamaica (GOJ) had secured a loan from the Inter-American Development Bank (IDB) to finance the Youth Development Programme (Phase 1).</p> <p>The Invitation to Tender for the supply and delivery of Office Furniture was advertised on February 20, 2011. Tenders were to be submitted by March 15, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m. The Tender consisted of twenty-two (22) Lots.</p> <p>Five (5) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by T. Geddes Grant Limited, was recommended for the award of contracts for Lots 3, 4, 6, and 9.</p> <p>T. Geddes Grant Limited was also recommended for Lot 8, as the Ministry of Education (MOE) indicated, in its tender report, that "<i>...the item depicted in the bid of the highest ranked bidder was not suitable for office purposes or did not suit the aesthetics of the office.</i>"</p> <p>The total value of the Lots which were awarded to T. Geddes Grant Limited amounted to J\$1,253,200.00.</p> <p>The IDB offered no objection to the award of contract to T. Geddes Grant Limited. The Procurement Committee approval of the recommendation was received on August 3, 2011. Although requested, the Office of the Contractor General (OCG) was not provided with evidence of Head of Entity approval.</p> <p>Subsequent to the Evaluation Committee's recommendation, T. Geddes Grant Limited informed the Ministry that two (2) items were numbered incorrectly which resulted in a reduction of the contract sum to J\$1,201,200.00. The Procurement Committee approved the recommendation for the amendment on October 19, 2011.</p> <p>The contract, which was dated August 30, 2011, was signed by the T. Geddes Grant Limited's representative on September 2, 2011, and by the MOE representative on September 13, 2011.</p> <p>As at December 31, 2011, the Supplier was delivering the items to the National Youth Service (NYS) Parish Offices.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-1781			Ministry	Ministry of Education	
Project Name	Janitorial Services			Public Body	Nutrition Products Limited	
Contractor	Shirlhome Chemical Corporation			Contract Sum	J\$6,492,554.16	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-12-10	2011-01-14	2011-01-21	0000-00-00	0000-00-00	2011-01-27
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$7,260,000.00	2011-02-01	2012-01-31	0000-00-00	0	J\$5,321,132.05	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on November 26, 2010. Tenders were to be submitted by December 10, 2010 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The tender, in the sum of J\$6,492,554.16, which was submitted by Shirlhome Chemicals Corporation Limited, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the contract was being executed.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-3071			Ministry	Ministry of Education	
Project Name	Supply and Installation of 45KVA -3 Phase Transformer			Public Body	Overseas Examination Commission	
Contractor	Power Tech			Contract Sum	J\$471,427.30	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-03-03	2011-06-29	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
US\$5,000.00	0000-00-00	0000-00-00	0000-00-00	0	J\$401,214.74	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on February 13, 2011. Tenders were to be submitted by March 3, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>An evaluation was conducted by an independent firm in accordance with the Evaluation Criteria which were outlined in the Tender Document. The Evaluation Report indicated that "...based upon the overall information submitted as a response to the BDS, ...the bid from PT is more responsive, and...PT has a better grasp of the requirement..." The tender which was submitted by Power Tech, in the sum of J\$471,427.30, was recommended for the award of contract.</p> <p>Although requested, the Overseas Examination Commission (OEC) had not provided any documentation to indicate approval from the Head of Entity.</p> <p>The contract was awarded accordingly, however, the OEC stated that "There was no contract developed for this tender. The Tender Document was used as the basis of the agreement between the OEC and PowerTech."</p> <p>As at December 31, 2011, the item had been installed.</p>						
Status	Contract Completed					

Reference No.	GCM-3081			Ministry	Ministry of Education	
Project Name	Supply and Installation of Accounting Software			Public Body	Overseas Examination Commission	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-06-24	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$2,600,000.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on June 12, 2011. Tenders were to be submitted by June 24, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Five (5) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>As at December 31, 2011, the evaluation process was on-going.</p> <p>The OCG will continue to monitor the implementation of the contract.</p>						
Status	Evaluation of Tenders Ongoing					

Reference No.	GCM-3581			Ministry	Ministry of Education	
Project Name	Provision of Security Services			Public Body	Sam Sharpe Teachers' College	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
\$0.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
St. James						
Comments						
<p>The Invitation to Tender was originally advertised on May 18, 2011. Tenders were to be submitted by May 31, 2011 at 9:00 a.m., followed by a scheduled Tender Opening Ceremony at 9:30 a.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>The Office of the Contractor General (OCG) noted that a Comparable Estimate was not prepared. Numerous deviations were also noted by an OCG representative who was present at the close of tender and the subsequent Tender Opening Ceremony.</p> <p>By way of a letter which was dated June 8, 2011, the OCG informed the Procuring Entity that:</p> <p><i>"There was no Tender Box provided by the Procuring Entity for the receipt of bids. The foregoing contravenes Section A8.51, Vol. 2 of the Government of Jamaica (GOJ) Handbook of Public Sector Procurement Guidelines (October 2010)...</i></p> <p><i>There was no record of the bids received. This contravenes Section A8.5 (d), Vol. 2 of the GOJ Handbook of Public Sector Procurement Guidelines (October 2010)...</i></p> <p><i>The OCG opines that the foregoing deviations compromised the transparency of the bid receipt process given that the appropriate handling of bids submitted prior to the close of tender, is crucial to maintaining confidentiality and integrity in the procurement process."</i></p> <p>The OCG further stated that the Tender Document was woefully inadequate as critical sections were omitted. It was also stated that <i>"...Sam Sharpe Teacher's College failed to utilize the Standard Bidding Document, which contravenes, Section A7.1, Volume 2 of the GOJ Handbook of Public Sector Procurement Guidelines (October 2010)..."</i></p> <p>In light of the above-mentioned deviations, the OCG recommended that the tender process be aborted and the procurement opportunity re-tendered. The Procuring Entity accepted the recommendations of the OCG.</p> <p>The Invitation to Tender was re-advertised on August 7, 2011. Tenders were to be submitted by August 29, 2011 at 9:00 a.m., followed by a scheduled Tender Opening Ceremony on August 30, 2011 at 9:30 a.m.</p> <p>In this instance, the OCG noted that a Comparable Estimate was prepared. Of note, the Procuring Entity advised the OCG that it <i>"...did not have a tender opening ceremony..."</i> as scheduled.</p> <p>Upon review of the Tender Document, the OCG again noted deviations. By way of a letter which was dated September 7, 2011, the OCG informed the Procuring Entity, <i>inter alia</i>, that:</p> <p><i>"...the Sam Sharpe Teacher's College prepared a document which was significantly inadequate and inconsistent with the requirements of the Government of Jamaica Handbook of Public Sector Procurement Guidelines (October 2010).</i></p> <p><i>The Sam Sharpe Teacher's College failed to utilize the Standard Bidding Document, as prescribed by the Section A7.1, Volume 2 of the Handbook...</i></p> <p><i>In the foregoing regard, the OCG recommends that the tender process...is aborted and that the Standard Bidding Document utilized.</i></p> <p><i>As it relates to the procurement of Security Services, it is the second occasion on which the OCG has had to make said recommendation...</i></p> <p><i>The OCG is therefore concerned as to whether prudence and the degree of seriousness which should be associated with the management of Public Funds were exercised."</i></p> <p>In the foregoing regard, the Procuring Entity, by way of a letter which was dated September 19, 2011, informed the OCG that <i>"We will ensure that all procurement guidelines are adhered to... We want to place on record that it was not our intention to breach or disregard the procurement process. It is our aim to ensure that all processes and policies are adhered to... On realizing that we erred based on subsequent conversations with your department we aborted the process..."</i></p> <p>As at December 31, 2011, the procurement opportunity was not re-tendered.</p>						
Status	Project Aborted					

Reference No.	GCM-3521			Ministry	Ministry of Education	
Project Name	Review and Assessment of the Students' Loan Bureau's (SLB) Current and Proposed Business Models			Public Body	Students' Loan Bureau	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-11-03	2011-12-30	2011-12-30	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$5,000,160.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on October 5, 2011. Tenders were to be submitted by October 19, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>The deadline for submission was extended by the Students' Loan Bureau (SLB) to ensure "...confirmation to the Government of Jamaica's (GOJ) procurement procedure, regarding the time allotment for return of tenders by bidders."</p> <p>Tenders were to be submitted by November 3, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The highest scored Bidder, was recommended for the award of contract.</p> <p>As at December 31, 2011, the terms of the contract were being negotiated.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Contract Not Yet Signed					

Reference No.	GCM-3761			Ministry	Ministry of Education	
Project Name	Consultancy Services to Conduct a Nutrition Study and Pilot in Homes and Early Childhood Institutions for 0 - 3 Year Olds			Public Body	The Early Childhood Commission	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
International Competitive Bidding	2011-10-26	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$17,477,540.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The invitation to submit Expressions of Interest was advertised on July 3, 2011. Expressions of Interest were to be submitted by July 18, 2011. The project will be funded by the World Bank, therefore, the Consultant will be selected in accordance with the procedures which are outlined in the World Bank's "Guidelines: Selection and Employment of Consultants by World Bank Borrowers."</p> <p>Four (4) Expressions of Interest were received.</p> <p>In a Status Report, which was dated August 12, 2011, The Early Childhood Commission advised that "...based upon a review of their Profiles by the Nutrition Committee, all four firms were deemed qualified to be sent the Request for Proposal."</p> <p>According to the Tender Report, the "...final draft of the RFP was approved by the Bank on Monday, September 26, 2011 and subsequently, sent out to the four prospective bidders by email and also by hard copy. All four bidders acknowledged receipt of such. A pre-proposal conference was set for Wednesday, October 19 at 11:00 pm and submission deadline set for Wednesday October 26, 2011 at 12 noon."</p> <p>One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>The Technical Proposal was evaluated in accordance with the Evaluation Criteria which were outlined in the Tender Document. Subsequent to the evaluation, the sole Bidder received the minimum required score of 90 points and advanced to the opening of the Financial Proposals.</p> <p>The Financial Proposal of the sole Bidder was opened on December 22, 2011, and evaluated by the Evaluation Committee. The sole Bidder was recommended for the award of contract.</p> <p>As at December 31, 2011, the approval process was ongoing.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Procurement Committee Approval Pending					

Reference No.	GCM-1861			Ministry	Ministry of Education	
Project Name	Janitorial Services			Public Body	University of Technology	
Contractor	Floors Unlimited Limited			Contract Sum	J\$8,265,101.28	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-05-24	2011-07-14	2011-07-14	0000-00-00	0000-00-00	2011-08-19
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$9,165,700.80	2011-08-19	2012-08-18	0000-00-00	0	J\$1,165,591.33	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on May 1, 2011. Tenders were to be submitted by May 17, 2011 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>The close of tender was subsequently extended to May 24, 2011 in an effort to "...facilitate responses to bidders' queries which were considered material to the tender exercise."</p> <p>Six (6) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The highest evaluated score, in the sum of J\$8,265,101.28, which was submitted by Floors Unlimited Limited, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the Services had commenced.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-631			Ministry	Ministry of Education	
Project Name	Maintenance and Servicing of Air Conditioning Units			Public Body	University of Technology, Jamaica (UTECH)	
Contractor	Air Conditioning & Refrigeration Sales			Contract Sum	J\$4,834,400.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-02-19	2010-06-01	2010-07-28	0000-00-00	0000-00-00	2010-07-28
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$5,774,400.00	2010-08-23	2011-08-23	2011-09-09	17 Day(s)	J\$4,109,434.32	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on January 24, 2010. Tenders were to be submitted by February 19, 2010 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>Seven (7) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, in the sum of J\$4,834,400.00, which was submitted by Air Conditioning and Refrigeration Sales, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly. The project achieved practical completion status on September 9, 2011.</p> <p>In a Status Report to the OCG, under cover of a letter which was dated December 12, 2011, the University of Technology, Jamaica (UTECH) advised that "...practical completion was achieved on September 9, 2011. However there are some outstanding invoices that are being awaited from the Contractor for works that were done close to the end of the contract but were not paid due to late delivery of material...the contractor was paid only \$4,109,434.32 representing 85% of the contract sum."</p> <p>As at December 31, 2011, the final payment to the Contractor was pending.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Final Payment to the Contractor Pending					

Reference No.	GCM-551			Ministry	Ministry of Education	
Project Name	Supply, Deliver and Install Combo Beds and Chairs			Public Body	University of Technology, Jamaica (UTECH)	
Contractor	VGC Manufacturing and Sales Company Limited			Contract Sum	J\$2,767,464.77	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-07-21	2010-08-25	2010-11-17	0000-00-00	0000-00-00	2010-11-17
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$4,351,400.00	2010-11-17	2010-12-18	2011-03-25	3 Month(s)	J\$2,698,278.14	\$0.00
Project Location(s)						
St. Andrew						
Comments						
<p>The Invitation to Tender was advertised on July 4, 2010. Tenders were to be submitted by July 21, 2010 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, in the sum of J\$2,767,464.77, which was submitted by VGC Manufacturing & Sales Company Ltd., was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>The Office of the Contractor General (OCG) has noted that the Evaluation Report indicated, <i>inter alia</i>, that "...none of the invited companies presented their list of three references as requested; that requirement was therefore waived."</p> <p>Accordingly, by way of a letter which was dated January 26, 2011, the OCG advised the University of Technology, Jamaica (UTECH), <i>inter alia</i>, that the "...aforementioned is a clear breach of the requirements stated in the Tender Documents, which is the legal document that guides the bidders and the procuring entity during the tender process. It is improper for an entity to waive an eligibility requirement because the bidders did not supply the requisite documents. We are aware that the contract has already been signed, and in this regard, the foregoing should be observed for future tenders. The University should take steps to ensure that there are no further recurrence of this nature."</p> <p>A Certificate of Practical Completion was issued on April 5, 2011, which indicated that practical completion was achieved on March 25, 2011. The Defects Liability Period was effective until September 14, 2011, upon which the retained amount of \$69,186.62 would be payable.</p> <p>As at December 5, 2011, the OCG was provided with evidence of expenditure which indicated that a total payment of \$2,698,278.14 was made to the Contractor.</p>						
Status	Contract Completed					

Reference No.	GCM-541			Ministry	Ministry of Education	
Project Name	The Supply of Computer Hardware			Public Body	University of Technology, Jamaica (UTECH)	
Contractor	Fujitsu Caribbean (Jamaica) Limited			Contract Sum	J\$37,800,438.60	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-12-03	2011-01-19	2011-01-20	2011-02-09	2011-06-13	2011-07-07
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$29,000,000.00	2011-07-07	2011-09-30	2011-10-21	0	J\$37,800,438.60	\$0.00
Project Location(s)						
St. Andrew						
Comments						
<p>The Invitation to Tender was advertised on November 7, 2010. Tenders were to be submitted by December 3, 2010 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The Bidder which attained the highest score, Fujitsu Caribbean (Jamaica) Limited, was recommended for the award of contract. The bid which was submitted by Fujitsu Caribbean (Jamaica) Limited was in the sum of J\$37,807,933.67.</p> <p>The requisite approvals were obtained and a contract in the amount of J\$37,800,438.60 was executed by the parties. The Office of the Contractor General found no documentary evidence to reconcile the difference in the contract sum and the approved bid amount.</p> <p>In a Status Report, under cover of letter which was dated December 12, 2011, the University of Technology, Jamaica (UTECH) advised, <i>inter alia</i>, that "The Supplier Fujitsu on September 15th, 23rd and 30th 2011 completed the delivery of two hundred and eighty-two computers, one hundred and forty-three work stations, twenty-five laptops and four servers...One hundred and three workstations were actually equipped with more powerful central processing units than those requested. A number of workstations monitors were delivered with incorrect connectors, these connectors were provided by Fujitsu at no cost to the University."</p> <p>As at October 21, 2011, the contract was completed.</p>						
Status	Contract Completed					

Reference No.	GCM-1221			Ministry	Ministry of Education / Ministry of Youth, Sports and Culture	
Project Name	Electronic Youth Programmatic Inventory & Gap Analysis			Public Body	Ministry of Education / Ministry of Youth, Sports and Culture	
Contractor	Centre for Leadership and Governance (UWI)			Contract Sum	J\$11,198,000.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2010-12-10	0000-00-00	2011-07-04	2011-07-27	0000-00-00	2011-09-22
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
US\$60,240.00	2011-09-26	2012-12-26	0000-00-00	0	J\$2,239,600.00	\$0.00
Project Location(s)						
Comments						
<p>The Government of Jamaica (GOJ) had secured a loan from the Inter-American Development Bank (IDB) to finance the Youth Development Programme (Phase 1). The project is being executed by the Ministry of Education (MOE) and one (1) of the Implementing Agencies in the Ministry of Youth, Sports and Culture (MYSC).</p> <p>An Invitation to submit Expressions of Interest was advertised on February 3, 2010. Expressions of Interest were to be submitted by February 23, 2010.</p> <p>Five (5) Expressions of Interest were received.</p> <p>The Expressions of Interest were evaluated in accordance with the Evaluation Criteria which were outlined in the Terms of Reference.</p> <p>Subsequent to the evaluation, two (2) Consultants exceeded the minimum required score and were short-listed.</p> <p>The IDB's no objection was received and the short-listed Consultants were invited to submit tenders, by way of a letter which was dated March 23, 2010. Tenders were to be submitted by April 16, 2010 at 2:00 p.m.</p> <p>One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>The Technical Proposals were evaluated in accordance with the Evaluation Criteria which were outlined in the Tender Document. The Evaluation Committee, however, recommended that the process be re-tendered as the Bidder did not achieve the required minimum score. The IDB's no objection to re-tender was received.</p> <p>By way of letters which were dated November 10, 2010, thirteen (13) firms were invited to submit tenders. The deadline for submission was December 10, 2010 at 2:00 p.m. Two (2) tenders were received within the stipulated period.</p> <p>Subsequent to the evaluation, the sole Bidder who received the minimum required score of 75 points advanced to the opening of the Financial Proposals. The Centre for Leadership & Governance - UWI, attained the highest overall score and was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract awarded accordingly.</p> <p>As at December 31, 2011, the contract was being executed.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-2151			Ministry	Ministry of Energy and Mining	
Project Name	Insurance Placement			Public Body	Jamaica Bauxite Mining Limited	
Contractor	Allied Insurance Brokers Limited			Contract Sum	J\$3,298,675.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-01-25	0000-00-00	2011-03-14	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
\$0.00	2011-04-01	2014-04-01	0000-00-00	0	J\$3,355,985.00	\$0.00
Project Location(s)						
St. Ann						
Comments						
<p>The Invitation to Tender was advertised on December 21, 2010. Tenders were to be submitted by January 25, 2011 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>Eleven (11) tenders were received from five (5) Bidders, as follows: five (5) 'Like for Like' and six (6) Alternative Proposals.</p> <p>The tenders were opened and verified, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>In accordance with the Government of Jamaica (GOJ) Handbook of Public Sector Procurement Procedures, the tenders were evaluated by the Actuary, Eckler Consultants and Actuaries, which was engaged by way of the Limited Tender Procurement Methodology.</p> <p>Subsequent to the evaluation, the tender which was received from Allied Insurance Brokers Limited, was recommended for the award of contract for a three (3) year period.</p> <p>The requisite approvals were obtained and a letter was sent to Allied Insurance Brokers Limited (AIB) informing them that they were awarded the contract.</p> <p>The Procuring Entity had indicated that a contract document was not prepared. The Office of the Contractor General (OCG), by way of a letter which was dated December 14, 2011, advised the Jamaica Bauxite Mining Limited to "...ensure that a contract is signed with the Broker for years two and three...", in keeping with the Handbook of Public Sector Procurement Procedures.</p> <p>The contract sum covers the first year's premium. The OCG noted that a Debit Note, in the amount of US\$5,875.00, which was submitted by AIB, was payable in US currency. The OCG, using the BOJ exchange rate for June 6, 2011, converted the amount to J\$504,310.00. Further, the OCG noted that the Jamaica Bauxite Mining Limited submitted a payment to AIB, in the amount of J\$2,851,675.00. The expenditure to date amounts to \$3,355,985.00.</p> <p>As at December 31, 2011, the Insurance Placement was effective.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-5162			Ministry	Ministry of Energy and Mining	
Project Name	Hydropower Feasibility Studies for Five (5) Selected Sites in Jamaica			Public Body	Ministry of Energy and Mining	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
International Competitive Bidding	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
\$0.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
All Island						
Comments						
<p>The Invitation to submit Expressions of Interest was advertised on July 31, 2011. Expressions of Interest were to be submitted by August 22, 2011 at 3:00 p.m., followed by a scheduled opening of the Expressions of Interest at 3:30 p.m.</p> <p>Thirty-one (31) Expressions of Interest were received.</p> <p>The Expressions of Interest were evaluated in accordance with the Evaluation Criteria which were outlined.</p> <p>Subsequent to the evaluation, eleven (11) Consultants exceeded the minimum required score of 70. The Evaluation Report stated that "...where more than two (2) firms from the same country attained above the minimum score, only firms with the top two (2) average scores were considered for the shortlist." Consequently, one (1) firm was eliminated as a result of the referenced provision.</p> <p>The shortlisted Consultants were invited to submit tenders, by way of a letter which was dated November 9, 2011. Tenders were to be submitted by December 15, 2011 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:30 p.m.</p> <p>By way of a letter which was dated November 17, 2011, one (1) company declined to participate in the tender process. Subsequently, the Ministry of Energy and Mining sought approval from the World Bank to shortlist and invite the next qualified firm which met the minimum qualifying score. By way of an email which was dated November 23, 2011, the World Bank offered its "No Objection" for the next company to participate in the tender process.</p> <p>Subsequently, by way of a letter which was dated November 24, 2011, the newly shortlisted company, was invited to participate in the tender process. The deadline for submission was changed to January 12, 2012.</p> <p>As at December 31, 2011, the OCG awaits the close of tender.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Close of Tender Pending					

Reference No.	GCM-2981			Ministry	Ministry of Energy and Mining	
Project Name	Disposal of Garbage			Public Body	Petrojam Limited	
Contractor	Minott Janitorial Services Limited			Contract Sum	J\$4,732,588.32	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-03-14	2011-04-07	2011-04-19	0000-00-00	0000-00-00	2011-05-25
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$6,641,328.04	2011-06-01	2013-05-31	0000-00-00	0	J\$1,384,167.18	\$0.00
Project Location(s)						
All Island						
Comments						
<p>The Invitation to Tender was advertised on February 27, 2011. Tenders were to be submitted by March 14, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:05 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, in the sum of J\$5,618,848.50 inclusive of General Consumption Tax (GCT), which was submitted by Minott Janitorial Services Limited, was recommended for the award of contract. Of note, the contract sum which is indicated above is exclusive of GCT.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the contract was being executed.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-2811			Ministry	Ministry of Energy and Mining	
Project Name	Fire Watch Services (June Shutdown 2011)			Public Body	Petrojam Limited	
Contractor	GAR Engineering			Contract Sum	J\$4,537,872.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Contracting Under Emergency Circumstances	0000-00-00	0000-00-00	2011-04-20	0000-00-00	0000-00-00	2011-04-20
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$5,470,334.60	0000-00-00	0000-00-00	0000-00-00	0	J\$4,037,872.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on March 20, 2011. Tenders were to be submitted by April 5, 2011 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:05 a.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Subsequent to the Tender Opening, one (1) Bidder was deemed non-responsive and the second Bidder failed to provide the full compliment of persons with the required fire fighting certificates or firewatch and safety experience.</p> <p>Petrojam received approval to engage Contractors using the Limited Tender Procurement Methodology. By way of a letter which was dated April 13, 2011, bidders were invited to submit a tender.</p> <p>Tenders were to be submitted by April 21, 2011 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Subsequent to the Tender Opening and evaluation, "...it was recommended that the contract to provide Firewatch Services for June Shutdown 2011 be aborted as none of the bidders fulfilled all the criteria for qualifications."</p> <p>On April 20, 2011, the Head of Entity gave approval to proceed with "Contracting under Emergency Circumstances" and engaged GAR Engineering to provide Firewatch Services in the Regeneration Shutdown 2011, in the amount of J\$4,537,872.00.</p> <p>The duration of the services was for a period of 21 days. The Office of the Contractor General noted that the provisional sum of J\$500,000.00, which was assigned to the project, was not used.</p> <p>The Contract was subsequently reported to the National Contracts Commission as stipulated by the Government of Jamaica Handbook of Public Sector Procurement Procedures (October 2010).</p> <p>As at December 31, 2011, the contract had been completed</p>						
Status	Contract Completed					

Reference No.	GCM-2891			Ministry	Ministry of Energy and Mining	
Project Name	Industrial Vertical Metal Cutting Bandsaw			Public Body	Petrojam Limited	
Contractor	Champion Industrial Equipment and Supplies Limited			Contract Sum	US\$57,865.10	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-06-29	2011-08-04	2011-08-08	0000-00-00	0000-00-00	2011-09-01
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
US\$71,316.57	2011-09-01	2011-11-01	0000-00-00	0	US\$28,932.55	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on June 12, 2011. Tenders were to be submitted by June 24, 2011 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:05 a.m. Subsequently, the deadline was extended to June 29, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:05 p.m.</p> <p>One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, in the sum of US\$57,865.00, which was submitted by Champion Industrial Equipment and Supplies Limited, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>Petrojam Limited indicated that due to delays, the item was scheduled to be delivered in 2012. As at December 31, 2011, the entity was awaiting delivery of the goods.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Procuring Entity Awaiting Delivery of the Procured Items					

Reference No.	GCM-2921			Ministry	Ministry of Energy and Mining	
Project Name	Petroleum Haulage Contract			Public Body	Petrojam Limited	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-09-08	2011-12-12	2011-12-12	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
\$0.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
All Island						
Comments						
<p>The Invitation to Tender was advertised on July 31, 2011. Tenders were to be submitted by September 8, 2011 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:05 a.m.</p> <p>Petrojam Limited indicated that its Comparable Estimates were based upon the current unified rates which were paid for Haulage per litre for each region. The rates are as follows:</p> <p>Round Town - J\$0.43 per litre Central Region - J\$1.06 per litre Western Region - J\$1.79 per litre</p> <p>Seven (7) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. Although seven (7) submissions were accounted for in the Tender Box, the Bid Receipt Record evidenced submissions from only six (6) Bidders.</p> <p>Subsequently, the Petrojam Limited requested the advice of the Ministry of Finance as to whether the bid can be accepted and evaluated. The Ministry's response to Petrojam Limited indicated that the tender should be accepted and evaluated once it was received prior to the stipulated deadline and placed in the appropriate box.</p> <p>The Petrojam Limited proceeded to conduct a detailed evaluation in accordance with the Evaluation Criteria which were outlined in the Tender Document. It was recommended that the contract to provide Haulage of Petroleum Products, for a period of two (2) years, be awarded to six (6) responsive Contractors. One (1) Bidder was deemed non-responsive as a result of the failure to provide proof of registration as a Haulage Contractor, amongst other things.</p> <p>In an effort to complete the current tender process, the Petrojam Limited had received approval from the Ministry of Energy and Mining (MEM) and the National Contracts Commission (NCC) to extend the existing contract period, under the existing terms and conditions for six (6) months, commencing October 1, 2011.</p> <p>As at December 31, 2011, the requisite endorsement from the NCC was pending.</p> <p>The OCG will continue to monitor the procurement opportunity.</p>						
Status	National Contracts Commission (NCC) Endorsement Pending					

Reference No.	GCM-1051			Ministry	Ministry of Energy and Mining	
Project Name	Servicing and Inspecting the Fire Water System			Public Body	Petrojam Limited	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-04-15	2011-06-21	2011-06-14	2011-07-20	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$29,298,275.61	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on March 23, 2011. Tenders were to be submitted by April 15, 2011 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:05 a.m.</p> <p>Upon review of the Tender Document, the Office of the Contractor General (OCG) noted that the Procuring Entity had made reference to the 2008 version of the GOJ Handbook of Public Sector Procurement Procedures instead of the applicable 2010 version.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender was recommended for the award of contract.</p> <p>Subsequent to the endorsement of the National Contracts Commission (NCC), for the recommended contract sum, Petrojam Limited noted that the endorsement letter did not state "excluding General Consumption Tax". Petrojam consequently re-submitted a letter to the Ministry of Energy and Mining (MEM) requesting the endorsement of the total value of the Contract inclusive of a 10% contingency plus GCT.</p> <p>Having considered the matter, the NCC informed Petrojam Limited that it would be maintaining its initial decision.</p> <p>As at December 31, 2011, the Petrojam Limited was finalizing arrangements to have the contract signed.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Contract Not Yet Signed					

Reference No.	GCM-3211			Ministry	Ministry of Energy and Mining	
Project Name	Supply and Installation of Enterprise Layer Three (3) Network Switches			Public Body	Petrojam Limited	
Contractor	Syncon Technology Limited			Contract Sum	J\$4,687,590.40	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-06-30	2011-09-22	2011-09-28	0000-00-00	0000-00-00	2011-10-08
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$4,729,140.00	2011-10-08	0000-00-00	2011-11-21	0	J\$4,687,590.40	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on June 12, 2011. Tenders were to be submitted by June 30, 2011 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:05 a.m.</p> <p>Seven (7) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, in the sum of J\$4,687,590.40, which was submitted by Syncon Technology Limited, was recommended for the award of contract.</p> <p>The requisite approvals were obtained. Petrojam Limited indicated that "...in lieu of [a] Contract a Purchase Order was issued..." Accordingly, the contract award date indicated above refers to the date that the Purchase Order was issued.</p> <p>Petrojam Limited's Evaluation Report indicated that the procured goods were expected to be received within 60 days.</p> <p>As at December 31, 2011, the goods were delivered.</p>						
Status	Contract Completed					

Reference No.	GCM-951			Ministry	Ministry of Energy and Mining	
Project Name	Supply of Carbon Steel Pipes and Pipe Fittings - 60,000 BBL Tank			Public Body	Petrojam Limited	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-08-30	2011-10-27	2011-10-31	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$24,985,924.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on August 14, 2011. Bidders registered with the National Contracts Commission (NCC), in the category of "General Supplies with specialty in pipe and pipe fittings", were invited to submit tenders by August 30, 2011 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:05 a.m.</p> <p>Seven (7) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender was recommended for the award of contract.</p> <p>After reviewing Petrojam Limited's submission to the NCC, the Commission, in its meeting which was held on December 7, 2011, deferred its decision. The Minutes of the said meeting outlined that the NCC "...directed the Secretariat to invite representatives from Petrojam to its next meeting in order to provide clarification of the exclusion..." of one (1) of the tenders.</p> <p>The Minutes of the Meeting of the NCC, which was dated December 14, 2011, stated that the representatives from Petrojam Limited indicated that the excluded tender "...was deemed non responsive as the company was not registered in the appropriate category."</p> <p>Subsequent to the explanation received from Petrojam Limited's representatives, the NCC "...instructed Petrojam to evaluate the tender..." that was excluded "...along with the other responsive tenders for the supply of the required Carbon Steel Pipes and Fittings." The Commission noted that the company was "...registered in a category that is appropriate, namely: General Supplies, specializing in Gabion baskets and mattresses, pvc pipes, ductile pipes and piles".</p> <p>As at December 31, 2011, Petrojam Limited, upon the instructions of the NCC, was re-evaluating the tenders to include the tender previously deemed non-responsive.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Evaluation of Tenders Ongoing					

Reference No.	GCM-4992			Ministry	Ministry of Energy and Mining	
Project Name	Supply of One (1) New USt Boom Truck Crane			Public Body	Petrojam Limited	
Contractor	Hydraulic Machinery Incorporation			Contract Sum	US\$114,000.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Direct Contracting	0000-00-00	0000-00-00	2011-02-24	2011-06-15	0000-00-00	2011-07-04
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$25,920,833.46	0000-00-00	2011-08-31	0000-00-00	0	US\$114,000.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on July 11, 2010. Tenders were to be submitted by August 12, 2010 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Petrojam Limited, in a Status Report, advised the Office of the Contractor General (OCG) that <i>"After careful examination of the tenders it was realized that the cost submitted by either bidder did not represent value for money..."</i></p> <p>Subsequently, Petrojam Limited explored the option of Direct Contracting to procure a used Boom Truck Crane. The Entity requested the endorsement of the Ministry of Mining and Energy (MEM), by way of a letter which was dated February 24, 2011. Subsequently, the MEM requested the endorsement of the National Contracts Commission (NCC), by way of a letter which was dated March 16, 2011.</p> <p>After deliberation on the matter, the NCC, in its meeting held on April 20, 2011, offered its no objection to Petrojam Limited's use of the Direct Contracting Procurement Methodology to purchase the Boom Truck.</p> <p>By way of a letter which was dated May 10, 2011, the MEM requested approval from the National Works Agency Sector Committee for Petrojam Limited to award the contract to Hydraulic Machinery Incorporation. The NCC, in its meeting dated June 15, 2011, endorsed the recommendation for the award of contract, in the amount of US\$114,000.00.</p> <p>The OCG noted that the NCC further endorsed the amount of US\$56,978.36 payable to Petrojam's Freight Forwarders and Brokers for shipment, clearance and 10% contingency to deliver the unit to Petrojam Limited.</p> <p>Petrojam Limited issued a Purchase Order to Hydraulic Machinery Incorporation on July 4, 2011, in the amount of US\$114,000.00. The goods were expected to be delivered on August 31, 2011. Petrojam Limited indicated that the goods were received in October 2011.</p> <p>As at December 31, 2011, the contract had been completed.</p>						
Status	Contract Completed					

Reference No.	GCM-3011			Ministry	Ministry of Energy and Mining	
Project Name	Supply of Prefilter Vessel for Naphtha Services			Public Body	Petrojam Limited	
Contractor	Solares Florida Corporation			Contract Sum	US\$28,701.25	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-08-11	2011-09-22	2011-09-23	0000-00-00	0000-00-00	2011-10-07
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$3,300,000.00	2011-10-07	2011-12-09	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was initially advertised on November 24, 2010. Tenders were to be submitted by December 30, 2010 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m. The deadline for submission was subsequently extended to January 14, 2011 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. It was recommended that the tender process be aborted and re-tendered as both tenders submitted were non-responsive.</p> <p>The procurement opportunity was re-advertised on July 10, 2011. Tenders were to be submitted by July 29, 2011 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:05 a.m. Subsequent to the advertisement, the deadline for submission was extended to August 11, 2011 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:05 p.m.</p> <p>Six (6) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>Petrojam Limited indicated that the design of the vessel was in progress. As at December 31, 2011, the Entity was awaiting delivery of the items procured.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Procuring Entity Awaiting Delivery of the Procured Items					

Reference No.	GCM-2941			Ministry	Ministry of Energy and Mining	
Project Name	Tank No. 112 Cleaning			Public Body	Petrojam Limited	
Contractor	Quality Plus Contracting Company Limited			Contract Sum	J\$6,765,002.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-04-06	2011-05-09	2011-05-09	0000-00-00	0000-00-00	2011-06-27
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$8,313,722.70	2011-06-27	2011-08-01	2011-07-20	0	J\$5,527,070.40	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on March 20, 2011. Tenders were to be submitted by April 6, 2011 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive bid in the sum of J\$6,765,002.00, which was submitted by Quality Plus Contracting Company Limited, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>Petrojam Limited provided evidence to show that the Tender Evaluation Report was approved by its Board of Directors on April 20, 2011. The approval of the Procurement Committee was received on May 9, 2011 and endorsed by the Head of Entity on even date.</p> <p>Petrojam Limited indicated that the Contractor has been paid in full. The disparity between the expenditure and the contract value may be attributable to only 17.47% of the provisional sum being used for this project.</p> <p>As at December 31, 2011, the contract had been completed.</p>						
Status	Contract Completed					

Reference No.	GCM-2581			Ministry	Ministry of Energy and Mining	
Project Name	Installation and Commissioning of a 41kW Grid-tied Solar Photovoltaic System at the PCJ Resource Centre			Public Body	Petroleum Corporation of Jamaica	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2011-02-11	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$28,000,000.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on December 22, 2010. Tenders were to be submitted by February 4, 2011 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:15 p.m. Subsequent to this invitation, the tender submission deadline was extended to February 11, 2011.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The highest scored tender was recommended for the award of contract.</p> <p>The Petroleum Corporation of Jamaica took the decision to abort the current process as the "...project is being redesigned to strengthen the procurement plan and the project specification."</p> <p>As at December 31, 2011, the project had been aborted.</p>						
Status	Project Aborted					

Reference No.	GCM-2641			Ministry	Ministry of Energy and Mining	
Project Name	Supply and Installation of One (1) Air Conditioning System for Accident and Emergency at the Annotto Bay Hospital			Public Body	Petroleum Corporation of Jamaica	
Contractor	Geddes Refrigeration Limited			Contract Sum	J\$4,347,218.33	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-11-01	2010-11-30	2011-01-04	0000-00-00	0000-00-00	2011-01-04
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$4,320,000.00	2011-01-10	2011-03-14	0000-00-00	0	J\$3,132,474.14	\$0.00
Project Location(s)						
St. Mary						
Comments						
<p>The Invitation to Tender was advertised on October 3, 2010. Tenders were to be submitted by October 19, 2010 at 2:30 p.m., followed by a scheduled Tender Opening Ceremony at 3:00 p.m. Upon the request of the Contractors for more time to complete their quotation, the deadline for submission was extended to November 1, 2010 at 2:30 p.m. followed by a Tender Opening Ceremony at 3:00 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, in the sum of J\$4,347,218.33, which was submitted by Geddes Refrigeration Limited, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>The Petroleum Corporation of Jamaica had reported that the unit had been delivered to the project site, however, the Contractor had indicated that the installation of the ductwork, "...is going slower than planned because access to some areas has been restrictive."</p> <p>As at December 31, 2011, the contract was being executed.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-2651			Ministry	Ministry of Energy and Mining	
Project Name	Supply and Installation of Solar Outdoor Lighting at Hope Institute			Public Body	Petroleum Corporation of Jamaica	
Contractor	Automatic Control Engineering Limited			Contract Sum	J\$2,760,000.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-10-25	2010-11-30	2011-01-05	0000-00-00	0000-00-00	2011-01-05
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$1,820,000.00	2011-01-10	2011-02-09	2011-07-26	0	J\$2,736,583.89	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on October 3, 2010. Tenders were to be submitted by October 25, 2010 at 2:30 p.m., followed by a scheduled Tender Opening Ceremony at 3:00 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, in the sum of J\$2,760,000.00, which was submitted by Automatic Control Engineering Limited, was recommended for the award of contract. The Evaluation Committee indicated to the Procurement Committee that against the Comparative Estimate, the "...higher cost is due to greater than normal electrical work required by this project."</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>The Petroleum Corporation of Jamaica (PCJ) indicated that there was a total project variation of J\$29,271.34. The requisite approvals were received with regard to the variations. The expenditure to date represented above excludes the 2% Contractors Levy.</p> <p>The PCJ further indicated that although the project was not completed on February 9, 2011, it was "...practically completed shortly after and taken over to March 17, 2011. However, there were three minor outstanding issues which were later corrected and signed off on July 26, 2011."</p> <p>As at December 31, 2011, the project had been completed</p>						
Status	Contract Completed					

Reference No.	GCM-3851			Ministry	Ministry of Energy and Mining	
Project Name	Supply of Pole Line Materials for 25km of Electrical Distribution Lines 2009/2010			Public Body	Rural Electrification Programme Limited	
Contractor	Essex Exports Incorporated			Contract Sum	US\$363,483.26	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-04-29	0000-00-00	2011-05-19	2011-07-06	2011-10-03	2011-10-27
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
US\$458,259.55	2011-10-27	2012-02-23	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on March 27, 2011. Tenders were to be submitted by April 29, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:10 p.m.</p> <p>The procurement opportunity was divided into eleven (11) material packages: A, B, C-1, C-2, D, E, G, H-1, H-2, H-3 and H-4. Bidders were allowed to quote on one (1) or all packages, however, the Schedules would be individually evaluated.</p> <p>Two (2) Bidders submitted tenders. One (1) Bidder submitted quotes for Schedules C-1 and D, and the other Bidder submitted quotes for Schedules A, B, C-1, C-2, E, G, H-1, H-2, H-3 and H-4.</p> <p>The tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. Notably, the Bid Opening Record indicated that one (1) Bidder submitted the National Contracts Commission's (NCC's) Renewal Application Letter instead of the requisite NCC Registration Certificate. Also, Essex Exports Incorporated (the second Bidder) is an overseas Company thus the NCC Registration Certificate and the Tax Compliance Certificate (TCC) were not required submission of tenders.</p> <p>The Office of the Contractor General (OCG) noted that for the evaluation process, the lowest tender for each Schedule was compared with the Comparable Estimate which was prepared by the Procuring Entity. Further, the Evaluation Report stated that <i>"The technical literature accompanying the tenders were scrutinized carefully to ensure items quoted conformed to the technical specifications and standards specified."</i></p> <p>The Evaluation Report also indicated that, one (1) Bidder did not conform to the specifications for Schedule C-1 and, therefore, their quote for that Schedule was rejected. The remaining tender was assessed and a recommendation made for the award of contract.</p> <p>Essex Exports Incorporated was the sole Bidder for Schedules A, B, C-2, E, G, H-1, H-2, H-3 and H-4. All submissions were deemed technically responsive, with the exception of Schedule H-2. With regard to Schedule H-2, the Evaluation Report stated that <i>"...the wording in the Bid document was not definitive enough and Essex Exports Inc. quoted a price for an incorrect item...This correction was done...These changes were communicated between Essex Exports Inc...and an adjustment for the correct price and quantities for the items were made..."</i> Subsequently, Essex Exports Incorporated was recommended for the award of contract for Schedules A, B, C-2, E, G, H-1, H-2, H-3 and H-4, in the sum of US\$363,483.26.</p> <p>The OCG did not evidence the comparison of the tenders on the basis of delivery schedules, as was indicated in <i>Section 1.18 "Evaluation and Comparison of Tenders"</i> of the Tender Document which provides that <i>"Tenders offering deliveries earlier or later than the...Schedule shall be adjusted in the evaluation by subtracting or adding a factor equal to one-tenth of one percent (0.1%) of Ex-Factory/CIF value per day to the Tender price."</i></p> <p>The Head of Entity approval for the contract award recommendation was received on May 19, 2011. The contract award recommendation was subsequently endorsed by the NCC on July 6, 2011.</p> <p>The OCG noted a letter from the Procuring Entity, which was dated October 13, 2011, to Essex Exports Incorporated which stated, <i>inter alia</i>, that <i>"...as noted in your last submission to us there will be variations to the prices due to the length of time taken for the completion of our approval processes, which has gone beyond the tender validity period. Please submit the new prices so that due diligence in verifying these prices especially those that are affected by metal prices on the world market can be done. Thereafter a new schedule encompassing the variations will be prepared to reflect the new contract amount."</i></p> <p>The contract was subsequently awarded in the revised sum of US\$397,155.46.</p> <p>Subsequently, the OCG noted the NCC's letter, which was dated November 21, 2011, to the Ministry of Energy and Mining, which stated that <i>"The National Contracts Commission (NCC) considered the matter at its meeting held on 2011 November 23 and noted the price fluctuation of materials from the approved amount of \$363,483.26 to \$397,155.46. The NCC assumes that the fluctuation will be accounted for in the proposed contract."</i></p> <p>As at December 31, 2011, the Procuring Entity was awaiting delivery of the procured items.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Procuring Entity Awaiting Delivery of the Procured Items					

Reference No.	GCM-3691			Ministry	Ministry of Energy and Mining	
Project Name	Supply of Pole Line Materials for 25km of Electrical Distribution Lines 2009/2010			Public Body	Rural Electrification Programme Limited	
Contractor	Whiskers Limited			Contract Sum	US\$125,262.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-04-29	0000-00-00	2011-05-19	2011-07-06	0000-00-00	2011-08-26
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
US\$133,221.00	2011-08-26	2011-12-23	2011-12-05	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on March 27, 2011. Tenders were to be submitted by April 29, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:10 p.m.</p> <p>The procurement opportunity was divided into eleven (11) material packages: A, B, C-1, C-2, D, E, G, H-1, H-2, H-3 and H-4. Bidders were allowed to quote on one (1) or all packages, however, the Schedules would be individually evaluated.</p> <p>Two (2) Bidders submitted tenders. One (1) Bidder submitted quotes for Schedules C-1 and D, and the other Bidder submitted quotes for Schedules A, B, C-1, C-2, E, G, H-1, H-2, H-3 and H-4.</p> <p>The tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. Notably, the Bid Opening Record indicated that Whiskers Limited did not submit the requisite National Contracts Commission (NCC) Registration Certificate but, instead, submitted the NCC Renewal Application Letter for March 20, 2011. This contravenes <i>Section 1.3.1, Vol. 2</i> of the Government of Jamaica Handbook of Public Sector Procurement Procedures (October 2010), which provides that <i>"Contractor's wishing to participate in Public Sector procurement opportunities shall provide proof of registration with the National Contracts Commission at the time of bid submission, by way of a valid NCC Registration Letter."</i></p> <p>The Office of the Contractor General (OCG) noted that the lowest tender for each Schedule was compared with the Comparable Estimate which was prepared by the Procuring Entity. Further, the Evaluation Report stated that <i>"The technical literature accompanying the tenders were scrutinized carefully to ensure items quoted conformed to the technical specifications and standards specified."</i></p> <p>The Evaluation Report also indicated that one (1) Bidder did not conform to the specifications for Schedule C-1 and, therefore, the quote was rejected. The remaining tender, which was submitted by Whiskers Limited, in the sum of US\$24,135.00, was assessed and deemed technically responsive, and was recommended for the award of contract.</p> <p>Whiskers Limited was the sole Bidder for Schedule D. In this regard, the Evaluation Report stated that <i>"Since they were the only bidder there was no need to exercise the evaluation formulae dictated in the Bid document as this is for comparative purposes only."</i> The tender was deemed technically responsive and was recommended for the award of contract in the sum of US\$101,127.00.</p> <p>The OCG did not evidence the comparison of the tenders on the basis of delivery schedules, as was indicated in <i>Section 1.18 "Evaluation and Comparison of Tenders"</i> of the Tender Document which provides that <i>"Tenders offering deliveries earlier or later than the...Schedule shall be adjusted in the evaluation by subtracting or adding a factor equal to one-tenth of one percent (0.1%) of Ex-Factory/CIF value per day to the Tender price."</i></p> <p>The Head of Entity approval for the contract award recommendation was received on May 19, 2011. Subsequently, the NCC endorsement was received and the contract was awarded accordingly.</p> <p>The OCG noted the Procuring Entity's Clearance Reports, which were dated November 15, 2011 and December 5, 2011, which indicated that all procured items were delivered.</p> <p>Subsequently, the Procuring Entity informed the OCG that <i>"Whiskers Ltd. has delivered all material items as per contract."</i></p> <p>As at December 31, 2011, the payment to the Contractor was pending.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Final Payment to the Contractor Pending					

Reference No.	GCM-1311			Ministry	Ministry of Finance	
Project Name	Consultancy Services - Structural Repairs to Tower			Public Body	Bank of Jamaica	
Contractor	Jentech Consultants Limited			Contract Sum	J\$6,362,907.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-11-29	2011-01-18	0000-00-00	0000-00-00	0000-00-00	2011-02-01
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$3,500,000.00	2011-02-02	0000-00-00	0000-00-00	0	J\$2,464,076.05	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on October 31, 2010. Tenders were to be submitted by November 29, 2010 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:10 a.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The highest scored bid, in the sum of J\$6,362,907.00, which was submitted by Jentech Consultants Limited, was recommended for the award of contract.</p> <p>The Bank of Jamaica's (BOJ) Tender Report indicated that the expected period of engagement for the pre-contract/design phase of the project would be 14 weeks.</p> <p>The approval was received from the BOJ's Contracts Committee and the contract awarded accordingly.</p> <p>The Office of the Contractor General (OCG) noted that the BOJ received approval from its "Contracts Committee" in lieu of the Head of Entity approval, which constitutes a breach of the Government of Jamaica Handbook of Public Sector Procurement Guidelines. The OCG, by way of a letter which was dated August 19, 2011, recommended that the BOJ "...streamline its internal procurement procedures to meet the requirements of GOJ Procurement Guidelines, by utilizing the correct procurement approval process."</p> <p>Correspondence from the BOJ indicated that the project is expected to be completed by the first quarter in 2013.</p> <p>As at December 31, 2011, the contract was being executed.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-1331			Ministry	Ministry of Finance	
Project Name	Continuous Data Protection Solution			Public Body	Bank of Jamaica	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-04-15	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
US\$35,000.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on March 13, 2011. Tenders were to be submitted by April 15, 2011 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:10 a.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>The evaluation process was delayed as the Bank of Jamaica asserted that, "...further reasonableness checks had to be initiated based on the variance between the comparable estimate...and the bids received".</p> <p>As at December 31, 2011, the OCG was advised by the BOJ that the tender process was cancelled "...as the tender validity period has expired".</p>						
Status	Project Aborted					

Reference No.	GCM-1341			Ministry	Ministry of Finance	
Project Name	Insurance Placement			Public Body	Bank of Jamaica	
Contractor	Marathon Insurance Brokers Limited			Contract Sum	J\$53,243,263.11	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-06-07	2011-06-21	0000-00-00	2011-08-10	2011-09-05	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$72,500,000.00	2011-09-30	2012-09-30	0000-00-00	0	J\$53,243,263.11	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on May 18, 2011. Tenders were to be submitted by June 7, 2011 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>Five (5) proposals were received from two (2) Brokers, as follows: two (2) 'Like for Like' and three (3) Alternative Proposals.</p> <p>The tenders were opened and verified, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>In accordance with the Government of Jamaica (GOJ) Public Sector Procurement Procedures, the proposals were evaluated by the Actuary, Eckler Consultants and Actuaries, which was engaged by way of the Limited Tender Procurement Methodology.</p> <p>Subsequent to the evaluation, the proposal which was received from Marathon Insurance Brokers Limited, and which was to be insured by American Home Assurance Company (AHAC) and General Accident Insurance Company Jamaica Limited (GAIC), was recommended for the award of contract, in the sum of J\$45,095,550.00.</p> <p>The OCG noted that the Bank of Jamaica (BOJ) received approval from its "Contracts Committee" in lieu of the Head of Entity approval. This constitutes a breach of the Government of Jamaica Handbook of Public Sector Procurement Procedures. The OCG, by way of a letter which was dated August 19, 2011, recommended that the BOJ "...streamline its internal procurement procedures to meet the requirements of GOJ Procurement Guidelines, by utilizing the correct procurement approval process"</p> <p>The requisite endorsement from the National Contracts Commission and the approval from the Cabinet were obtained and the contract awarded accordingly.</p> <p>The contract sum indicated above covers the first year of the contract. The BOJ attributed the difference between the recommended sum and the contract sum to the fact that the "...actual payment included General Consumption Tax (GCT) of \$7,967,379.61..." The BOJ also indicated that "...there were minor adjustments required...to take into consideration changes in the portfolio of insurance assets."</p> <p>The OCG has further noted that in lieu of a Contract Document, Marathon Insurance Brokers Limited had provided the BOJ with letters which were dated October 1, 2011, October 3, 2011 and October 5, 2011, respectively, outlining the details of the policies.</p> <p>As at December 31, 2011, the Insurance coverage was effective.</p> <p>The OCG will continue to monitor the implementation of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-1271			Ministry	Ministry of Finance	
Project Name	Internet Service Provider			Public Body	Bank of Jamaica	
Contractor	Cable & Wireless Jamaica Limited t/a LIME			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-04-13	2011-06-03	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$14,706,000.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on March 3, 2011. Tenders were to be submitted by April 13, 2011 at 2:30 p.m., followed by a scheduled Tender Opening Ceremony at 2:40 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, in the sum of J\$4,572,841.50, was recommended for the award of contract.</p> <p>Approval was received from the Bank of Jamaica's (BOJ) Contracts Committee on June 3, 2011.</p> <p>The OCG had noted that the BOJ received approval from its "Contracts Committee" in lieu of the Head of Entity approval. This constitutes a breach of the Government of Jamaica Handbook of Public Sector Procurement Guidelines.</p> <p>The OCG, by way of a letter which was dated August 19, 2011, recommended that the BOJ "...streamline its internal procurement procedures to meet the requirements of GOJ Procurement Guidelines, by utilizing the correct procurement approval process."</p> <p>A Status Report from the BOJ, which was dated July 21, 2011, indicated that the Bank was in the process of finalizing the contract with the recommended provider. A subsequent Status Report from the BOJ, which was dated September 29, 2011, indicated that the execution of the contract was delayed as the terms of the contract were being finalized.</p> <p>As at December 31, 2011, the terms of the contract were being finalized.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Contract Not Yet Signed					

Reference No.	GCM-1321			Ministry	Ministry of Finance	
Project Name	Supply and Installation of Raised Access Floor System			Public Body	Bank of Jamaica	
Contractor	MediaNet Limited			Contract Sum	J\$823,949.72	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-04-11	2011-05-17	0000-00-00	0000-00-00	0000-00-00	2011-06-02
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$1,500,000.00	2011-06-02	0000-00-00	2011-08-22	0	J\$823,948.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on March 3, 2011. Tenders were to be submitted by April 11, 2011 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:10 a.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, in the sum of J\$823,949.72, which was submitted by MediaNet Limited, was recommended for the award of contract.</p> <p>The Bank of Jamaica's (BOJ's) Contracts Committee approved the recommendation for the award of contract. Consequently, the contract was awarded accordingly.</p> <p>The Office of the Contractor General (OCG) noted that the BOJ received approval from its "Contracts Committee" in lieu of Head of Entity approval. This constitutes a breach of the Government of Jamaica Handbook of Public Sector Procurement Procedures.</p> <p>The OCG, by way of a letter which was dated August 19, 2011, recommended that the BOJ "...streamline its internal procurement procedures to meet the requirements of GOJ Procurement Guidelines, by utilizing the correct procurement approval process."</p> <p>By way of a Status Report, the BOJ advised the OCG that the project was completed on August 22, 2011 and that the Contractor was paid in full.</p> <p>As at December 31, 2011, the contract had been executed.</p>						
Status	Contract Completed					

Reference No.	GCM-1571			Ministry	Ministry of Finance	
Project Name	PetroCaribe Development Fund - Communication Strategy			Public Body	Development Bank of Jamaica	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-12-16	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$10,000,000.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to submit Expressions of Interest was advertised on September 25, 2011. Expressions of Interest were to be submitted by October 10, 2011 at 4:00 p.m.</p> <p>Six (6) Expressions of Interest were received.</p> <p>The Expressions of Interest were evaluated in accordance with the Evaluation Criteria which were outlined in the Terms of Reference document.</p> <p>Subsequent to the evaluation, five (5) Consultants exceeded the minimum required score and were short-listed. The OCG, by way of a letter which was dated November 10, 2011, advised the PetroCaribe Development Fund that one of the shortlisted Consultants, the Jamaica Information Service, should be excluded from the tender as it is a Government Entity.</p> <p>By way of a letter which was dated November 16, 2011, the PetroCaribe Development Fund invited the four (4) short-listed consultants to submit tenders. Tenders were to be submitted by December 16, 2011 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>As at December 31, 2011, the tender process was at the evaluation stage.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Evaluation of Tenders Ongoing					

Reference No.	GCM-1171			Ministry	Ministry of Finance	
Project Name	Tender for Janitorial Services			Public Body	Fiscal Services Limited	
Contractor	Floors Unlimited Limited			Contract Sum	J\$4,399,668.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-05-13	0000-00-00	2011-08-11	0000-00-00	0000-00-00	2011-08-31
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$3,359,032.08	2011-09-17	2013-09-16	0000-00-00	0	J\$746,721.42	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on April 17, 2011. Tenders were to be submitted by May 13, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Six (6) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation of the Technical Proposal was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The tenders which attained a minimum score of fifty (50) points were further evaluated for completeness and the cost score was computed. The tender which attained the highest overall score was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>Notably, the Procuring Entity did not have a formally established Procurement Committee, however, the Procuring Entity's Technical Sub-Committee approved the contract award recommendation on August 11, 2011.</p> <p>Subsequently, the Office of the Contractor General (OCG) was informed that the Procuring Entity was in the process of constituting a Procurement Committee.</p> <p>As at December 31, 2011, the contract was being executed.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-1521			Ministry	Ministry of Finance	
Project Name	Procurement of Security Services			Public Body	Jamaica Deposit Insurance Company	
Contractor	Guardsman Limited			Contract Sum	J\$13,621,657.50	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-12-08	2011-02-07	2011-02-07	2011-04-13	0000-00-00	2011-05-24
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$13,279,104.00	2011-05-24	2014-05-23	0000-00-00	0	J\$4,465,388.10	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on November 21, 2010. Tenders were to be submitted by December 8, 2010 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>Six (6) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation of the Technical Proposals was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. All tenders exceeded the minimum score of seventy-five percent (75%) and advanced to the opening of the Financial Proposal. Guardsman Limited attained the highest overall score and was recommended for the award of contract, in the amount of J\$10,539,000.00.</p> <p>The requisite approvals were obtained for the contract award to Guardsman Limited.</p> <p>However, the OCG noted a letter from the Head of Entity to the National Contracts Commission (NCC), which was dated March 23, 2011, and which stated, <i>inter alia</i>, the following:</p> <p style="padding-left: 40px;"><i>"The value of the recommendation amounts to J\$11,592,900.00 exclusive of GCT for the three (3) year contract period. This amount incorporates the recent 10% increase in the minimum wage for industrial security guards that came into effect on February 28, 2011. The amount quoted by Guardsman Limited prior to the minimum wage increase was \$10,539,000.00..."</i></p> <p>By way of a letter which was dated April 14, 2011, the NCC informed the Procuring Entity of its endorsement of the contract award recommendation and advised, <i>inter alia</i>, that the "...GCT and the increase in the minimum wage are not included in the contract amount. The NCC recommends that the increase in the minimum wage for Industrial Security Guards be treated as a price fluctuation and not as a change in the scope of works."</p> <p>Subsequently, the contract was signed.</p> <p>In a Status Report which was dated December 28, 2011, the Procuring Entity informed of the following:</p> <p style="padding-left: 40px;"><i>"Guardsman has been reasonably successful in performing its primary security responsibility thus far; ... the routine functions of both guards are satisfactorily executed and there are frequent unexpected visits from supervisors of Guardsman Limited to assess the functions of their staff for any necessary improvement in security."</i></p> <p>The expenditure of J\$4,465,388.10 represents payments to the Contractor as at December 15, 2011.</p> <p>As at December 31, 2011, the contract was being executed.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-791			Ministry	Ministry of Finance and Planning	
Project Name	Procurement of Security Guard Services			Public Body	Accountant General's Department	
Contractor	Allied Protection Limited			Contract Sum	J\$12,054,288.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-09-29	2011-10-19	2011-10-20	2011-11-16	0000-00-00	2011-12-22
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$13,789,744.85	2012-01-01	2013-12-31	0000-00-00	0 Day(s)	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on August 14, 2011. Tenders were to be submitted by September 12, 2011 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Upon review of the Tender Document, the Office of the Contractor General (OCG), by way of a letter which was dated September 7, 2011, advised the Accountant General's Department (AGD) that it had contravened the provision of the applicable Handbook of Public Sector Procurement Procedures to utilize the Standard Bidding Document.</p> <p>The Procuring Entity subsequently extended the deadline for submission of tenders to September 29, 2011 at 10:00 a.m., in order to facilitate the withdrawal of the previous Tender Document. A revised Tender Document was issued in accordance with the applicable Standard Bidding Document.</p> <p>Eight (8) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. The OCG noted that the Comparable Estimate was not disclosed during the Tender Opening Ceremony.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, in the sum of J\$12,054,288.00, which was submitted by Allied Protection Limited, was recommended for the award of contract.</p> <p>As at December 31, 2011, the requisite approvals were obtained and the contract, which was dated December 22, 2011, is scheduled to commence on January 1, 2012.</p> <p>The OCG will continue to monitor the implementation of the contract.</p>						
Status	Contract Signed					

Reference No.	GCM-3991			Ministry	Ministry of Finance and Planning	
Project Name	Provision of Printers (Colour Desk)			Public Body	Bank of Jamaica	
Contractor	Syncon Technologies Limited			Contract Sum	J\$1,013,758.63	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-04-26	2011-06-03	0000-00-00	0000-00-00	0000-00-00	2011-06-06
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$490,000.00	2011-06-06	2011-07-05	2011-08-02	0	J\$1,013,758.63	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on March 20, 2011. Tenders were to be submitted by April 26, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:10 p.m.</p> <p>The Tender Document categorized the printers into following three (3) Lots:</p> <ol style="list-style-type: none"> 1. Twenty (20) Colour Desk Printers; 2. Six (6) Colour All-in-one Printers; and 3. Three (3) Impact Matrix Printers. <p>Bidders were required to obtain a minimum technical score of ninety (90) points to advance to the opening of the Financial Proposal.</p> <p>Six (6) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. Of the six (6) tenders which were received, five (5) were submitted for the Colour Desk Printers.</p> <p>Subsequent to the evaluation of the Technical Proposals, three (3) tenders exceeded the minimum required score and advanced to the Opening of the Financial Proposal.</p> <p>A detailed evaluation of the Financial Proposals was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest priced tender which was submitted by Syncon Technologies Limited, in the sum of J\$1,013,758.63, was recommended for the award of contract. The tender amount, though the lowest, had exceeded the Comparable Estimate.</p> <p>The Evaluation Report stated, <i>inter alia</i>, that "There was a significant difference of \$523,758.63 between the lowest bid price and the comparable estimate of \$490,000 for the Colour Desk Printer, which was attributed to...the brand/model proposed and the omission of taxes and shipping/handling charges from the estimate."</p> <p>The recommendation for the award of contract was approved by the Bank of Jamaica's (BOJ's) Contracts Committee on June 3, 2011.</p> <p>Syncon Technologies Limited received a Purchase Order for the supply of twenty-six (26) printers, which amounted to \$1,013,758.63, and which indicated a validity period of thirty (30) days.</p> <p>The Office of the Contractor General (OCG), by way of a letter which was dated July 27, 2011, requested evidence of the Head of Entity approval. In response, the BOJ, by way of a letter which was dated August 10, 2011 indicated, <i>inter alia</i>, that the "...Bank's procurement policy does not require the Governor to explicitly approve contracts valued at under \$10 million...Authority to approve such contracts has been delegated to the Bank's Contracts Committee..."</p> <p>Subsequently, the OCG advised the BOJ, by way of a letter which was dated August 19, 2011, that the foregoing was in breach of the Government of Jamaica Handbook of Public Sector Procurement Procedures (October 2010). The Handbook indicates that where threshold values are above J\$275,000.00, "The Head of the Procuring Entities shall approve, subject to the procedures included herein."</p> <p>In response, the BOJ, by way of a letter which was dated August 26, 2011, advised the OCG that it will "...with immediate effect, institute measures to streamline its internal procurement procedures to strictly meet the requirements of the GOJ Procurement Guidelines."</p> <p>The BOJ, by way of a letter which was dated August 10, 2011, reported that the printers were delivered to the Bank on July 26, 2011, and that payments were made in full to the Supplier.</p> <p>As at December 31, 2011, the project was completed with all requisite items received and final payments made as at August 2, 2011.</p>						
Status	Contract Completed					

Reference No.	GCM-4041			Ministry	Ministry of Finance and Planning	
Project Name	Provision of Printers (High Impact Matrix)			Public Body	Bank of Jamaica	
Contractor	IBM World Trade Corporation			Contract Sum	J\$2,908,853.97	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-04-26	2011-09-06	0000-00-00	0000-00-00	0000-00-00	2011-09-26
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$1,960,000.00	2011-09-26	2011-11-04	2011-11-24	0	J\$1,749,887.55	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on March 20, 2011. Tenders were to be submitted by April 26, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:10 p.m.</p> <p>The Tender Document categorised the printers into three (3) Lots:</p> <ol style="list-style-type: none"> 1. Twenty (20) Colour Desk Printers; 2. Six (6) Colour All-in-one Printers; and 3. Three (3) Impact High Matrix Printers. <p>Bidders were required to obtain a minimum technical score of ninety (90) points to advance to the Opening of the Financial Proposal.</p> <p>Six (6) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. Of the six (6) tenders which were received, five (5) were in relation to the Impact High Matrix Printer.</p> <p>Subsequent to the Opening of the Technical Proposals, two (2) tenders exceeded the minimum required score and advanced to the Opening of the Financial Proposal.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender which was submitted by Innovative Corporate Solutions, in the sum of J\$1,415,472.94, was recommended for the award of contract.</p> <p>The recommendation for the award of contract was approved by the Bank of Jamaica's (BOJ's) Contracts Committee on June 3, 2011.</p> <p>The Office of the Contractor General (OCG) requested evidence of the Head of Entity approval, by way of a letter, which was dated July 27, 2011. In response to the referenced requisition, the BOJ, by way of a letter which was dated August 10, 2011 stated, <i>inter alia</i>, that the "...Bank's procurement policy does not require the Governor to explicitly approve contracts valued under \$10 million...Authority to approve such contracts has been delegated to the Bank's Contracts Committee..."</p> <p>Subsequently, the OCG advised the BOJ, by way of a letter which was dated August 19, 2011, that the foregoing was in breach of the Government of Jamaica Handbook of Public Sector Procurement Procedures (October 2010). The Handbook indicates that where threshold values are above J\$275,000, "The Head of the Procuring Entities shall approve, subject to the procedures included herein".</p> <p>In response, the BOJ, by way of a letter, which was dated August 26, 2011, advised, <i>inter alia</i>, that it will "...with immediate effect, institute measures to streamline its internal procurement procedures to strictly meet the requirements of the GOJ Procurement Guidelines."</p> <p>Innovative Corporate Solutions received a Purchase Order on June 6, 2011, for the supply of three (3) High Impact Matrix Printers, which amounted to \$1,415,472.94, and which indicated a validity period of thirty (30) days.</p> <p>However, by way of a letter which was dated August 10, 2011, the BOJ advised the OCG that the contract with Innovative Corporate Solutions was terminated, as the Contractor had challenges "...filling the order on the terms and conditions specified in the RFP".</p> <p>By way of a letter which was dated September 26, 2011, the BOJ advised the OCG, <i>inter alia</i>, that the contract was "...awarded to the only other bidder, IBM World Trade Corporation in the sum of J\$2, 908,853.97."</p> <p>The BOJ, under the cover of letter which was dated December 19, 2011, advised the OCG, <i>inter alia</i>, that the Bank had paid to IBM a total of \$1,749,887.55, "...which represented the actual cost of the delivered printers" and the outstanding balance of \$1,117,086.89 represents "...the 3-year maintenance agreement which was not a part of the cost of the printers."</p> <p>The BOJ also advised the OCG, by way of a letter which was dated November 28, 2011, that the Printers had been delivered on October 26, 2011 and that payments were made by November 24, 2011.</p> <p>As at December 31, 2011, the project was completed.</p>						
Status	Contract Completed					

Reference No.	GCM-3621			Ministry	Ministry of Finance and Planning	
Project Name	Rental of Sanitary Bins 2011-2014			Public Body	Bank of Jamaica	
Contractor	Clean-San Services Limited			Contract Sum	J\$1,724,151.40	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-06-15	2011-07-26	2011-07-27	0000-00-00	0000-00-00	2011-08-19
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$2,000,000.00	2011-08-01	2014-08-01	0000-00-00	0	J\$137,623.83	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on May 22, 2011. Tenders were to be submitted by June 15, 2011 at 2:30 p.m., followed by a scheduled Tender Opening Ceremony at 2:40 p.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, in the sum of J\$1,724,151.40, which was submitted by Clean-San Services Limited, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>The Office of the Contractor General (OCG) noted that the Contract Document was signed by the BOJ, eighteen (18) days after the commencement date.</p> <p>As at December 31, 2011, the contract was being executed.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-3191			Ministry	Ministry of Finance and Planning	
Project Name	Electronic Wagering System			Public Body	Caymanas Track Limited	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
International Competitive Bidding	2011-10-28	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
\$0.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
St. Catherine						
Comments						
<p>The Invitation to Tender was advertised on September 25, 2011. Tenders were to be submitted by October 28, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>The Two Stage tender process was utilized by Caymanas Track Limited (CTL). By way of a letter to the Office of the Contractor General (OCG), which was dated October 26, 2011, CTL advised that the "...Two Stage tender process was used in this procurement as the procuring entity was unsure of what existed in the market and this would allow the Entity the ability to interact more extensively with the Bidders on technical matters relating to the project, as well as the opportunity to learn from the market prior to a request for financial proposals, hence no comparable estimate has yet been developed."</p> <p>One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. One (1) tender was submitted after the stipulated deadline and was subsequently returned unopened to the Bidder.</p> <p>A tender evaluation was not conducted as CTL felt that it was not getting the full benefit of the market and the degree of competition which was needed from the receipt of only one (1) tender. The decision was taken to re-open the tender process.</p> <p>As at December 31, 2011, the procurement opportunity was not re-tendered.</p>						
Status	Project Aborted					

Reference No.	GCM-3491			Ministry	Ministry of Finance and Planning	
Project Name	Provision of Co-location Hot-Site Services			Public Body	Financial Services Commission	
Contractor	Digicel Jamaica Limited			Contract Sum	US\$243,863.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-02-15	0000-00-00	2010-03-11	0000-00-00	0000-00-00	2011-03-11
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
US\$120,000.00	2011-04-19	2014-06-30	0000-00-00	0	J\$2,741,023.50	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on January 10, 2010. Tenders were to be submitted by February 15, 2010 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>The Office of the Contractor General (OCG), by way of a letter which was dated May 7, 2010, informed the Financial Services Commission (FSC), <i>inter alia</i>, that "the Office of the Contractor-General attended the Tender Opening Ceremony for the captioned service, on February 15, 2010, and the following observations were made:</p> <ol style="list-style-type: none"> 1. No Bid Receipt was used; and 2. A Tender Box was not provided, to facilitate the submission of bids, prior to the close of the tender on February 15, 2010 at 2:00 p.m. <p>Please be guided by Section S. 2110 (III) of the Government of Jamaica, Handbook of Public Sector Procurement Procedures which states, <i>inter alia</i>, that: 'Bidders submitting bids prior to the submission deadline must sign the Bid Receipt Record, indicating the date and time the bid was received, the number of packages received and a tender number must be written on the outside of the bid envelope; and Bids received prior to the submission deadline must be deposited in a Tender Box.' The aforementioned should be observed for future tenders."</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document and the sole tender was recommended for the award of contract.</p> <p>The recommendation for the award of contract was approved by the FSC Board of Directors, at its meeting which was held on September 23, 2010. The contract was signed with a stated installation cost of US\$6,299.00 and a fixed service charge per month of US\$6,599.00, and was based upon an aggregate 2KW of usage for a 36 month period. Accordingly, the total value of the contract indicated represents the sum of the total monthly service and installation charge.</p> <p>The OCG found no evidence to indicate that approval was received from the Procurement Committee. It was also noted that the approval of the National Contracts Commission (NCC) was not sought for the award of the contract.</p> <p>In a Status Report, which was dated August 30, 2011, the FSC advised the OCG that the Hot Site Co-location Facility was installed on July 30, 2011. In another Status Report to the OCG, the FSC advised that "...there were no challenges encountered and/or variations from the contract and the hot-site is now operational. Also no payments have been made since August 2011."</p> <p>As at December 31, 2011, the project was ongoing.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-3651			Ministry	Ministry of Finance and Planning	
Project Name	Procurement for the Supply of Role Based Access Control for UNIX			Public Body	Fiscal Services Limited	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-08-19	2011-11-14	2011-12-07	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
US\$181,500.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on July 17, 2011. Tenders were to be submitted by August 19, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted of the sole tender, in accordance with the Evaluation Criteria which were outlined in the Tender Document. The sole Bidder was deemed responsive and was recommended for the award of contract.</p> <p>By way of an email which was dated November 8, 2011, the Procuring Entity requested guidance from the Office of the Contractor General (OCG) in relation to concerns raised by the Procurement Committee. The Committee was concerned that <i>"...the advertisement may not have conformed with the procurement procedure as it relates to Local Competitive Bidding as per Section 1, Sub-section 1.1.2 of the Procurement Policy Handbook...the committee would like to know if there was any misrepresentation of LCB procurement method in the advertisement - by the inclusion of instructions to foreign bidders..."</i></p> <p>In response to the Procuring Entity's letter of November 8, 2011, the OCG, by way of a letter which was dated December 5, 2011, stated:</p> <p><i>"...the OCG, by way of letter dated November 18, 2011, requested the opinion of the Ministry of Finance and Planning regarding the inclusion of Overseas Bidders in a Local Competitive Bidding process. In this regard, the Ministry of Finance and Planning by way of letter dated November 24, 2011...advised, that, "As stipulated in Volume Section 1.1.2., the Local Competitive Bidding process is open to all qualified and registered contractors with the National Contracts Commission (NCC). This does not however preclude foreign Bidders from submitting a bid."</i></p> <p><i>The OCG concurs with the opinion of the Ministry of Finance and Planning, that procurement undertaken using the LCB procurement methodology does not prevent the participation of foreign bidders."</i></p> <p>The Procurement Committee's endorsement and the Head of Entity's approval were subsequently obtained. The recommendation was then forwarded to the Central Information Technology Office (CITO) for review.</p> <p>As at December 31, 2011, the Entity was awaiting the CITO's response.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Procurement Process is Ongoing					

Reference No.	GCM-3311			Ministry	Ministry of Finance and Planning	
Project Name	Supply and Installation of Uninterruptible Power Supply and Related Services for Tax Administration Jamaica (TAJ)			Public Body	Fiscal Services Limited	
Contractor	Accupower Jamaica Limited			Contract Sum	J\$8,246,342.57	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-07-07	2011-11-14	2011-11-15	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
US\$86,000.00	0000-00-00	2011-12-16	0000-00-00	0	J\$7,421,708.31	\$0.00
Project Location(s)						
All Island						
Comments						
<p>The Invitation to Tender was advertised on June 12, 2011. Tenders were to be submitted by July 7, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. Accupower Jamaica Limited obtained the highest overall score, and was recommended for the award of contract in the sum of J\$7,018,163.90 (exclusive of G.C.T.).</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>Subsequently, the Procuring Entity informed the Office of the Contractor General (OCG) that <i>"The UPS for this procurement were installed on November 19, 2011 at the various sites across the Island."</i> In this regard, the OCG evidenced the Procuring Entity's stamp dated December 8, 2011 on the Contractor's Invoice, which indicated that the procured items were satisfactorily received and tested.</p> <p>The Procuring Entity also informed the OCG that <i>"The training component will be delivered during the period May 29-June 1, 2012..."</i></p> <p>As at December 31, 2011, ninety percent (90%) of the contract sum was paid to the Contractor.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-2611			Ministry	Ministry of Finance and Planning	
Project Name	Provision of Security Services and Armoured Courier Service			Public Body	Jamaica Customs Department	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-12-15	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$88,500,000.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston, St. Ann, St. Catherine and St. James						
Comments						
<p>The procurement opportunity for Security Services and Armoured Courier Services was originally advertised on October 28, 2010. Tenders were to be submitted by December 9, 2010 at 10:00 a.m.</p> <p>Upon review of the Tender Document, the Office of the Contractor General (OCG) noted numerous deficiencies. Consequently, the OCG submitted a letter which was dated December 3, 2010, to the Procuring Entity, which outlined its observations and recommended that "...an addendum be issued to all potential bidders prior to the deadline for submission." In order to complete the Addenda, the Procuring Entity extended the deadline for submission to December 16, 2010 at 10:00 a.m., followed by a Tender Opening Ceremony at 10:15 a.m.</p> <p>The Procuring Entity subsequently prepared the Addenda which were submitted to the OCG by way of emails dated December 13, 2010 and December 17, 2010. The referenced emails included an advisory of the extension of the deadline for submission to January 13, 2011 at 10:00 a.m., followed by a Tender Opening Ceremony at 10:15 a.m.</p> <p>Upon review of the revisions, the OCG noted several inadequacies. By way of a letter which was dated December 21, 2010, the OCG outlined its observations to the Procuring Entity and made recommendations for the improvement of same.</p> <p>Further revisions were carried out by the Procuring Entity and, by way of an email which was dated December 28, 2010, Addenda were issued to all prospective Bidders. The extended deadline for submission of tenders, remained unchanged.</p> <p>Five (5) tenders were received for Security Services and two (2) tenders were received for Armoured Courier Services. The tenders were opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>By way of a letter which was dated June 27, 2011, the Procuring Entity informed the OCG that:</p> <p><i>"The process was aborted due to the fact that none of the companies which submitted tenders met the minimum technical requirements. Subsequently, we sought approval from the NCC through the Ministry of Finance and the Public Service to use Limited Tender methodology, however, the NCC recommends that we utilize Local Competitive Bidding..."</i></p> <p>Invitations to Tender for Security Services and Armoured Services, were re-advertised on October 30, 2011. Tenders were to be submitted by December 15, 2011 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>The Comparable Estimate reflects the highest computed value of the estimated price range for the procurement opportunities. The price ranges are as follows:</p> <p>Security Services - J\$33,500,000.00 - J\$35,500,000.00; and Armoured Courier Services - J\$50,000,000.00 - J\$53,000,000.00</p> <p>Seven (7) tenders were received for Security Guard Services and three (3) tenders were received for Armoured Courier Services. The tenders were opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>As at December 31, 2011, the evaluation processes for the respective procurement opportunities were underway.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Evaluation of Tenders Ongoing					

Reference No.	GCM-4632			Ministry	Ministry of Finance and Planning	
Project Name	Development of a Records and Information Management Programme			Public Body	Jamaica Deposit Insurance Corporation	
Contractor	PricewaterhouseCoopers (PWC)			Contract Sum	J\$4,463,278.40	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-06-29	2011-09-23	2011-09-23	0000-00-00	0000-00-00	2011-11-07
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$4,000,000.00	2011-11-07	2012-02-03	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on May 29, 2011. Tenders were to be submitted by June 29, 2011 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender which was submitted by PricewaterhouseCoopers (PWC), in the sum of J\$4,463,278.40 (plus G.C.T., which sums up to an accumulated total of J\$5,244,352.12), was recommended for the award of contract.</p> <p>The requisite approvals were obtained. The contract was awarded and signed on November 7, 2011.</p> <p>The Procuring Entity reported that the deliverables for Phase 1 - Inception and Recommendations Report, were received by the Deposit Insurance Corporation on December 23, 2011.</p> <p>As at December 31, 2011, the contract was ongoing.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-4201			Ministry	Ministry of Finance and Planning	
Project Name	Re-designing of the JDIC Website			Public Body	Jamaica Deposit Insurance Corporation	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-10-26	2011-12-16	2011-12-19	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$750,000.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on September 21, 2011. Tenders were to be submitted by October 5, 2011. The deadline for submission of tender was extended to October 26, 2011 at 3:00 p.m., by way of an advertisement which was published on October 9, 2011.</p> <p>One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The sole tender was recommended for the award of contract.</p> <p>In a Status Report, which was dated December 28, 2011, the Jamaica Deposit Insurance Corporation advised that "...we are currently at the contract negotiating and signing stage of the procurement process."</p> <p>As at December 31, 2011, the contract was not signed.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Contract Not Yet Signed					

Reference No.	GCM-4842			Ministry	Ministry of Finance and the Public Service	
Project Name	Insurance Placement			Public Body	Caymanas Track Limited	
Contractor	Fraser Fontaine & Kong Limited			Contract Sum	J\$15,937,428.46	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-04-15	0000-00-00	2010-06-11	0000-00-00	0000-00-00	2010-06-22
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
\$0.00	2010-07-01	2013-06-30	0000-00-00	0	J\$11,213,873.70	\$0.00
Project Location(s)						
St. Catherine						
Comments						
<p>The Invitation to Tender was advertised on January 11, 2010. Tenders were to be submitted by April 15, 2010 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>Eight (8) Brokers submitted a total of nineteen (19) proposals which were opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. Seven (7) of the tenders were in accordance with the tender specification (Like-for-Like), while the remaining twelve (12) were Alternative proposals.</p> <p>An evaluation was conducted by the Actuarial firm, Eckler Consultants & Actuaries. Eckler Consultants & Actuaries recommended that Fraser Fontaine and Kong Limited be awarded the contract. The recommendation was subsequently approved by the Board of Directors.</p> <p>The contract was awarded accordingly.</p> <p>The contract amount covers the premium for the period July 2010 - July 2012 and does not include taxes. The premium for each year is as follows:</p> <ul style="list-style-type: none"> • 2010-2011 - \$6,937,483.00; and • 2011-2012 - \$8,999,945.46. <p>As at December 31, 2011, the Contractor continued to provide Insurance Coverage for Caymanas Track Limited.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-4802			Ministry	Ministry of Finance and the Public Service	
Project Name	Janitorial and Maintenance Services			Public Body	Caymanas Track Limited	
Contractor	Hi-Tech Chemicals Limited			Contract Sum	J\$9,975,315.19	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-08-28	2009-12-04	2009-12-07	0000-00-00	0000-00-00	2009-12-28
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$16,700,000.00	2010-01-11	2011-01-10	0000-00-00	1 Year(s)	J\$20,466,698.00	J\$10,491,382.78
Project Location(s)						
St. Catherine						
Comments						
<p>The Invitation to Tender was advertised on July 26, 2009. Tenders were to be submitted by August 28, 2009 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Seven (7) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. Floors Unlimited Limited, the lowest responsive Bidder, was recommended for the award of contract.</p> <p>Subsequently, at a meeting which was held on November 17, 2009, the Principal Officer of Floors Unlimited Limited advised Caymanas Track limited (CTL) of the Company's decision to decline from continuing with the tender process.</p> <p>By way of a letter which was dated November 18, 2009, the President and Chief Executive Officer of CTL advised the Managing Director of Floors Unlimited Limited that <i>"this decision has rendered your company ineligible to bid on any Caymanas Track Ltd tenders for the next five (5) years and that you have forfeited your Bid Security of Fifty Thousand Dollars (\$50,000.00) as stated in the Tender Document."</i></p> <p>Subsequently, the second lowest responsive Bidder, Hi-Tech Chemicals Limited, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>In a Status Report, which was dated August 31, 2011, CTL advised the OCG that the <i>"...existing contract with the current provider of the janitorial and maintenance service has expired since January 10, 2011 [sic]. The tendering process for a new contract period began with the invitation to tender and the opening of bids on February 4, 2011."</i></p> <p>Subsequently, in another Status Report, CTL advised the OCG that it <i>"...has decided to withdraw the original tender and to extend a new tender..."</i></p> <p>The OCG was not provided with any evidence of an extension being granted to the contract with Hi-Tech Chemicals Limited. However, Hi-Tech Chemicals Limited continued to provide Janitorial Services to CTL to facilitate the completion of a new tender process.</p> <p>As at December 31, 2011, Hi-Tech Chemicals Limited continued to provide Janitorial Services to CTL.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-4181			Ministry	Ministry of Finance and the Public Service	
Project Name	Integrated Video Surveillance and Access Control System Implementation NF2010/Q2-1			Public Body	Fiscal Services Limited	
Contractor	Sitewatch Electronic Security Limited			Contract Sum	US\$258,464.07	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-09-17	0000-00-00	2011-01-12	2011-03-02	0000-00-00	2011-05-17
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$19,500,000.00	2011-05-17	2011-08-17	0000-00-00	136 Day(s)	US\$196,316.78	\$0.00
Project Location(s)						
St. Andrew						
Comments						
<p>The Invitation to Tender was advertised on August 15, 2010. Tenders were to be submitted by September 8, 2010 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m. An Addendum was subsequently issued which extended the deadline for submission of tenders to September 17, 2010 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. Sitewatch Electronic Security Limited attained the highest overall score and was recommended for the award of contract in the sum of US\$258,464.07.</p> <p>The requisite approvals were obtained, however, the Office of the Contractor General (OCG) evidenced a Memorandum which was dated January 12, 2011, from the Head of Entity, which stated <i>"Please take the necessary steps to commence the procurement process given the urgency and the time-frame... Attached is the "Evaluation Preparation and Control Sheet" partially completed, which [sic] be re-submitted when the other member has signed."</i> As such, the Head of Entity approval date indicated in the table above reflects the initial date of the Head of Entity's approval, which was provided prior to the final signature of a Technical Sub-Committee member.</p> <p>With regard to the foregoing, the OCG noted the re-submission of the "Evaluation Preparation and Control Sheet" under cover of Memorandum dated February 8, 2011. Notably, the Procuring Entity did not have a formally established Procurement Committee, however, the Procuring Entity's Technical Sub-Committee approved the contract award recommendation by way of round robin. In this regard, the final signature which was received from the Technical Sub-Committee was dated February 7, 2011. Subsequently, the OCG was informed that the Procuring Entity was in the process of constituting a Procurement Committee.</p> <p>The contract was subsequently awarded.</p> <p>An Addendum to the contract was signed on August 4, 2011, which outlined variations to the contract in a cumulative sum of US\$37,833.41. The payment schedule was also modified to include the variation which would be paid upon receipt of fifty percent (50%) of the Goods requested. The variations were approved by the Head of Entity.</p> <p>The OCG evidenced delivery slips, which were dated from June 13, 2011 to August 18, 2011, indicating the delivery of the main components of the Video Surveillance System.</p> <p>The Procuring Entity noted that there were delays experienced with equipment shipped from overseas, which affected the installation of the Cameras and the Access Control Equipment.</p> <p>The OCG subsequently noted an internal Memorandum which was dated August 4, 2011, to the Director of Finance and Planning, which requested the payment of a ten percent (10%) mobilization fee to the Contractor, which was equivalent to US\$25,846.41. The referenced Memorandum indicated that <i>"The vendor has delivered Goods valued at US\$78,749.02. The delivery of these goods will act as guarantee for the mobilization payment ..."</i></p> <p>The OCG conducted a site visit on October 13, 2011, where it was observed that a total of seventy-seven (77) Cameras, six (6) Work Stations, and equipment for two (2) Control Rooms were installed and awaiting configuration. Also, Fingerprint Identification Units and ID Card Scanning Units were placed at all major access points.</p> <p>Subsequently, by way of a Status Report, the Procuring Entity informed the OCG that on November 24, 2011, the Contractor had provided training, equipment and installation services required to implement Time and Attendance Readers at May Pen and Constant Spring RSC. Further, the Procuring Entity informed that as at November 28, 2011, installation of the Integrated Video Surveillance and Access Control System was completed, including all variations requested.</p> <p>On December 9, 2011, the Procuring Entity conducted acceptance testing of the Integrated Video Surveillance and Access Control System and noted that <i>"The team identified that the integration was not implemented as expected and Sitewatch notified."</i> Based upon the foregoing, the planned completion date with regards to the project acceptance and closure was scheduled for February 24, 2012.</p> <p>As at December 31, 2011, the issues identified were being reviewed by the Contractor.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-5112			Ministry	Ministry of Finance and the Public Service	
Project Name	Procurement of Canteen Concessionaire			Public Body	Fiscal Services Limited	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-04-11	2011-11-14	2011-12-07	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$19,061,200.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
St. Andrew						
Comments						
<p>The Invitation to Tender was advertised on March 23, 2011. Tenders were to be submitted by April 11, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. One (1) Bidder did not attain the minimum score of fifty (50) points. The two (2) remaining Bidders exceeded the minimum required score of seventy (70) points and advanced to the 'Taste-Off' evaluation stage. The Bidder who attained the highest overall score was recommended for the award of contract.</p> <p>By way of letters to the two (2) Bidders who advanced to the 'Taste-Off' evaluation stage, which were dated October 27, 2011, the Procuring Entity requested an extension of the Bid Validity Period to November 30, 2011. The Bidders responded in the affirmative.</p> <p>The Procurement Committee and Head of Entity approvals were received and the submission was submitted to the Ministry of Finance and Planning for final approval.</p> <p>Subsequently, the OCG noted a letter from one of the Bidders, which was dated December 15, 2011, which stated that "We have received...your letter dated December 14, 2011...Please be advised that permission for an extension of Bid Validity Period until December 30, 2011 is granted...please bear in mind that, should our proposal be favourable, we will be forced to upwardly adjust the unit cost of the meals..."</p> <p>As at December 31, 2011, the approval of the Ministry of Finance and Planning was pending.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Procurement Process is Ongoing					

Reference No.	GCM-4572			Ministry	Ministry of Finance and the Public Service	
Project Name	External Auditing Services			Public Body	Jamaica Deposit Insurance Corporation	
Contractor	PricewaterhouseCoopers Jamaica			Contract Sum	J\$3,831,864.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2011-01-19	2011-03-02	2011-03-03	0000-00-00	0000-00-00	2011-03-10
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$2,744,856.00	2011-03-10	0000-00-00	0000-00-00	0	J\$1,126,731.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on December 29, 2010. Tenders were to be submitted by January 19, 2011 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The sole Bidder, PricewaterhouseCoopers Jamaica, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>The contract is for a period of three (3) years, to commence with an Audit of the financial year 2010/11 to the financial year 2012/13. Payment will be made in three (3) instalments, in accordance with the contractual agreement.</p> <p>As at October 18, 2011, PricewaterhouseCoopers completed the Audit for the period April 1, 2010 to March 31, 2011 and submitted the relevant Reports to the Jamaica Deposit Insurance Corporation (JDIC). The Report was presented to the Board of the JDIC and approved.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-3121			Ministry	Ministry of Finance and the Public Service	
Project Name	Security Services			Public Body	National Export-Import Bank of Jamaica Limited	
Contractor	Ranger Protection & Security Company Limited			Contract Sum	J\$9,289,752.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-03-11	2011-05-04	2011-05-24	2011-07-13	0000-00-00	2011-09-02
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$9,500,000.00	2011-09-02	2014-09-02	0000-00-00	0	J\$1,261,390.19	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on February 20, 2011. Tenders were to be submitted by March 11, 2011 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>Five (5) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender which was submitted by Ranger Protection & Security, in the sum of J\$10,915,459.00 inclusive of General Consumption Tax, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>The Office of the Contractor General (OCG) has noted that the contract, which was signed on September 2, 2011 between the National Export-Import Bank of Jamaica Limited and Ranger Protection & Security Company Limited, was in the amount of J\$9,289,752.00.</p> <p>As at December 31, 2011, the contract was being executed.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-5042			Ministry	Ministry of Finance and the Public Service	
Project Name	Condensing Unit - Montego Bay Revenue Services Centre			Public Body	Tax Administration Services Department	
Contractor	CAC 2000 Limited			Contract Sum	J\$5,229,289.93	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2010-10-01	2010-11-08	2010-11-10	0000-00-00	0000-00-00	2010-12-13
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
\$6,220,500.00	2010-12-16	2011-04-30	2011-08-03	0	J\$5,386,506.03	\$0.00
Project Location(s)						
St. James						
Comments						
<p>The Invitation to Tender was initially advertised on July 4, 2010. Tenders were to be submitted by July 30, 2010 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. The Tax Administration Services Department (TASD) disclosed a Comparative Estimate of J\$6,220,500.00.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. However, both Bidders had failed to adhere to the requirements which were outlined in the RFP.</p> <p>Subsequently, the TASD asserted that since <i>"It was discovered that the R22 Gas presently used in air conditioning systems was being phased out worldwide...it was thought prudent to discontinue the tender process and retender the project..."</i></p> <p>An approval was received from the Financial Secretary to utilize the Limited Tender Procurement Methodology, given the urgent situation which was facing the staff and users of the facility.</p> <p>Invitations were subsequently extended to five (5) National Contracts Commission (NCC) registered Contractors. Tenders were to be submitted by October 1, 2010 at 10:00 a.m. followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Two (2) bids were received prior to the deadline for submission. Upon completion of a detailed evaluation, the Bidder with the lowest priced proposal, CAC 2000 Limited, was recommended and approved for the award of contract.</p> <p>The Contract Document, which was dated November 29, 2010, was signed by the Procuring Entity on December 13, 2010.</p> <p>Documentation received from the TASD indicated that an approval was received from the Ministry of Finance for a variation to the contract for additional works. The variation included two (2) oil changes and relocation of the air vent.</p> <p>The project obtained practical completion on April 6, 2011, however, the Contract Document allowed for a six (6) months Defects Liability Period.</p> <p>As at December 31, 2011, the contract was executed.</p>						
Status	Contract Completed					

Reference No.	GCM-4511			Ministry	Ministry of Health	
Project Name	Supply of 20 Computer Systems			Public Body	Child Development Agency	
Contractor	Illuminat Jamaica Limited			Contract Sum	J\$1,183,442.53	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2011-05-30	2011-06-28	2011-06-28	0000-00-00	0000-00-00	2011-07-05
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$1,400,000.00	2011-07-05	2011-07-26	2011-07-21	0	J\$1,183,442.53	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on October 17, 2010. Tenders were to be submitted by October 29, 2010 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:30 p.m.</p> <p>Eleven (11) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. The Evaluation Committee reviewed the tenders and determined that the Request for Proposal was faulty. The process was subsequently aborted and the Bidders notified of same.</p> <p>Subsequently, on May 12, 2011, the Child Development Agency (CDA) was granted permission by the Chief Executive Officer to utilise the Limited Tender Procurement Methodology to procure the captioned goods. The Invitation to Tender was sent to eleven (11) companies, by way of letters which were dated May 16, 2011. Tenders were to be submitted by May 30, 2011 at 2:00 p.m., immediately followed by a scheduled Tender Opening Ceremony.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. Illuminat Jamaica Limited, the Bidder which received the highest overall score and which submitted the lowest responsive tender, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at July 21, 2011, the goods were delivered and all payments were made.</p>						
Status	Contract Completed					

Reference No.	GCM-5402			Ministry	Ministry of Health	
Project Name	Procurement of Specialized Medical Waste Collection Vehicles with Mechanical Hydraulic Tailgate Elevator (IFB:08)			Public Body	Ministry of Health	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2012-01-03	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$14,000,000.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on October 16, 2011. Tenders were to be submitted by November 16, 2012 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:10 p.m.</p> <p>The procurement opportunity was later withdrawn, by way of an advertisement which was published in the Sunday Gleaner on November 6, 2011. The Invitation to Tender was re-advertised on November 16, 2011. Tenders are to be submitted by January 3, 2012 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:05 p.m.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	Close of Tender Pending					

Reference No.	GCM-3241			Ministry	Ministry of Health	
Project Name	Supply of Ambulances with Accessories			Public Body	Ministry of Health	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2011-03-11	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
US\$1,008,000.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The procurement opportunity was initially advertised in the Gleaner on April 21, 2010. Tenders were to be submitted by May 27, 2010, however, an advertisement advising of a withdrawal was published prior to the close of tender.</p> <p>Subsequently, a request for Expressions of Interest was advertised on July 25, 2010, with a deadline for submission by August 31, 2010. The Procuring Entity reported that seven (7) Expressions of Interest were received, however, there was no evaluation of the documents submitted, and the process aborted.</p> <p>Documents which were obtained by the Office of the Contractor General (OCG), indicated that <i>the "...Ministry was advised by a team comprised of representatives from the University Hospital of the West Indies, the Jamaica Fire Brigade, National Works Agency and the Ministry of Health that proposals should be invited from original equipment manufacturers (OEM) of ambulances."</i></p> <p>The Ministry of Health, in a letter to the National Contracts Commission (NCC), which was dated November 8, 2010, sought permission from the NCC to use the Limited Tender Procurement Methodology to invite tenders from seven (7) companies. The NCC considered the matter at its meeting which was held on November 17, 2010, and granted permission for the Ministry of Health to invite tenders from the original equipment manufacturers through their dealers. The process was re-tendered in January 2011. Letters of Invitation to tender for the supply of ambulances were sent to seven (7) local companies. Tenders were to be submitted by February 28, 2011. However, the deadline was extended to March 11, 2011 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m. Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>In a Status Report to the OCG, the Ministry of Health advised that <i>"On preliminary examination, the tender process was aborted for the following reasons:</i></p> <ol style="list-style-type: none"> 1. Conflict of Interest - <i>One bidder submitted two bids which was in direct contravention of the Instruction to Bidders. (Section 4.2)... The Bid data sheet also indicated that alternative bids would not be considered. As such the two bids received from Key Motors Limited were disqualified.</i> 2. Variation between Estimate and Indicated Actual Cost - <i>the estimate for this activity was calculated as One Million and Eight Thousand United States Dollars (US\$1,008,000.00) and this was derived using previous purchase by the Ministry. The unit price quoted by Stewart's Industrial was US\$75,000.00 in comparison to US\$36,000.00 for the Ministry's estimate, it was therefore deemed difficult to justify paying more than twice the price for ambulances with fewer features.</i> <p>As at December 31, 2011, there was no change to the status of the procurement opportunity.</p>						
Status	Project Aborted					

Reference No.	GCM-3921			Ministry	Ministry of Health	
Project Name	Supply of Anti-Retroviral Drugs 2010			Public Body	Ministry of Health	
Contractor	Abbott Laboratories			Contract Sum	US\$106,195.14	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-06-03	2010-09-03	2010-10-15	0000-00-00	0000-00-00	2010-10-20
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
US\$1,043,418.84	2010-10-20	2011-04-26	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on April 11, 2010. Tenders were to be submitted by May 26, 2010 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:05 p.m. The deadline for submission was, however, extended as a result of civil unrest in the Kingston Metropolitan Area.</p> <p>The procurement opportunity is funded by a grant from the Global Fund to Fight AIDS, Tuberculosis and Malaria. Tenders were invited for the supply of fifteen (15) Anti-Retroviral Drugs under the Jamaica HIV/AIDS Prevention and Control Project.</p> <p>Twelve (12) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Subsequent to the evaluation, Abbot Laboratories was recommended for the award of contract to supply Lopinavir/Ritonavir (LPV/r) - 2mg/50mg Tablets and Lopinavir/Ritonavir Suspension (LPV/r) - 80/20 mg/ml and 160 ml.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>Subsequent to the award of contract, the drugs were delivered in four (4) batches between December 2010 and April 2011. On March 7, 2011, the original contract amount of US\$106,195.14 was changed to US\$127,462.99, as additional quantities were procured. This resulted in a variation of US\$21,267.85.</p> <p>In a Status Report, which was dated December 5, 2011, the Ministry of Health advised the Office of the Contractor General (OCG) that <i>"to date the supplier has not been paid for deliveries made under subject tender. The outstanding invoices are being reconciled for payments to be made to Supplier in short order."</i></p> <p>As at December 31, 2011, the goods were delivered in full.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Final Payment to the Contractor Pending					

Reference No.	GCM-3841			Ministry	Ministry of Health	
Project Name	Supply of Infant Formula 2011			Public Body	Ministry of Health	
Contractor	Cari-Med Limited			Contract Sum	J\$12,312,000.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-07-06	2011-09-16	2011-09-16	2011-10-26	0000-00-00	2011-11-18
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$11,511,720.00	2011-11-18	2012-02-17	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on June 5, 2011 for the supply of infant formula for HIV exposed infants. The procurement was divided into three (3) Lots. Tenders were to be submitted by July 6, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:10 p.m.</p> <p>One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. Cari-Med Limited, the sole Bidder, was recommended for the award of contract for Lots 1, 2 & 3.</p> <p>The recommendation for the award of contract was submitted to the National Contracts Commission (NCC) for its endorsement. The NCC considered the matter at its meeting which was held on October 26, 2011 and endorsed the recommendation to award the contract to Cari-Med Limited, in the sum of J\$12,312,000.00.</p> <p>The Office of the Contractor General (OCG) has noted that the first delivery of the goods was undertaken on December 21, 2011.</p> <p>As at December 31, 2011, no payment has been made.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-3801			Ministry	Ministry of Health	
Project Name	Supply of Infant Formula 2010 - Lot 2			Public Body	Ministry of Health	
Contractor	Lasco Distributors Limited			Contract Sum	J\$2,722,000.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-09-21	2010-12-15	2010-12-24	0000-00-00	0000-00-00	2011-01-18
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$10,914,750.00	2011-01-18	2011-07-19	2011-05-11	0	J\$2,772,000.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on August 22, 2010 for the supply of infant formula for HIV exposed infants. The procurement was divided into three (3) Lots. Tenders were to be submitted by September 15, 2010 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:10 p.m. The deadline for submission was subsequently extended to September 21, 2010, and the Notice of Extension published in the local print media.</p> <p>Three (3) tenders were received. One (1) tender was received for Lot 1, two (2) tenders for Lot 2 and three (3) tenders for Lot 3. The tenders were opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. Two (2) of the three (3) Bidders were recommended for the award of contracts. Lasco Distributors Limited, which met all the requirements, was the lower Bidder for Lot 2 and was, therefore, recommended for the award of contract for Lot 2. The recommendation for the award of contract was approved by both the Procurement Committee and the Head of Entity, in the amount of \$2,772,000.00. The Office of the Contractor General (OCG) evidenced that the tender which was submitted by Lasco Distributors Limited, for Lot 2, was in the sum of \$2,772,000.00. However, the Contract Document was signed in the sum of J\$2,722,000.00.</p> <p>The OCG noted that payments to Lasco Distributors Limited totalled J\$2,772,000.00, which was the amount approved. Deliveries were made in two (2) batches on January 24, 2011, and May 11, 2011, respectively, and full payment remitted.</p> <p>As at December 31, 2011, the contract was completed.</p>						
Status	Contract Completed					

Reference No.	GCM-3821			Ministry	Ministry of Health	
Project Name	Supply of Infant Formula 2010 - Lots 1 & 3			Public Body	Ministry of Health	
Contractor	Cari-Med Limited			Contract Sum	J\$7,890,750.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-09-21	2010-12-15	2010-12-24	0000-00-00	0000-00-00	2011-01-26
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$10,914,750.00	2011-01-26	2011-07-27	2011-08-22	1 Month(s)	J\$7,891,920.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on August 22, 2010, for the supply of infant formula for HIV exposed infants. The procurement was divided into three (3) Lots. Tenders were to be submitted by September 15, 2010 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:10 p.m. The deadline for submission was subsequently extended until September 21, 2010, and the Notice of Extension published in the local print media.</p> <p>Three (3) tenders were received. One (1) tender was received for Lot 1, two (2) tenders received for Lot 2 and three (3) tenders received for Lot 3. The tenders were opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. Cari-Med Limited, which met all the requirements, was the lowest Bidder for Lot 3 and the sole Bidder for Lot 1, and was, therefore, recommended for the award of contract for Lots 1 & 3. The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>Deliveries were done in 13 batches, commencing February 21, 2011, and ending August 22, 2011. The Office of the Contractor General (OCG) evidenced on the Final Summary of Contract/Final Delivery Schedule that three (3) additional tins of formula were delivered by the supplier.</p> <p>As at August 22, 2011, the contract was completed.</p>						
Status	Contract Completed					

Reference No.	GCM-4551			Ministry	Ministry of Health	
Project Name	Provision of Janitorial Services			Public Body	National Family Planning Board	
Contractor	Minott Janitorial Services Limited			Contract Sum	J\$772,188.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2011-03-04	2011-03-15	2011-03-18	0000-00-00	0000-00-00	2011-04-19
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$830,000.00	0000-00-00	2012-03-31	0000-00-00	0	J\$450,437.75	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was originally advertised on February 7, 2010. Tenders were to be submitted by March 3, 2010 at 3:00 p.m. Upon review of the Tender Document, the Office of the Contractor General (OCG) noted that the document was inadequate. By way of a letter which was dated March 1, 2010, the OCG informed the Procuring Entity of its observation and recommended that "... the tender process be halted and extension publicly advertised to facilitate the issue of an adequate Request for Proposal which should be prepared in accordance with Sub-section 2050 of the RPPH and the appropriate Annex..."</p> <p>The Procuring Entity subsequently submitted a draft of the revised Tender Document to the OCG for its review. The OCG reviewed the document and by way of an email which was dated March 8, 2010, informed the Procuring Entity that the document was still inadequate.</p> <p>By way of an advertisement which was dated March 7, 2010, the deadline for submission of tenders was extended to March 19, 2010.</p> <p>Under cover of letter dated March 9, 2010, a revised draft Tender Document was submitted to the OCG for its review.</p> <p>Subsequently, the Procuring Entity submitted a letter, which was dated March 16, 2010, to the OCG, which stated, <i>inter alia</i>, that "The date of the opening will be extended to March 29, 2010 at 3:00p.m [sic] giving persons a chance to review documents and make the necessary adjustments to their proposals."</p> <p>By way of a letter which was dated March 19, 2010, the OCG informed the Procuring Entity of the noted inadequacies in the document which was submitted. In this regard, the OCG stated that "Our letter of March 1, 2010, recommended that the RFP be prepared in accordance with Sub-section 2050 of the RPPH and the appropriate Annex, which can be found on the Ministry of Finance and the Public Service's website. The OCG, once again, reiterate its previously stated recommendation."</p>						

The Tender Opening Ceremony was convened on March 29, 2010. Seven (7) tenders were opened and recorded.

An OCG representative who was present at the Tender Opening Ceremony noted that a tender which was announced was not evidenced on the Bid Receipt Record. By way of a letter which was dated April 26, 2010, the OCG informed the Procuring Entity of its observation and advised that the Procuring Entity contravened Sub-section 2110 of the GOJ Revised Public Sector Procurement Handbook, Clause III, Procedures, which states that *"all bids received should be placed on a table and the number of bid envelopes must be consistent with the Bid Receipt Record. If there is a discrepancy, NO bids must be opened until the discrepancy is resolved and all bids received are in the room."*

The referenced letter also stated that *"...the OCG has reviewed the copy of the revised Tender Document presented... at the Tender Opening Ceremony. While it was noted that the Tender Document has been revised to reflect changes to areas such as the Evaluation and Qualification Criteria and the Instructions to Bidders/Bid Data Sheet, it was also noted that the revised tender document was not fully compliant with the provisions of Sub-section 2050 of the GOJ Revised Public Sector Procurement Handbook and the relevant Annex...It is noted, with grave concern, that the recommendations of the OCG...have not been fully adhered to. In light of the foregoing, the OCG is again reiterating its previously stated recommendations for all future tenders."*

Subsequently, the OCG noted a letter which was dated June 7, 2010, from the Ministry of Health Procurement Committee to the Head of the Procuring Entity, which stated that *"Concerns were raised regarding the non inclusion of the (i) Bid Data Sheet (ii) Schedule of Supply/Work, this was brought to your attention in the Office of the Contractor General's memorandum dated March 1, 2010. The matter of the wide disparity between the In-House Estimates and the Lowest Bidder was also a concern of the committee. The committee therefore recommend that you should re-tender."*

By way of a letter which was dated January 27, 2011, the Procuring Entity informed the OCG that the procurement opportunity was re-tendered. The referenced letter stated that *"A recommendation was made; however, the Bidder who came out on top amount exceeded the budgeted amount. This was brought to the Board of Directors' Finance and Audit Sub-Committee who advised that the existing contract be further extended until the end of the fiscal year."*

In support of the foregoing decision, the OCG noted a Memorandum which was dated September 22, 2010, from the Executive Director of the Procuring Entity which stated, *inter alia*, that *"At the meeting of the Board of Directors, on September 21, 2010, the Directors accepted the recommendation of the Finance and Audit sub-committee, that the current contractor Minott Services continue to provide the services until the end of the fiscal year 2011 March 31. The decision was taken as the budget for FY2010/2011 cannot accommodate the cost indicated by the Contractor selected at the recently held evaluation exercise."*

Regarding the tender process which was referenced in the Procuring Entity's letter of January 27, 2011, to date, the OCG was not provided with any documentation in support of same.

Subsequently, the OCG noted that a new tender process was undertaken for the procurement opportunity.

By way of letters which were dated February 17, 2011, the Procuring Entity invited four (4) companies to tender for the Janitorial Services. Tenders were to be returned by March 4, 2011 at 2:00 p.m.

Based upon the Procuring Entity's Memorandum which was dated March 15, 2011, the OCG noted that only one (1) tender was received. Documentation relating to a formal close of tender was not evidenced.

The sole tender was evaluated and recommended for the award of contract. The OCG noted that the applicable weighting for the respective evaluation criterion which was utilized to assess the tender was not included in the Tender Document, which was submitted to potential Bidders.

Further, the OCG noted that the members of the Procurement Committee who approved the contract award recommendation were also members of the Evaluation Committee. The foregoing contravenes Section 2.2.6, Vol. 1 of the Government of Jamaica Handbook of Public Sector Procurement Procedures (October 2010) which provides that *"Procurement Committee members who sit on an Evaluation Committee should not vote at the subsequent Procurement Committee meeting regarding the acceptance of the Evaluation Report."* By way of a letter which was dated November 7, 2011, the OCG informed the Procuring Entity of said contravention.

The approval of the Head of Entity was received on March 18, 2011, and the contract was awarded accordingly.

Regarding the Contract Document, the OCG noted that the contract was signed by the Chairman of the Procuring Entity on April 19, 2011, however, the contract commencement date was April 1, 2011. Further, the OCG noted the following Clause which was outlined in the contract: *"This Contract shall come into force and effect on April 1, 2011 for a period not exceeding thirty-six months specified in writing by the Client, on which date the Contractor shall commence the provision of the services. The renewal of the contract shall be on an annual basis based on performance and agreed price."*

The OCG also noted the following Clause of the contract, *"This is a fixed price contract with a value of seven hundred and seventy-two thousand, one hundred and eighty-eight dollars (\$772,188.00) for the first year."*

In light of the above-mentioned Clauses, the contract sum, contract start date and contract end date, as indicated in the table above, reflect the first year of the contract only.

As at December 31, 2011, the contract was being executed.

The OCG will continue to monitor the execution of the contract.

Status	Contract Being Executed / Implemented
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Reference No.	GCM-1121			Ministry	Ministry of Health	
Project Name	Procurement of two (2) 25 ton Air Conditioning Units for Main Warehouse at 78 Marcus Garvey Drive			Public Body	National Health Fund	
Contractor	Geddes Refrigeration Limited			Contract Sum	J\$6,211,261.50	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-08-16	2010-11-02	2011-01-26	0000-00-00	0000-00-00	2011-04-08
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$9,990,709.00	2011-04-26	2011-07-19	2011-07-06	0	J\$6,211,261.50	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on July 18, 2010. Tenders were to be submitted by August 16, 2010 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Five (5) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The tender which attained the highest overall score was recommended for the award of contract.</p> <p>Subsequently, the Office of the Contractor General (OCG) was informed that the process was delayed. Documentation which was forwarded to the OCG included a letter which was dated December 14, 2010, under the signature of the Chief Executive Officer of the Procuring Entity, regarding the upgrading of the Air Conditioning System at 78 Marcus Garvey Drive. The referenced letter stated, <i>inter alia</i>, that the "...Chairman of the National Health Fund has recommended that the captioned activity be carried out after an exercise of reviewing the cold chain management system is undertaken."</p> <p>The Procurement Committee's approval was received with respect to same on November 2, 2010. Subsequently, the contract award recommendation was forwarded to the National Health Fund's (NHF's) Board of Directors for approval. In this regard, the Minutes of the Meeting of the Board of Director's, which was dated November 2010, stated, <i>inter alia</i>, that the "...Board gave its approval on condition that the concerns expressed ... with regards to WHO specifications in relation to temperature are investigated and found to be in keeping with the specifications standards."</p> <p>In response to the Board's recommendation, a meeting was convened on December 22, 2010, between the Heads of the NHF and the Health Corporation of Jamaica Limited (HCL) to discuss the Cold Chain Management System within the Public Health Sector. The Minutes of the Meeting, which was dated December 23, 2010, stated, <i>inter alia</i>, that the "...decision was taken to pursue the acquisition of the A/C in keeping with the evaluation of the tender process, providing that the following two activities were undertaken:</p> <ol style="list-style-type: none"> 1. HCL Management will provide a report on the different areas designated for storage... 2. HCL will initiate a request through the MOH to review the cold chain management system, both at HCL and the points of delivery within the public sector." <p>In light of the delays in the approval process, the Procuring Entity requested an extension of the Tender Validity Period, by way of letters which were dated November 12, 2010. Three (3) of the four (4) companies provided an affirmative response within the time frame which was requested.</p> <p>The Head of Entity's approval was subsequently obtained and the contract was awarded accordingly.</p> <p>The OCG noted the Contractor's Invoice, which was dated July 6, 2011, was stamped by the Procuring Entity as "Job Satisfactorily Done". This indicated that the procured items were delivered and installed prior to the contract expiration date of July 19, 2011.</p> <p>The Procuring Entity's Status Report, which was dated November 14, 2011, stated that the "...Air Condition Units were installed..."</p> <p>The Procuring Entity subsequently informed the OCG that "...the units...are performing exceptional [sic] well."</p> <p>As at December 31, 2011, the contract was completed.</p>						
Status	Contract Completed					

Reference No.	GCM-1041			Ministry	Ministry of Health	
Project Name	Provision of a Business Intelligence System			Public Body	National Health Fund	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-03-18	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$15,000,000.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on February 9, 2011. Tenders were to be submitted by March 9, 2011 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:15 p.m. An Addendum was subsequently issued on February 24, 2011, which, among other things, extended the deadline for submission to March 18, 2011 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Nine (9) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon review of the Tender Document, the Office of the Contractor General (OCG) noted, <i>inter alia</i>, that information relating to the opening of the Financial Proposals (as required by Clause 1.3.1 (c), Vol. 2 of the Government of Jamaica (GOJ) Handbook of Public Sector Procurement Procedures (October 2010)) and particular provisions as stipulated by A7.3, Vol. 2 of the GOJ Handbook were omitted. By way of letter dated April 12, 2011, the OCG informed the Procuring Entity of the deficiencies and recommended that "...the NHF ensures that due care...is undertaken in the preparation of its Bidding Documents for future tenders. as errors...may have an effect on the transparency of the process."</p> <p>A preliminary examination of the tenders was undertaken and one (1) tender was deemed to be non-responsive, pursuant to the requirements of the Tender Document.</p> <p>A detailed evaluation of the Technical Proposal of the remaining tenders was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. Bidders who attained a minimum score of thirty-five (35) points advanced to the presentation stage.</p> <p>All Bidders exceeded the minimum score and were invited to make a presentation of their proposed solution. One (1) Bidder informed of their inability to make a presentation and was therefore excluded from further evaluation. The seven (7) remaining Bidders made presentations on August 11 and 12, 2011, respectively. Scores were based upon content and delivery.</p> <p>The Bidders were subsequently invited to the opening of the Financial Proposals on August 17, 2011 at 10:00 a.m. The OCG was advised that "...the two that were within the range of the budget based on the demonstrations did not meet the needs of the organization."</p> <p>In this regard, the Evaluation Report stated, <i>inter alia</i>, that the "...Evaluation Committee was not satisfied with the responses received and recommended that the process be aborted."</p> <p>The Head of Entity approved the Evaluation Committee's recommendation on September 9, 2011 and aborted the tender process.</p> <p>As at December 31, 2011, the procurement opportunity was not re-tendered.</p>						
Status	Project Aborted					

Reference No.	GCM-1061			Ministry	Ministry of Health	
Project Name	Tender for Public Information/Education Programme 2011/2014			Public Body	National Health Fund	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-02-11	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$38,700,000.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The tender process for the captioned procurement opportunity commenced in August 2009. However, the project was aborted in May 2010, as a result of discrepancies which were identified in the evaluation process.</p> <p>The procurement opportunity was subsequently re-tendered in December 2010. The Invitation to Tender was advertised on December 19, 2010. Tenders were to be submitted by January 21, 2011 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Upon review of the Tender Document, the Office of the Contractor General (OCG) noted that it did not include particular provisions in accordance with the Government of Jamaica Handbook of Public Sector Procurement Procedures, and certain clauses in the Tender Document were ambiguous. By way of a letter which was dated January 24, 2011, the OCG informed the Procuring Entity of the noted deficiencies and recommended, <i>inter alia</i>, that particular Clauses be revised where applicable and "...an addendum be issued prior to the deadline for submission."</p> <p>In response to the OCG's recommendation, an Addendum was issued on February 1, 2011.</p> <p>An extension of the deadline for submission was advertised on January 20, 2011, which indicated that Tenders were to be submitted by February 11, 2011 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. In this regard, the Evaluation Report indicated, <i>inter alia</i>, that "...the bidder did not adequately address all areas of the RFP..." Consequently, the Evaluation Committee recommended that the contract be re-tendered.</p> <p>The Procurement Committee approved the Evaluation Committee's recommendation on March 25, 2011. The Head of Entity's approval of the recommendation was received on April 18, 2011.</p> <p>As at December 31, 2011, the procurement opportunity was not re-tendered.</p>						
Status	Project Aborted					

Reference No.	GCM-1881			Ministry	Ministry of Health	
Project Name	International Courier Services			Public Body	Registrar General's Department	
Contractor	Go Global Jamaica Limited			Contract Sum	J\$13,079,195.48	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-06-22	0000-00-00	2010-12-15	2010-11-17	0000-00-00	2010-12-15
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$18,200,000.00	2010-12-15	2012-12-14	0000-00-00	0	J\$10,733,575.08	\$0.00
Project Location(s)						
St. Catherine						
Comments						
<p>The Invitation to Tender was advertised on June 9, 2010. Tenders were to be submitted by June 22, 2010 at 10:30 a.m., followed by a scheduled Tender Opening Ceremony at 11:00 a.m.</p> <p>One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The sole Bidder, Go Global Jamaica Limited, was recommended for the award of contract. The matter was reviewed by the Ministry of Health Sector Committee and submitted to the National Contracts Commission (NCC) for endorsement.</p> <p>The NCC considered the matter at its meeting, which was held on November 17, 2010, and endorsed the recommendation for the award of contract to Go Global Jamaica Limited, in the amount of J\$13,079,195.48. The approval of the Procurement Committee was not received, however, the Public Body advised the Office of the Contractor General (OCG) that "<i>It was not the practice of the committee to approve document [sic] which would have to be endorsed by the National Contract [sic] Commission.</i>"</p> <p>The contract was awarded accordingly.</p> <p>As at December 31, 2011, the project was ongoing.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-4131			Ministry	Ministry of Health	
Project Name	Janitorial Services			Public Body	Registrar General's Department	
Contractor	Manpower & Maintenance Services Limited			Contract Sum	J\$5,587,083.32	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-12-14	2011-01-12	2011-01-12	0000-00-00	0000-00-00	2011-02-01
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$6,300,000.00	2011-02-01	2013-01-31	0000-00-00	0	J\$3,666,250.93	\$0.00
Project Location(s)						
St. Catherine						
Comments						
<p>The Invitation to Tender was advertised on December 8, 2010. Tenders were to be submitted by December 14, 2010 at 10:30 a.m., followed by a scheduled Tender Opening Ceremony at 11:00 a.m.</p> <p>Seven (7) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation of the Technical Proposals was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document.</p> <p>Five (5) companies received the minimum technical evaluation score of 70 points, and advanced to the opening of the Financial Proposals. The Financial Proposals were publicly opened on January 11, 2011.</p> <p>Manpower and Maintenance Services Limited received the highest evaluated score and was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>In a Status Report to the Office of the Contractor General (OCG), the Registrar General's Department advised that "<i>...both parties have satisfied their obligations under the agreement and there have been no challenges or deviations from the contract.</i>"</p> <p>As at December 31, 2011, the project was ongoing.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-1921			Ministry	Ministry of Health	
Project Name	Provision of Security Services			Public Body	Registrar General's Department	
Contractor	Atlas Protection Services Limited			Contract Sum	J\$23,748,980.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2008-11-13	0000-00-00	2008-12-05	2009-03-04	0000-00-00	2009-04-25
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$26,000,000.00	2009-03-01	2011-02-28	2011-04-28	2 Month(s)	J\$27,970,957.26	J\$4,221,977.26
Project Location(s)						
All Island						
Comments						
<p>The Invitation to Tender was advertised in October 26, 2008. Tenders were to be submitted by November 13, 2008 at 10:30 a.m., followed by a scheduled Tender Opening Ceremony at 11:00 a.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. One (1) tender was disqualified because the submission was incomplete.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. Atlas Protection Services Limited, the Bidder with the highest evaluated score, which submitted a tender in the sum of J\$23,748,980.00, was recommended for the award of contract.</p> <p>The matter was considered and endorsed by the Ministry of Health on December 9, 2008. The matter was then reviewed and endorsed by the Ministry of Health Sector Committee on January 9, 2009, and a submission made to the National Contracts Commission (NCC) for its review. The NCC considered the matter at its meeting on March 4, 2009, and endorsed the recommendation for the award of contract to Atlas Protection Services Ltd.</p> <p>With regard to the Procurement Committee's approval, the Registrar General's Department, by way of a Status Report to the Office of the Contractor General (OCG), advised that "<i>It was not the practice of the committee to approve document [sic] which would have to be endorsed by the National Contract [sic] Commission.</i>"</p> <p>The contract, with a commencement date of March 1, 2009, was signed on April 25, 2009 for a two-year period. The contract with Atlas Protection Services Limited was extended for two (2) months to facilitate the completion of the procurement of Security Services for the new contract period.</p> <p>As at April 28, 2011, the contract was completed.</p>						
Status	Contract Completed					

Reference No.	GCM-3331			Ministry	Ministry of Health	
Project Name	Preventative Maintenance Servicing of Air-Conditioning Units at the Kingston Public and Victoria Jubilee Hospitals			Public Body	South East Regional Health Authority	
Contractor	Air Conditioning and Refrigeration Sales Limited			Contract Sum	J\$1,680,800.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-06-24	2011-09-14	2011-09-21	0000-00-00	0000-00-00	2011-09-21
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$3,000,000.00	2011-09-26	2012-09-25	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on June 12, 2011. Tenders were to be submitted by June 24, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The sole bid, which was submitted by Air Conditioning and Refrigeration Sales Limited, in the sum of J\$1,680,800.00, was recommended for the award of contract.</p> <p>The Procurement Committee granted its approval on September 14, 2011. The OCG did not evidence the Head of Entity's approval prior to the signing of the contract. The contract was signed on September 21, 2011.</p> <p>As at December 31, 2011, the first quarterly servicing was completed, however, there was no evidence of any payment being made.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-1631			Ministry	Ministry of Health	
Project Name	Cleaning and Portering Service - May Pen Hospital			Public Body	Southern Regional Health Authority	
Contractor	Jac-Den Enterprises Limited			Contract Sum	J\$102,835,181.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-10-30	2010-05-05	2010-05-21	2010-06-30	2010-10-04	2010-11-25
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$103,109,782.00	2010-12-01	2013-11-30	0000-00-00	0	J\$28,312,333.04	\$0.00
Project Location(s)						
Clarendon						
Comments						
<p>The Invitation to Tender was advertised on June 15, 2009, but was subsequently withdrawn. The tender was re-advertised on September 23, 2009. Tenders were to be submitted by October 30, 2009 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. Jac-Den Enterprises Limited, the highest scored Bidder, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>In a Status Report, which was dated December 7, 2011, the Southern Regional Health Authority (SRHA) advised that "<i>Due to the late commencement of the contract (approximately one year from bid submission), the Contractor - Jac-Den Enterprises Ltd. requested an increase in contract price. An increase of an additional J\$176,000 monthly, was granted effective October 1, 2011.</i>"</p> <p>The Office of the Contractor General (OCG) noted that the approval for the increase was communicated by way of a letter, which was dated October 6, 2011, to Jac-Den Enterprises Limited, under the signature of the Regional Director of the SRHA, with an "<i>increase of \$174,085 monthly with effect from October 2011.</i>"</p> <p>As at December 31, 2011, the project was ongoing.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-1671			Ministry	Ministry of Health	
Project Name	Cleaning and Portering Services at the Mandeville Regional Hospital			Public Body	Southern Regional Health Authority	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-03-04	2011-05-20	2011-05-27	2011-09-14	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$126,567,441.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Manchester						
Comments						
<p>The procurement opportunity was advertised on June 15, 2009, but was subsequently withdrawn and re-advertised on September 23, 2009. Tenders were to be submitted by October 30, 2009 at 12:00 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. The preferred Bidder was recommended for the award of contract.</p> <p>The recommendation for the award of contract was submitted to the National Contracts Commission (NCC). However, the NCC, at its meeting of June 30, 2010, requested details regarding the Evaluation Criteria which was used to select the recommended Contractor. The Ministry of Health complied with the request and, subsequently, the NCC, at its meeting held on December 8, 2010, recommended that the Ministry re-tender the procurement process.</p> <p>The Ministry, by way of a Report that was addressed to the Office of the Contractor General (OCG), which was dated January 6, 2011, advised that the Southern Regional Health Authority (SRHA) will undertake the re-tendering exercise in January 2011.</p> <p>The Invitation to Tender was re-advertised by the SRHA in January 2011. Tenders were to be submitted by March 4, 2011 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender was recommended for the award of contract.</p> <p>The Ministry of Health considered and endorsed the recommendation for the award of contract on August 23, 2011. The matter was then reviewed by the Ministry of Health Sector Committee, at its meeting which was held on August 26, 2011, where the Committee supported the proposal for the award of contract which was made by the SRHA. By way of a letter which was dated September 2, 2011, the Ministry of Health Sector Committee made a submission to the NCC for its endorsement.</p> <p>The NCC considered the matter at its meeting which was held on September 14, 2011, and endorsed the recommendation for the award of contract.</p> <p>As at December 31, 2011, the approval of the Cabinet was pending.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Cabinet Approval Pending					

Reference No.	GCM-1251			Ministry	Ministry of Health	
Project Name	Provision of Bulk Supplies - Printing Paper			Public Body	Southern Regional Health Authority	
Contractor	Productive Business Solutions			Contract Sum	J\$11,216,922.24	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-08-07	2010-01-13	2010-02-26	2010-04-14	0000-00-00	2010-05-21
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$11,634,671.04	0000-00-00	2012-05-16	0000-00-00	0	J\$4,916,126.00	\$0.00
Project Location(s)						
Manchester						
Comments						
<p>The Invitation to Tender was advertised on March 18, 2009. Tenders were to be submitted by April 17, 2009 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m. Three (3) Tenders were received, however, subsequent to the evaluation, none of the suppliers achieved the minimum required score. Consequently, the tender process was aborted.</p> <p>The procurement opportunity was subsequently re-tendered by way of advertisement on July 5, 2009. Tenders were to be submitted by August 7, 2009 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The sole tender, which was submitted by Productive Business Solutions, received the maximum evaluated score and was recommended for the award of a two (2) year contract in the amount of J\$11,216,922.24.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>In a Status Report, which was dated December 7, 2011, the Public Body advised that <i>"...for some months, the required amount are less than the amount stated in the contract, while for other months it might be slightly more, these deviation does not affect the annual amount to be supplied in the contract... The May Pen Hospital during the tender process underestimated their usage pattern and is now having difficulty with their monthly supplies."</i></p> <p>As at December 31, 2011, the process was ongoing.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-1401			Ministry	Ministry of Health	
Project Name	Provision of Private Security Services at the May Pen Hospital and May Pen Health Centre			Public Body	Southern Regional Health Authority	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-05-27	2011-11-30	2011-12-02	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$71,589,580.32	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Clarendon						
Comments						
<p>The Invitation to Tender was advertised on December 29, 2010. Tenders were to be submitted by January 28, 2011 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. The tenders were deemed non-responsive and the Regional Procurement Committee, at its meeting held on February 25, 2011, recommended that the process be aborted.</p> <p>Subsequently, the process was re-tendered in April 2011. Tenders were to be submitted by May 27, 2011 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender was recommended for the award of contract.</p> <p>As at December 31, 2011, the Southern Regional Health Authority was awaiting the approval of the Health Sector Committee.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Submission sent to Sector Committee for review					

Reference No.	GCM-4171			Ministry	Ministry of Health	
Project Name	Grounds Maintenance Services			Public Body	University Hospital of the West Indies	
Contractor	Milestone Environmental Limited			Contract Sum	J\$10,081,749.36	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-05-18	2011-07-06	2011-07-27	2011-09-14	0000-00-00	2011-10-07
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$10,000,000.00	2011-10-10	2013-10-09	0000-00-00	0	J\$291,039.49	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on April 19, 2011. Tenders were to be submitted by May 18, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lower responsive tender, which was submitted by Milestone Environmental Limited, in the sum of J\$10,081,749.36, was recommended for the award of contract.</p> <p>The Ministry of Health Procurement Committee endorsed the recommendation for the award of contract to Milestone Environmental Limited on July 6, 2011. Subsequently, the National Contracts Commission considered the matter, at its meeting which was held on September 14, 2011, and endorsed the recommendation for the award of contract.</p> <p>The contract was awarded accordingly.</p> <p>As at December 31, 2011, the project was ongoing.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-4141			Ministry	Ministry of Health	
Project Name	Laundry Services			Public Body	University Hospital of the West Indies	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-03-31	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$120,000,000.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on March 7, 2011. Tenders were to be submitted by March 31, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. A copy of the Minutes of the Meeting of the Evaluation Committee which was dated May 10, 2011, revealed that "...although the company was compliant in all the areas, the cost the company proposed was Seventy-five Million Dollars (\$75,000,000.00) more than the in-house estimate of the One Hundred and Twenty Million Dollars (\$120,000,000.00) for the three year period. It was suggested by the Committee that based on the available funds for the contract, a letter should be written to the National Contracts Commission explaining the situation of the budgetary constraints and seek permission to negotiate the terms of the contract with the contractor. It was also suggested that the company be approached in terms of the budgetary constraints of the UHWI."</p> <p>Subsequently, the University Hospital of the West Indies (UHWI) by way of a letter to the National Contracts Commission (NCC), which was dated May 26, 2011, requested permission to negotiate the contract sum due to budgetary constraints. The NCC considered the matter at its meeting which was held on June 18, 2011, and offered its no objection to the request made by the UHWI to negotiate with the Bidder to reduce the disparity between the Comparable Estimate and the Bid Price.</p> <p>As at December 31, 2011, the OCG was advised that the UHWI was conducting a review of the proposal which was submitted by the sole Bidder with a view to negotiate further.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Evaluation of Tenders Ongoing					

Reference No.	GCM-3291			Ministry	Ministry of Health	
Project Name	Supply of Glucometer Strips and Blood Glucose Monitor			Public Body	Western Regional Health Authority	
Contractor	Jamaica Hospital Supplies Limited			Contract Sum	J\$6,905,453.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-11-09	2011-02-02	0000-00-00	0000-00-00	0000-00-00	2011-02-15
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$25,500,000.00	2011-02-15	0000-00-00	0000-00-00	0	J\$3,485,950.00	\$0.00
Project Location(s)						
St. James						
Comments						
<p>The Invitation to Tender was advertised on October 15, 2010. Tenders were to be submitted by November 9, 2010 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, in the sum of J\$6,905,453.00, which was submitted by Jamaica Hospitals Supplies Limited, was recommended for the award of contract to supply the Western Regional Health Authority (WRHA) with Glucometer strips for twelve (12) months.</p> <p>The Supplier offered to deliver the glucose test strips in four (4) tranches. The first tranche, for the first quarter, was to be delivered by three (3) weeks following the date of effectiveness of the contract. The second, third and fourth tranches, which represented the second, third and fourth quarter shipments, were to be delivered 2-3 days preceding the corresponding quarter.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>The WRHA indicated that the Procurement Committee had approved the item "...during the transition period between Regional Directors". This explained the lack of Head of Entity approval.</p> <p>As at December 31, 2011, the procured goods were delivered.</p>						
Status	Final Payment to the Contractor Pending					

Reference No.	GCM-3261			Ministry	Ministry of Health	
Project Name	Supply of Haematology Reagents & Analyzers			Public Body	Western Regional Health Authority	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-08-18	2011-08-30	2011-12-19	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$42,752,430.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
St. James						
Comments						
<p>The Invitation to Tender was advertised on June 6, 2011. Tenders were to be submitted by June 28, 2011 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The tenders which were submitted were found to be non-responsive as they "...did not provide Bid Securities in the format required by the GOJ Standard Bidding Documents..."</p> <p>The procurement opportunity was re-tendered on July 27, 2011. Tenders were to be submitted by August 18, 2011 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender was recommended for the award of contract.</p> <p>As at December 31, 2011, the requisite endorsement from the National Contracts Commission was pending.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	National Contracts Commission (NCC) Endorsement Pending					

Reference No.	GCM-561			Ministry	Ministry of Housing, Environment, Water and Local Government	
Project Name	Commissioned Land Surveyor- Boundary & Topographic Survey, Retirement, St. James			Public Body	Housing Agency of Jamaica	
Contractor	Lofter's & Associates Limited			Contract Sum	J\$4,051,312.50	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-07-12	2010-08-03	2010-08-16	0000-00-00	0000-00-00	2010-08-26
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$4,681,800.00	2010-09-06	2011-01-06	2011-06-03	0	J\$4,568,680.63	J\$517,368.13
Project Location(s)						
St. James						
Comments						
<p>The Invitation to Tender was advertised on June 27, 2010. Tenders were to be submitted by July 12, 2010 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, in the sum of J\$4,051,312.50, which was submitted by Lofter's & Associates Limited, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>There was a variation to the contract, in the amount of J\$364,618.13, which was approved by the Procurement Committee and by the Managing Director on October 8, 2010. Information received from the Housing Agency of Jamaica indicated that the Contractor was requested to survey an additional 14 acres of land due to expansion at the subject property.</p> <p>The Topographic Map was received and accepted and the Boundary Plan was submitted to the National Land Agency in November 2010, and was approved on May 16, 2011.</p> <p>An additional variation, in the amount of J\$152,750.00, was approved by the Managing Director on March 22, 2011. This second variation was a result of the need for a Commissioned Land Surveyor to prepare sub-division layout designs to facilitate the submission of an Environmental Permit to the National Environment and Planning Agency.</p> <p>As at June 3, 2011, the project was completed and the requisite payments were made.</p>						
Status	Contract Completed					

Reference No.	GCM-4221			Ministry	Ministry of Housing, Environment, Water and Local Government	
Project Name	Information Technology Management Consultant			Public Body	Housing Agency of Jamaica	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-09-23	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
\$0.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Request for Proposal was advertised on September 4, 2011. Tenders were to be submitted by September 23, 2011 at 3:00 p.m., followed by a scheduled tender opening Ceremony at 3:15 p.m.</p> <p>Three (3) tenders were received, opened, and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>The Technical Proposals were evaluated in accordance with the Evaluation Criteria which were outlined in the Tender Document.</p> <p>The Housing Agency of Jamaica Limited, under the cover of letter which was dated September 16, 2011, advised the Office of the Contractor General (OCG) that "...a Comparable Estimate, in respect of said tender, has not been prepared due to our lack of competence in this area."</p> <p>Subsequent to the evaluation, the three (3) Bidders received the minimum required score of 75 points and advanced to the opening of the Financial Proposals.</p> <p>The Financial Proposals for the three (3) Bidders were opened on September 27, 2011. The Bidder with the highest overall score was recommended for the award of the contract.</p> <p>In a Status Report, which was dated December 21, 2011, the HAJ informed the OCG that "...the captioned tender was annulled as the financial proposal of the bidder with the highest score (combined technical and financial) was prohibitive, hence no contract had been awarded."</p> <p>As at December 21, 2011, the project was aborted.</p>						
Status	Project Aborted					

Reference No.	GCM-3001			Ministry	Ministry of Housing, Environment, Water and Local Government	
Project Name	Commissioned Land Surveyor: Boundary & Topographic Surveys - Shooters, St. Ann			Public Body	Housing Agency of Jamaica Limited	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-07-26	2011-08-09	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$9,054,823.04	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
St. Ann						
Comments						
<p>The Invitation to Tender was advertised on October 6, 2010. Tenders were to be submitted by October 26, 2010 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender was recommended for the award of contract. This recommendation was not approved and the decision was made to re-tender the procurement opportunity.</p> <p>The Procurement opportunity was re-advertised on July 10, 2011. Tenders were to be submitted by July 26, 2011 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:15 p.m. Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. Upon evaluation, the lowest responsive tender, in the sum of J\$4,246,950.00, was recommended for the award of contract.</p> <p>The Housing Agency of Jamaica Limited's Procurement Committee approved the recommendation on August 9, 2011 and, subsequently, the recommendation was sent to the Managing Director for approval. The Managing Director did not approve the recommendation as <i>"...the project lands which are being made available by the Urban Development Corporation for housing development presents particular environmental concerns."</i></p> <p>As at December 31, 2011, the project is on hold, pending comments from the relevant agencies, in support of the project.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Project On Hold					

Reference No.	GCM-2881			Ministry	Ministry of Housing, Environment, Water and Local Government	
Project Name	Special Security Services			Public Body	Housing Agency of Jamaica Limited	
Contractor	Quest Security Services Limited			Contract Sum	J\$3,970,031.25	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-09-13	2010-10-01	2010-10-01	0000-00-00	0000-00-00	2010-12-13
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$4,800,000.00	2010-12-13	2013-12-12	0000-00-00	0	J\$1,546,897.76	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>A request for Expressions of Interest was advertised on March 3, 2010. The Expressions of Interest were to be submitted by March 23, 2010 at 3:00 p.m., followed by a public opening at 3:15 p.m. The deadline for submission was subsequently extended to March 26, 2010, by way of an Addendum.</p> <p>Four (4) companies expressed an interest.</p> <p>One (1) company was deemed ineligible as evidence of a Firearm Licence was not presented. The remaining three (3) companies proceeded to the evaluation stage. The Questionnaire which was submitted by one (1) Bidder was incomplete and, as such, was not evaluated. The remaining Expressions of Interest were evaluated and both achieved more than the minimum required score of 65 points and were recommended to be invited to tender.</p> <p>Subsequent to a review of the Evaluation Report, by the Office of the Contractor General (OCG), it was noted that the submission which was made by Guardsman Limited did not fully comply with the provisions of the Expressions of Interest. Consequently, the OCG, by way of a letter which was dated July 22, 2010, informed the Housing Agency of Jamaica Limited (HAJL), that "...the Questionnaire submitted by Guardsman Limited did not fully comply with the provisions of the Expression of Interest. Consequently, Guardsman Limited must be deemed ineligible and should not be invited to bid." The OCG had noted that evidence of a valid Firearm Licence was not provided, but rather a letter from a Justice of the Peace.</p> <p>By way of a letter which was dated July 28, 2010, the HAJL advised the OCG that "your observations have been noted. The necessary adjustments will be made to our records and Guardsman Limited advised of their ineligibility in writing."</p> <p>Quest Security Services Limited was invited to tender, by way of a letter which was dated September 2, 2010. The tender was to be submitted by September 13, 2010, followed by a Tender Opening Ceremony.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. During the evaluation an arithmetic error was detected with the General Consumption Tax and Quest Security Services Limited was informed of same. By way of a letter, which was dated September 16, 2010, Quest Security Services Limited offered its willingness to stand by the corrected sum per annum.</p> <p>The requisite approvals were obtained and the contract was signed on December 13, 2011.</p> <p>By way of a Status Report, the OCG was informed that a change in the opening hours of the HAJL Banking Hall resulted in an additional work time of 1 hour and 15 minutes per day for the Security Guards. This resulted in an additional cost of J\$194,609.38 per annum. To incorporate this additional cost, an 'Addendum Contract', which was dated February 7, 2011, was signed between HAJL and Quest Security Services Limited. The revised contract sum is J\$4,553,859.39.</p> <p>In a Status Report to the OCG, the HAJL advised that "...the services are being performed satisfactorily according to the contract."</p> <p>As at December 31, 2011, the project was ongoing.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-4852			Ministry	Ministry of Housing, Environment, Water and Local Government	
Project Name	Installation of Solar and Wind Energy System			Public Body	Manchester Parish Council	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-09-16	2011-09-30	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$4,897,682.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Manchester						
Comments						
<p>The Invitation to Tender was advertised on July 17, 2011. Tenders were to be submitted by August 26, 2011 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>In a Status Report, which was dated October 5, 2011, the Manchester Parish Council advised the Office of the Contractor General (OCG) that the "...bid deadline date was extended due to additional information requested by bidders. The proposals were subsequently received on the 16th of September 2011."</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. One (1) tender was rejected as the Bidder failed to include the specifications and quantity of items to be used, and did not include a warranty of protection. The lowest responsive tender was recommended for the award of contract.</p> <p>The Procurement Committee, at its meeting which was held on September 30, 2011, agreed that the tender be awarded as recommended. The recommendation was subsequently considered and approved at a meeting of the Finance and Planning Committee, which was held on October 4, 2011.</p> <p>As at December 31, 2011, the contract was not signed.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Contract Not Yet Signed					

Reference No.	GCM-4481			Ministry	Ministry of Housing, Environment, Water and Local Government	
Project Name	Land Survey - Galleon Beach			Public Body	Ministry of Housing, Environment, Water & Local Government	
Contractor	Gilpin McFarlane and Associates			Contract Sum	J\$1,708,000.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2011-09-08	2011-10-14	2011-11-04	0000-00-00	0000-00-00	2011-11-08
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$3,360,000.00	2011-11-08	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
St. Elizabeth						
Comments						
<p>The Invitation to Tender was sent via email to licensed Land Surveyors which was dated August 29, 2011. Tenders were to be submitted by September 8, 2011 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:05 p.m.</p> <p>Eight (8) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender which was submitted by Gilpin McFarlane & Associates, in the sum of J\$1,708,000.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly. The Contract Document states that <i>"the Agreement shall last until the Director of Surveys approves the plan submitted by the Surveyor..."</i></p> <p>In a Status Report, which was dated December 15, 2011, the Ministry of Housing, Environment, Water and Local Government advised that <i>"...pegging of the lots to facilitate issuing of letters of allotments began on November 21, 2011 and is in progress. The sub-division proposal will be prepared when the pegging is completed. No payments have been made to date."</i></p> <p>As at December 31, 2011, the contract was being executed.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-4291			Ministry	Ministry of Housing, Environment, Water and Local Government	
Project Name	Engineering Consultant - Assessment for Rehabilitation of the Post and Panel Factory in Llandilo, Westmoreland			Public Body	Ministry of Housing, Environment, Water and Local Government	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-02-28	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$1,200,000.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Westmoreland						
Comments						
<p>The Invitation to Tender was advertised on February 6, 2011. Tenders were to be submitted by February 28, 2011 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document.</p> <p>The sole Bidder received more than the required evaluated score of 30 points, however, there were concerns which were raised by the Evaluation Committee with regard to the 'Methodology and Work Plan' which was proposed by the sole Bidder. The Committee considered "...this part of the proposal weak as it did not adequately address the scope of objectives clearly outlined in the Ministry's RFP document..." The procurement process was subsequently aborted. The Bidder was informed of this decision by way of a letter which was dated June 10, 2011.</p> <p>As at June 10, 2011, procurement opportunity was aborted.</p>						
Status	Project Aborted					

Reference No.	GCM-871			Ministry	Ministry of Housing, Environment, Water and Local Government	
Project Name	Procurement of Three (3) Vehicles			Public Body	National Land Agency	
Contractor	Toyota Jamaica Limited			Contract Sum	J\$2,612,328.22	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-06-15	2011-07-28	2011-08-05	0000-00-00	0000-00-00	2011-11-15
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$8,335,489.88	2011-11-15	2011-12-01	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on May 22, 2011. Tenders were to be submitted by June 15, 2011 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, in the sum of J\$7,836,984.66, which was submitted by Toyota Jamaica Limited, was recommended for the award of contract.</p> <p>The National Land Agency (NLA) informed the Office of the Contractor General (OCG) that "<i>subsequent to the approval of the Head of the Procuring Entity, the National Land Agency (NLA) was informed that, "the funds originally identified for the Revaluation project...were not available...Consequently, the NLA proceeded with the procurement of one (1) motor vehicle at the same unit rate previously quoted ..."</i></p> <p>The requisite approvals were obtained and the contract was awarded accordingly to Toyota Jamaica Limited for one (1) Hilux Double-Cab Pick-up, at a cost of J\$2,612,328.22.</p> <p>As at December 31, 2011, the NLA was awaiting delivery of the Pick-up.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Procuring Entity Awaiting Delivery of the Procured Items					

Reference No.	GCM-2371			Ministry	Ministry of Housing, Environment, Water and Local Government	
Project Name	Provision of Janitorial Services at Surveys & Mapping Division and Land Titles Division			Public Body	National Land Agency	
Contractor	Hi-Tech Chemicals Limited			Contract Sum	J\$9,581,524.89	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-08-12	2011-09-23	2011-09-26	0000-00-00	0000-00-00	2011-10-29
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$14,575,834.40	2011-10-29	2013-10-28	0000-00-00	0	J\$399,230.20	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on July 17, 2011. Tenders were to be submitted by August 12, 2011 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>Five (5) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, in the sum of J\$9,581,524.89, which was submitted by Hi-Tech Chemicals Limited, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the services had commenced.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-5092			Ministry	Ministry of Housing, Environment, Water and Local Government	
Project Name	Provision of Security Guard Services			Public Body	National Solid Waste Management Authority	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-11-01	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$37,374,898.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
All Island						
Comments						
<p>The Invitation to Tender was advertised on October 3, 2010. Tenders were to be submitted by November 1, 2010 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:30 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>The Office of the Contractor General (OCG) noted a letter from the Procuring Entity to all Bidders, which was dated February 21, 2011, requesting an extension to the Bid Validity Period for an additional ninety (90) days (March 1, 2011 to May 31, 2011). The OCG did not evidence a response from the Bidders.</p> <p>By way of a letter which was dated June 20, 2011, the Procuring Entity informed the OCG that:</p> <p style="padding-left: 40px;"><i>"The evaluation of responsive tenders began on November 10, 2010 by an evaluation committee comprised of five members...</i></p> <p style="padding-left: 40px;"><i>The preliminary evaluation of the technical proposals was completed followed by the opening of the Financial Proposals in the presence of witnesses... The due diligence and investigative process is being carried out and the final technical evaluation and recommendation are outstanding.</i></p> <p style="padding-left: 40px;"><i>It should be noted that the finalization of this process has been delayed by the departure of the Director of Enforcement and compliance (NSWMA)...</i></p> <p style="padding-left: 40px;"><i>The Authority's attempts to complete this process has been further hampered by several factors including the going on leave of the member of the evaluation committee...and the involvement of NSWMA officers (members of the evaluation committee) in critical projects..."</i></p> <p>Subsequently, by way of a letter which was dated December 5, 2011, the OCG requested that the Procuring Entity provide a status update and supporting documentation for the project.</p> <p>In response, the Procuring Entity advised the OCG, by way of a letter which was dated December 9, 2011, that "...on Sunday, 04th December 2011, sections of the National Solid Waste Management Authority's offices at 61 Half Way Tree Road was damaged by fire. An initial assessment indicates major damage on two (2) floors and also varying degrees of smoke and water damage on all other floors. This fire has seriously affected our ability to properly and accurately respond to the requests for information..."</p> <p>As at December 31, 2011, documentation regarding the project was not forthcoming from the Procuring Entity, nor did the Entity provide a rationale for the further delay in the completion of the process subsequent to its letter of June 2011.</p> <p>The OCG did not evidence any documentation regarding a request for an extension of the Bid Validity Period subsequent to May 31, 2011, or any correspondence submitted to Bidders regarding the status of the tender process.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Procurement Process is Ongoing					

Reference No.	GCM-1891			Ministry	Ministry of Housing, Environment, Water and Local Government	
Project Name	Framework Contracts for the Repair and Servicing of Electric Motors			Public Body	National Water Commission	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-12-15	2011-11-16	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
\$0.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Clarendon, Kingston, Portland, St. Andrew, St. Catherine, St. Mary and St. Thomas						
Comments						
<p>The Invitation to Tender for eight (8) categories of Electric Motor Power Ratings was advertised on August 1, 2010. Tenders were to be submitted by September 1, 2010 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>Subsequently, by way of a letter which was dated June 1, 2011, the Procuring Entity informed the Office of the Contractor General (OCG) that <i>"The date slated for the return of tenders was further extended to Wednesday, December 15, 2010 due to the non-return of bids on the original date of Wednesday, September 1, 2010, specified for their return. An amended invitation to Tender...was published...on Wednesday, November 30, 2010."</i></p> <p>Based upon the referenced Tender Notice of November 30, 2010, tenders were to be submitted by December 15, 2010 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. Both Bidders attained high scores for various categories of Works and, as such, each Bidder was recommended for the award of contract for the category in which they achieved the highest score.</p> <p>The OCG noted that the Procuring Entity issued letters, which were dated May 2, 2011, to the respective Bidders requesting an extension of the Bid Validity Period. Both Bidders responded in the affirmative.</p> <p>The Procurement Committee's approval of the contract award recommendation was obtained on November 16, 2011.</p> <p>As at December 31, 2011, the Head of Entity's approval was pending.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Head of Entity Approval Pending					

Reference No.	GCM-1841			Ministry	Ministry of Housing, Environment, Water and Local Government	
Project Name	Payroll System and Associated Installation Services			Public Body	National Water Commission	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-03-31	2010-10-19	2010-10-29	2011-08-03	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
US\$40,000.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on February 15, 2010. Tenders were to be submitted by March 31, 2010 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Subsequent to the evaluation, one (1) tender met the National Water Commission's (NWC's) technical requirements and qualified for the second stage of the evaluation. The tender, which was submitted by Management Control Systems, met the requirements of the second evaluation and was recommended for the award of contract, in the amount of US\$186,191.19.</p> <p>The Inter-American Development Bank, the financiers of this procurement opportunity, by way of a letter which was dated August 26, 2010, granted its non-objection to continuing the procurement process even though the proposed contract value, which was submitted by the recommended Bidder, was several times higher than the Comparable Estimate. The NWC noted that the Comparable Estimate was erroneously compiled.</p> <p>A submission was made to the National Contracts Commission (NCC) in November 2010, for its endorsement. The NCC, having considered the matter at its meeting held on December 22, 2010, requested that an explanation be submitted regarding the significant disparity between the contract sum and the Comparable Estimate. The Ministry complied with the request by supplying the requisite information, under cover of letter which was dated March 8, 2011, advising that the "...estimate which was prepared by the NWC did not adequately reflect the market price for the required system."</p> <p>The Procurement opportunity was re-considered at the NCC meeting, which was held on March 16, 2011. The NCC recommended that discussions be held between the NWC and the Ministry of Finance, to ascertain how the NWC could benefit, under the terms and conditions of the existing contract, between the Ministry of Finance and Management Control Systems Limited.</p> <p>The matter was considered by the NCC a third time, at its meeting of August 3, 2011, when a letter from the NWC, which was dated July 18, 2011, and a letter from the Financial Secretary, which was dated May 11, 2011, were tabled. The Ministry of Finance, in its letter, asserted its recommendation that "...if NWC desires to procure the BIZPAY payroll package...it contracts MCS Limited on its own terms and conditions ensuring that the GOJ procurement guidelines are adhered to." Upon review of the matter, the NCC endorsed the recommendation of the award of contract to Management Control Systems.</p> <p>In a Status Report to the OCG, the NWC advised that the contract was being finalised by the NWC's Legal Department.</p> <p>As at December 31, 2011, the contract was being prepared.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Contract Not Yet Signed					

Reference No.	GCM-901			Ministry	Ministry of Housing, Environment, Water and Local Government	
Project Name	Procurement of Financial Information System and Associated Implementation and Support Services			Public Body	National Water Commission	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Open Tender	2010-09-28	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
US\$500,000.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on June 6, 2010. Tenders were to be submitted by July 21, 2010 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m. The Procuring Entity subsequently issued an Addendum to the Tender Document on July 9, 2010, in which the close of tender was extended to August 13, 2010 at 10:00 a.m.</p> <p>Upon review of the Tender Document, the Office of the Contractor General (OCG) noted certain deficiencies in the Evaluation Criteria and submitted recommendations for the revision of same.</p> <p>Consequently, the Procuring Entity issued two (2) consecutive Addenda to the Tender Document on August 12, 2010 and September 14, 2010, respectively. In light of the foregoing, the deadline for submission was extended on two (2) occasions, first to September 2, 2010 at 10:00 a.m. and then to September 28, 2010 at 10:00 a.m. The Tender Opening Ceremony followed the close of tender on September 28, 2010 at 10:15 a.m.</p> <p>Six (6) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Subsequent to the Tender Opening Ceremony, concerns were raised by two (2) Bidders, as follows:</p> <ul style="list-style-type: none"> An expired Tax Compliance Certificate (TCC) was submitted by one (1) Bidder. By way of an email to the OCG, the Bidder indicated that "...we had previously prepared the documentation for submission on September 2, 2010. At which time the TCC...would expire on September 15, 2010. However, with the change in date for bid submission to the September 28th, 2010 our newly issued TCC should have been included in the document." The second Bidder had not submitted the requisite Bid Security with the tender, as prescribed by the Tender Document. By way of an email to the OCG, the Bidder indicated that "...we want to apologise...for our absence from the bid opening... Our absence was due to factors related to the inclement weather. This failure also affected our ability to present the bid security for our bid..." <p>In the foregoing regard, the OCG, by way of a letter which was dated October 12, 2010, advised the Procuring Entity, <i>inter alia</i>, that "...the determination of responsiveness resides with the Evaluation Committee... Accordingly, this determination must be made in accordance with Sub-Section S-2120 of the Government of Jamaica Handbook of Public Sector Procurement Procedures (November 2008)..."</p> <p>Upon a preliminary examination, one (1) bid was deemed ineligible in light of the absence of the requisite Bid Security. Technical Proposals of the five (5) remaining tenders (inclusive of the Bidder that had submitted an expired TCC) were subsequently evaluated in accordance with the Evaluation Criteria which were outlined in the Tender Document.</p> <p>Subsequent to the evaluation, three (3) Bidders attained scores which exceeded the minimum required score of eighty-five percent (85%) and were shortlisted for further evaluation.</p> <p>The three (3) shortlisted Bidders were invited to demonstrate their proposed systems. The Procuring Entity informed that during the demonstrations one (1) of the Bidder's system did not have a required component and was therefore considered non-responsive.</p> <p>The Financial Proposals of the two (2) remaining Bidders were subsequently opened. By way of a Memorandum which was dated June 14, 2011, the Evaluation Committee informed the Vice-President for Finance and Risk Management, <i>inter alia</i>, that "...the two remaining bids were significantly greater than the proposed budget... In light of the foregoing, the Committee recommends that NWC:</p> <ol style="list-style-type: none"> invokes Section A8.15 "Rejection of All Bids" of Appendix B of the current GOJ Public Sector Procurement Guidelines...2. revises budget...to reflect current market rates; 3. invites new tenders." <p>The OCG has not evidenced the review by the Procurement Committee of the Evaluation Committee's recommendation for the award of contract. However, the OCG noted an advisory which was submitted to the Head of Entity by the Vice-President for Finance and Risk Management, which outlined the Evaluation Committee's recommendation for the rejection of all tenders.</p> <p>By way of a letter which was dated June 30, 2011, the Procuring Entity informed the shortlisted Bidders, <i>inter alia</i>, that the "...NWC has taken a decision to abort the tender process..."</p> <p>As at December 31, 2011, the procurement opportunity was not re-tendered.</p>						
Status	Project Aborted					

Reference No.	GCM-1751			Ministry	Ministry of Housing, Environment, Water and Local Government	
Project Name	Procurement of Internet Protocol Business Communication Manager and Associated Licenses, Installation and Support Services			Public Body	National Water Commission	
Contractor	Cable & Wireless Jamaica Limited (LIME)			Contract Sum	US\$108,424.20	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-04-14	2010-06-02	2010-06-10	0000-00-00	0000-00-00	2010-11-04
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
US\$95,000.00	2010-11-30	0000-00-00	0000-00-00	0	US\$96,048.48	\$0.00
Project Location(s)						
Kingston, St. Catherine, St. Mary and Westmoreland						
Comments						
<p>The Invitation to Tender was advertised on February 26 & March 1, 2010. Tenders were to be submitted by April 14, 2010 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. A recommendation was made to award the contract to Cable & Wireless Jamaica Limited (LIME), for a period of five (5) years, in the sum of US\$108,424.20 (plus G.C.T.).</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>The Office of the Contractor General (OCG) noted that a Service Order and Purchase Order were submitted, in the sum of US\$127,398.40. In a Status Report, which was dated March 4, 2011, the National Water Commission (NWC) advised the OCG that the <i>"...Orders are in excess of the Contract because the Contract Sum excludes GCT while the Orders include GCT. The Bank providing the funding will not cover local taxes."</i></p> <p>The procurement opportunity is funded by the Inter-American Development Bank (IDB) - Kingston Water & Sanitation Project.</p> <p>The scheduled completion date for installation and delivery of the procured items was April 22, 2011. However, this was not completed until July 29, 2011. Subsequently, the Contractor continued to provide service support.</p> <p>Expenditure indicated reflects payments of US\$81,743.38 by the IDB, and the amount for the G.C.T., which was paid by the NWC, totalled J\$1,227,479.94.</p> <p>As at December 31, 2011, the project was ongoing.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-1931			Ministry	Ministry of Housing, Environment, Water and Local Government	
Project Name	Supply of 2 '23 -Ton' & 2 '3 -Ton' Crane Trucks			Public Body	National Water Commission	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-08-13	2010-02-10	2010-04-01	2010-04-28	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
US\$680,000.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on June 29, 2009. Tenders were to be submitted by July 30, 2009 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m. An Addendum was subsequently issued which, among other things, extended the deadline for submission to August 13, 2009 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Four (4) Bidders submitted tenders for the two (2) twenty-three (23) ton Crane Trucks. Two (2) of the aforementioned Bidders also submitted tenders for the two (2) three (3) ton Crane Trucks.</p> <p>The tenders were opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>The Comparable Estimate represents the computed estimates for the two (2) twenty-three (23) ton Crane Trucks (US\$180,000.00) and the two (2) three (3) ton Crane Trucks (US\$500,000.00).</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The Bidders who attained the highest overall scores for the respective truck types were recommended for the award of contracts.</p> <p>The requisite Head of Entity approval and the National Contracts Commission (NCC) endorsement were obtained for the contract award recommendations. However, by way of a letter which was dated February 15, 2011, the Procuring Entity informed the Office of the Contractor General (OCG), <i>inter alia</i>, that the Crane Trucks were not "...approved in the 2010/2011 Budget. Resubmitted in 2011/2012 Budget [sic]...23-ton Crane (2) - To be submitted to Cabinet pending approval of 2011/2012 Budget."</p> <p>As a result of the time which had elapsed, the Procuring Entity submitted a letter, which was dated September 12, 2011, to the recommended Contractor for the two (2) twenty-three (23) ton Crane Trucks requesting an extension of the Validity Period to November 30, 2011. In response to the foregoing request, the recommended Contractor informed the Procuring Entity that they were unable to extend the Validity Period.</p> <p>Despite receipt of the requisite approvals for the contract award recommendation for the two (2) three (3) ton Crane Trucks, the OCG noted that the contract award was delayed. This was as a result of the sale of the recommended Contractor and its assets to another company, and the ramifications of this sale on the contract award process. In this regard, the OCG noted a letter from the National Water Commission (NWC) to the Office of the Solicitor-General, which was dated September 28, 2011, requesting guidance regarding the aforementioned concern.</p> <p>In a Status Report which was dated November 17, 2011, the Procuring Entity informed the OCG that the "...trucks are now budgeted for however...the recommended supplier of the (2) 23 ton crane truck could not extend the price validity therefore the trucks will be re-tendered...the (2) 3 Ton Crane Trucks however...is on hold awaiting the advice of the Solicitor General." As at December 31, 2011, a response had not been received from the Office of the Solicitor-General regarding the two (2) three (3) ton Crane Trucks. The procurement of the two (2) twenty-three (23) ton Crane Trucks was not re-tendered.</p>						
Status	Project On Hold					

Reference No.	GCM-1161			Ministry	Ministry of Housing, Environment, Water and Local Government	
Project Name	Supply of Aluminium Sulphate			Public Body	National Water Commission	
Contractor	Industrial Chemical Company Limited			Contract Sum	J\$44,181,504.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-12-16	2010-04-20	2010-05-05	2010-06-02	2010-08-09	2010-12-01
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$45,000,000.00	2010-12-01	2011-12-01	2011-12-01	0	J\$43,183,104.00	\$0.00
Project Location(s)						
All Island						
Comments						
<p>The Invitation to Tender was advertised on November 9, 2009. Tenders were to be submitted by December 16, 2009 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. Industrial Chemical Company Limited, which submitted the tender with the highest evaluated score, in the sum of J\$43,805,491.20, was recommended for the award of contract. Due to a 1% increase in GCT in January 2010, the Bidder was requested to re-calculate the figure which resulted in a tender sum of J\$44,181,504.00.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>Deliveries were made as per the National Water Commission's (NWC's) demands. The last delivery was made on July 20, 2011. In a Status Report to the OCG, the NWC advised that "a short-fall of J\$998,400.00 was detected. Investigation is being carried out to ascertain all deliveries made and if any duplication was made."</p> <p>As at December 31, 2011, the contract was completed and the NWC proceeded to place an order for interim supplies with the incumbent Contractor pending the outcome of the new tender process.</p>						
Status	Contract Completed					

Reference No.	GCM-4101			Ministry	Ministry of Housing, Environment, Water and Local Government	
Project Name	Supply of Repair Clamps and Sleeve Couplings			Public Body	National Water Commission	
Contractor	INCOTEK Company Limited			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-02-24	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$10,000,000.00	0000-00-00	0000-00-00	0000-00-00	0	J\$5,089,099.81	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on February 16, 2011. Tenders were to be submitted by February 24, 2011 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>The procurement opportunity was divided into two (2) categories: Category 1 - Sleeve Couplings, and Category 2 - Two Repair Clamps.</p> <p>Twelve (12) tenders were received for Category 1. The tenders were opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon preliminary examination, two (2) Bidders were deemed non-responsive as the requisite Tax Compliance Certificate (TCC) and National Contracts Commission (NCC) Registration Certificate were not submitted.</p> <p>The Office of the Contractor General (OCG) noted in the Procuring Entity's tender Evaluation Report that:</p> <p style="padding-left: 40px;"><i>"After our examination, and comparisons (with the cost estimate), the offer from INCOTEK Company Ltd... for Category 1 - the supply of sleeve couplings was determined to conform with the specifications and requirements that are laid out in the tender document.."</i></p> <p style="padding-left: 40px;"><i>We therefore recommend that a contract be awarded to INCOTEK Company Ltd... for the supply of sleeve couplings, in the amount of J\$4,260,723.90..."</i></p> <p>Notably, Section 16 of the "Evaluation and Comparison of Bids", which was outlined in the Tender Document, did not provide clear and specific guidelines regarding the evaluation of tenders or the subsequent contract award process.</p> <p>The Procuring Entity advised the OCG that with regard to obtaining the requisite approvals, it is "Currently trying to locate files." Consequently the OCG has not evidenced the Procurement Committee and Head of Entity approvals.</p> <p>Further, the OCG was advised by the Procuring Entity that Purchase Orders were utilised in Lieu of a formal Contact Document. Conversely, there was no evidence of a Purchase Order, however, Contractor's Invoices and corresponding payments were noted.</p> <p>In light of the limited information which was submitted by the Procuring Entity, the OCG is unable to confirm the project duration and the actual contract value which was agreed to by the Procuring Entity and the Contractor.</p> <p>Based upon the information which was received by the OCG, as at December 31, 2011, payments to the Contractor amounted to J\$5,089,099.81. Also, one hundred and ten (110) 4" 'AVK' Universal Sleeve Couplings and one hundred and thirty-four (134) 6" 'AVK' Universal Sleeve Couplings were outstanding.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Procurement of items ongoing					

Reference No.	GCM-6331			Ministry	Ministry of Housing, Environment, Water and Local Government	
Project Name	Procurement of Repair Clamps and Sleeve Couplings			Public Body	National Water Commission (NWC)	
Contractor	Industrial & Municipal Supplies Inc.			Contract Sum	J\$2,933,478.36	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-02-24	0000-00-00	0000-00-00	0000-00-00	0000-00-00	2011-05-31
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$10,000,000.00	0000-00-00	0000-00-00	0000-00-00	0	J\$2,933,478.36	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on February 16, 2011. Tenders were to be submitted by February 24, 2011 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>The procurement opportunity was divided into two (2) categories, as follows:</p> <ol style="list-style-type: none"> 1. Category 1 - Sleeve Couplings; and 2. Category 2 - Two Repair Clamps. <p>Thirteen (13) tenders were received for Category 2. The tenders were opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon a preliminary examination, two (2) tenders were deemed non-responsive as the requisite Tax Compliance Certificate (TCC) and National Contracts Commission (NCC) Registration Certificate were not submitted. The Office of the Contractor General (OCG) noted that the Procuring Entity's Evaluation of Tenders Report stated, <i>inter alia</i>, the following:</p> <p style="padding-left: 40px;"><i>"For Category 2 - the supply of repair clamps, the offer from Industrial & Municipal Supplies Inc. (IMS)...was determined to conform to the specifications and requirements that are laid out in the tender document...</i></p> <p style="padding-left: 40px;"><i>We therefore recommend...Industrial & Municipal Supplies, Inc, (IMS)...for the supply of repair clamps in the amount of \$2,933,478.35."</i></p> <p>Notably, Section 16, "Evaluation and Comparison of Bids", which was outlined in the Tender Document did not provide clear and specific guidelines regarding the evaluation of tenders or the subsequent contract award process.</p> <p>Regarding the requisite approvals for the contract award recommendation, the Procuring Entity informed the OCG that it is "<i>Currently trying to locate files.</i>" In this regard, the OCG did not evidence the approval of the Procurement Committee or the Head of Entity.</p> <p>With regard to the signing of a formal contract, the Procuring Entity informed that Purchase Orders were utilised.</p> <p>The OCG noted a Purchase Order, which was dated May 31, 2011, in the sum of J\$2,933,478.36, and the Contractor's corresponding invoice, which was dated June 24, 2011.</p> <p>In light of the limited information which was submitted by the Procuring Entity, the OCG is unable to confirm the project duration. As at December 31, 2011, the OCG noted that the procured items were received and payment was made to the Contractor, in the amount of J\$2,933,478.36.</p>						
Status	Contract Completed					

Reference No.	GCM-4812			Ministry	Ministry of Housing, Environment, Water and Local Government	
Project Name	Programme Managers to Support Implementation of Jamaica Water Supply and Sewerage Projects			Public Body	National Water Commission (NWC)	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-11-18	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
\$0.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
All Island						
Comments						
<p>The Invitation to Tender was advertised on August 21, 2011. Tenders were to be submitted by October 6, 2011 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:15 p.m. The deadline for submission of tenders was extended to November 4, 2011 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:15 p.m. The deadline for submission was again extended to November 18, 2011 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>The procurement opportunity was broken down into the following three (3) Packages:</p> <ol style="list-style-type: none"> 1. Water Supply - Northern Parishes; 2. Water Supply Projects - Southern Parishes; and 3. Sewerage Systems Improvement and Expansion. <p>Bidders could submit tenders for one (1) or more Packages, however, a separate Technical Proposal was required for each Package.</p> <p>Regarding the Comparable Estimate, by way of a letter which was dated October 27, 2011, the Procuring Entity informed the Office of the Contractor General (OCG) that "...the exercise is for the procurement of Consulting Services on the Quality Based Selection (QBS) and as such a 'Comparable Estimate' is not appropriate." Ten (10) Bidders submitted tenders as follows:</p> <p>Seven (7) tenders were received for Package 1; Six (6) tenders were received for Package 2; and Six (6) tenders were received for Package 3As at December 31, 2011, the evaluation process was underway. The OCG will continue to monitor the procurement process.</p>						
Status	Evaluation of Tenders Ongoing					

Reference No.	GCM-4862			Ministry	Ministry of Housing, Environment, Water and Local Government	
Project Name	Provision of Consulting and Architectural Services for the Redevelopment of Office Complex at 28 - 30 Church Street			Public Body	National Water Commission (NWC)	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-06-10	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$10,500,000.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on May 6, 2011. Tenders were to be submitted by June 3, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:30 p.m.</p> <p>The deadline for submission of tenders was subsequently extended to June 10, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:30 p.m.</p>						

Upon review of the Tender Document, the Office of the Contractor General (OCG) noted that the Procuring Entity failed to utilise the Standard Bidding Document, as prescribed by Section A7.1, Volume 2 of the Government of Jamaica Handbook of Public Sector Procurement Procedures (October 2010), which stipulates that "...Procuring Entities are required to utilize Standard Bidding Documents as prescribed, for the established contract thresholds." One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.

The sole tender was evaluated by the Procuring Entity. Subsequent to a review of documents which were submitted to the OCG by the Procuring Entity on October 20, 2011, and, documents which were submitted under cover of letter dated November 29, 2011, contrasting recommendations were observed in Evaluation Reports.

The following were observed by the OCG:

1. The Evaluation Criteria which were outlined in the Tender Document did not include clearly outlined sub-criteria with associated weightings, which would foster a transparent evaluation process;
2. Extensive disparities were identified in the Evaluation Report which was received on October 20, 2011, and the Evaluation Report which was received under cover of letter dated November 29, 2011.

The Evaluation Report received on October 20, 2011 stated, *inter alia*, that:

"Having evaluated and scored the "Technical Proposal" for the bid, the opening of the Financial Proposal" was not done as the bid did not meet the required 75 points for the technical proposal...

Based on the overall evaluation, the bid was found to be insufficient for a project of this nature and magnitude. In that, [the Bidder] has not demonstrated clearly to the evaluation committee that he had the managerial competence and the technical knowhow [sic] as a general project manager...the Evaluation Committee has taken all the issues in to consideration and has decided not to award [the Bidder] the contract for Consulting and Architecture Services and the Redevelopment of the NWC Office Complex at 28-30 Church Street... It is therefore recommended that the NWC look at re-invitation for expression of interest to examine other methods to complete this project."

Conversely, the Evaluation Report which was received under cover of letter dated November 29, 2011 stated, *inter alia*, that:

"The Technical Proposal attained a score of 72.5 points, which surpass the minimum technical score of 70 points...Therefore the Financial proposal can be opened and evaluated..."

Based on the overall evaluation, the summated bid was tailored to meet the requirements of the proposed project. In fact [the Bidder] has demonstrated clearly to the evaluation committee that he has the managerial competence and technical knowhow [sic] as a general project manager..."

As a result of the above examination and analysis of the bid, the Evaluation Committee has taken the decision to recommend that the NWC proceed further with the processing of [the Bidder's] proposal to include the opening of the financial proposal and the evaluation thereof."

The OCG noted the Procuring Entity's letter, which was dated December 16, 2011, which stated that *"There were no individual score sheets completed by each member for the sole bidder, the decision for the procurement of consultancy services was arrived at by consensus of the members based on the Evaluation Criteria on the score sheet."*

Regarding the evaluation process which was undertaken by the Evaluation Committee, the OCG was of the opinion that a consensus based evaluation process cultivates subjectivity and diminishes transparency and confidence in the said process.

Subsequently, the OCG submitted a letter to the Procuring Entity which advised of its observations and requested a response regarding same.

In response, the Procuring Entity informed that they have accepted the observations outlined by the OCG. Regarding the disparities in the Evaluation Report, the Procuring Entity stated that *"The initial Evaluation Reports was not a final report and once that report had been reviewed by the writer it appeared that the evaluation was not properly done and flawed in many instances. The Evaluation Committee was therefore requested to review the report as against the criteria that were set out in the RFP. Having reviewed the Evaluation Report, the Evaluation Committee adjusted its conclusion... It is in these circumstances that a second Evaluation was prepared."*

Further, the Procuring Entity stated in an Executive Summary that *"The evaluation report...for the provision of consultant and architecture services...was submitted to the procurement committee on December 14, 2011 for endorsement... The procurement committee was presented with all documents relating to the Church Street Evaluation (similar) to documents presented to the Contractor General... Sighted breaches to the Government of Jamaica Procurement Guideline [sic]. Example: Not using the standard bidding document...among other infractions. The committee recommended that the process be cancelled and retender [sic]."*

The process was subsequently aborted.

Status	Project Aborted
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Reference No.	GCM-4832			Ministry	Ministry of Housing, Environment, Water and Local Government	
Project Name	To Upgrade Nortel/AYAYA CS1000E EPBX System			Public Body	National Water Commission (NWC)	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-09-07	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$5,000,000.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on July 29, 2011. Tenders were to be submitted by August 24, 2011 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Documentation which was submitted to the Office of the Contractor General (OCG) included letters of response to queries which were received from prospective Bidders, and which were dated August 26, 2011. The referenced letters also extended the deadline for submission to September 7, 2011 by 10:00 a.m. followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>The Bid Receipt Record and the Tender Opening Forms indicated that two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>The OCG requested a copy of the Tender Document, by way of a letter which was dated August 17, 2011. In furtherance of same, the OCG conducted a preliminary review of the Tender Document for the referenced project, and opined that same was in contravention of Volume 2, Appendix 7, of the Handbook of Public Sector Procurement Procedures (October 2010), which states, <i>inter alia</i>, that "Based on the nature and value of the procurement, Procuring Entities are required to utilize Standard Bidding Documents as prescribed, for established contract thresholds."</p> <p>Based upon the foregoing, the OCG, by way of a letter which was dated September 20, 2011, recommended that the NWC "...aborts the current tender process...in order to ensure that it complies fully with the requirements of the Government of Jamaica Procurement Guidelines."</p> <p>The NWC, by way of a letter which was dated September 26, 2011, stated that it "...values the recommendations of the OCG and is willing to consider favorably this recommendation". Further to same, and by way of a letter which was dated September 30, 2011, the NWC advised the Bidders that the referenced project has been aborted and will be advertised at a later date.</p> <p>As at December 31, 2011, the project had not been re-tendered.</p>						
Status	Project Aborted					

Reference No.	GCM-5632			Ministry	Ministry of Housing, Environment, Water and Local Government	
Project Name	Supplier of PVC Pipeline, Materials and Fittings - Comfort Hall/ Copperwood/Richmond Hill Water Supply Scheme, St. James			Public Body	Rural Water Supply	
Contractor	Coantom Limited			Contract Sum	J\$9,678,259.53	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Direct Contracting	0000-00-00	2011-07-19	2011-08-31	2011-08-17	0000-00-00	2011-08-31
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$9,001,313.20	2011-08-31	2011-10-11	2011-10-19	0	J\$9,678,259.53	\$0.00
Project Location(s)						
St. James						
Comments						
<p>The Invitation to Tender was advertised on March 22, 2011. Tenders were to be submitted by June 16, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>The Bid Receipt Record and Tender Opening Form indicated that five (5) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Of the five (5) tenders which were received, one (1) of the Bidders did not produce a tender. Upon a review of the Evaluation Report the OCG found that <i>"No bid was submitted by this firm. However, a letter thanking the procuring entity for the opportunity to be of service to the entity was submitted"</i>. The Evaluation Report also indicated that <i>"Seven firms responded to the advertisements inviting tenders... [but only] Four tenders were received by the closing date and time specified."</i></p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. Of the four (4) tenders which were received, three (3) were deemed non-responsive.</p> <p>The sole responsive tender was submitted by Coantom Limited. However, the proposed tender price was considered to be extremely high, and not competitively priced.</p> <p>Consequently, the Evaluation Committee recommended that <i>"...all the tenders be rejected and that a contract be negotiated with Coantom Limited for the amount of \$9,678,259.53 which is 7.5% above the Engineer's Estimate specific attention on Coantom Limited obtains a valid Tender Bond and having a stamp affixed by the government stamp office."</i> This recommendation was approved by the Procurement Committee on July 19, 2011.</p> <p>Based upon the aforementioned recommendation, the OCG, by way of a letter which was dated August 8, 2011, advised, <i>inter alia</i>, that if the Rural Water Supply (RWS) <i>"...wishes to carry out negotiations with one of the referenced non-responsive bidder, same will be deemed as the utilization of the Direct Contracting Procurement Methodology, which would require the prior approval of the National Contracts Commission (NCC)."</i></p> <p>The RWS, by way of a letter which was dated August 10, 2011, advised the OCG, <i>inter alia</i>, that it did not <i>"...concur with the interpretation of the Office of the Contractor General..."</i> and is neither <i>"...convinced that...Section 1.1.4... Volume 2 of the Government of Jamaica Handbook of Public Sector Procurement Procedures...is applicable to the particular situation"</i>. Further to same, the RWS indicated that it would seek clarification from the NCC with respect to its endorsement on the particular matter.</p> <p>The OCG noted that on August 10, 2011, the RWS wrote to the NCC seeking its endorsement.</p> <p>The NCC, in its response, under the cover of letter which was dated August 19, 2011, recommended that the RWS <i>"...reject the current tender and negotiate with the lowest tenderer who is registered with the NCC."</i></p> <p>Based upon the foregoing, the lowest priced tender which was submitted by Coantom Limited, in the sum of J\$9,678,259.53, was recommended for the award of contract. The contract was signed on August 31, 2011.</p> <p>By way of a letter which was dated September 28, 2011, the OCG requested evidence of Head of Entity approval. In a response which was dated October 3, 2011, the RWS stated, <i>inter alia</i>, that <i>"...the Managing Director instructed the General Manager, Engineering to prepare the Letter of Award of Contract. Following this, the Head of the procuring entity formally approved the award of contract by signing the contract Agreement"</i>.</p> <p>Based upon the above-mentioned response, the OCG, by way of a letter which was dated October 10, 2011, advised, <i>inter alia</i>, that Volume 2, Appendix 6 of the Government of Jamaica Handbook of Public Sector Procurement Procedures, October 2010, provides that <i>"...where threshold values are above J\$3 million to J\$10 million, the award recommendation is to be approved by the Head of the procuring entity"</i>. In light of the referenced provisions, the OCG advised that it is of the considered opinion that the <i>"...award of contract is to be approved by the Head of the Procuring Entity, prior to the actual signing/awarding of the contract."</i></p> <p>By way of a Status Report, which was dated December 15, 2011, the RWS advised, <i>inter alia</i>, that <i>"...the goods have been satisfactorily provided..."</i> and that <i>"...the contractor has fulfilled his obligation under the contract..."</i></p> <p>As at December 31, 2011, the requisite items had been received and all payments were made.</p>						
Status	Contract Completed					

Reference No.	GCM-1721			Ministry	Ministry of Housing, Environment, Water and Local Government	
Project Name	Supply of Pipe Materials & Appurtenances - Quaminus Water Supply Scheme			Public Body	Rural Water Supply	
Contractor	Deryck A. Gibson Limited			Contract Sum	J\$50,002,224.17	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-11-22	2010-12-20	2011-01-20	2011-02-02	2011-03-14	2011-03-29
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$38,759,545.00	2011-03-29	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Clarendon						
Comments						
<p>The Invitation to Tender was advertised on October 24, 2010. Tenders were to be submitted by November 15, 2010 at 2:00 p.m. By way of an Addendum, the deadline for submission of tenders was extended to November 22, 2010 at 2:00 p.m., followed by a Tender Opening Ceremony at 2:15 p.m.</p> <p>Six (6) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. One (1) tender was deemed non-responsive.</p> <p>The Office of the Contractor General (OCG) evidenced that, the Project Engineer by way of an Inter-Office Memorandum, which was dated December 14, 2010, to the Procurement Committee, indicated that all tenders which were submitted had a corrected sum. The lowest responsive tender, which was submitted by Deryck A. Gibson Limited, in the sum of J\$50,002,224.17, was recommended for the award of contract.</p> <p>The OCG also noted that in the aforementioned Inter-Office Memorandum, the Project Engineer stated, <i>inter alia</i>, that "...the Engineer's Estimate was apparently low due to the rates adopted for the supply of some items,... As a result, with the exception of the rejected tender, all tenders received were significantly higher than that of the Engineer's Estimate."</p> <p>The requisite approvals were obtained. Of note, the OCG found that the National Contracts Commission Transmittal Form indicated that the contract duration would be fourteen (14) weeks.</p> <p>The contract was awarded and signed on March 29, 2011.</p> <p>In a Status Report to the OCG, the General Manager - Engineering advised, <i>inter alia</i>, that "...activities are underway in terms of making arrangements to complete payments and clear goods. The actual delivery dates will be determined by the results of the arrangements with Ministry of Water, Land, Environment and Climate Change, Customs Department and the Banks. Also, the goods are being delivered in different shipments. We expect to be in a better position to give firm delivery dates in the very near future."</p> <p>As at December 31, 2011, the project was ongoing.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-4531			Ministry	Ministry of Housing, Environment, Water and Local Government	
Project Name	The Establishment of Vehicle Pound and Wrecking Services			Public Body	St. Catherine Parish Council	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-08-10	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
\$0.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
St. Catherine						
Comments						
<p>The Invitation to submit Expressions of Interest was advertised on July 27, 2011. Expressions of Interest were to be submitted by August 10, 2011 at 12:00 noon.</p> <p>Having regard to the foregoing, the OCG, by way of letter which was dated August 17, 2011, requested that the St. Catherine Parish Council provide the following information:</p> <p>"1. The Project Budget /Estimate; 2. The Evaluation Criteria to be used to select candidates; 3. A copy of the Joint Venture Agreement; 4. A List of the Contractors who submitted proposals..."</p> <p>By way of a letter, which was dated September 21, 2011, the St. Catherine Parish Council responded indicating that there was one (1) respondent to the advertisement. It was further indicated that the "Council will not incur any expense as it relates to this project" and that "There is no [joint venture] agreement at this time".</p> <p>Based upon the foregoing response, the OCG, by way of a letter which was dated September 29, 2011, requested, <i>inter alia</i>, an "...Executive Summary, detailing...the nature of the referenced Joint Venture Agreement..." as well as the "...name of the Contractor who submitted an Expression of Interest..."</p> <p>By way of a letter, which was dated November 1, 2011, the St. Catherine Parish Council responded advising, <i>inter alia</i>, that the letter from the respondent "...was erroneously opened...and was dropped at the Council's Office as regular mail... It also was not accompanied by the requisite documents for it to have been considered". In light of the foregoing circumstances, the Council advised that it was taking steps to re-do the bidding process.</p> <p>As at December 31, 2011, the project had not been re-tendered.</p>						
Status	Project Aborted					

Reference No.	GCM-4311			Ministry	Ministry of Industry, Investment and Commerce	
Project Name	Architectural Services			Public Body	Bureau of Standards Jamaica	
Contractor	Apec Consultants Limited			Contract Sum	J\$4,125,000.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2008-10-10	2009-02-23	2009-03-04	0000-00-00	0000-00-00	2010-11-01
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$4,500,000.00	2010-11-01	0000-00-00	0000-00-00	0	J\$2,578,000.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on September 10, 2008. Tenders were to be submitted by September 24, 2008 at 1:00 p.m. The Terms of Reference was amended and an Addendum was issued to the prospective Bidders. Consequently, the close of tender was extended to October 10, 2008 at 1:00 p.m., followed by a scheduled Tender Opening Ceremony at 1:30 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Apec Consultants Limited, in the sum of J\$4,125,000.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly. The signed contract indicates that the "<i>Contract shall terminate at the end of the defects liability period allotted to the Contractor for the construction of the Civil Engineering Building.</i>"</p> <p>The Office of the Contractor General (OCG) noted that a payment was made to the Contractor on April 11, 2011, for the Schematic Design Stage which was indicated as 100% complete.</p> <p>Subsequently, the OCG noted that the Ministry of Industry, Investment and Commerce advised the Bureau of Standards Jamaica to submit the initial drawings to the National Works Agency for its comments on the Bills of Quantity.</p> <p>As at December 31, 2011, the project was ongoing.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-4431			Ministry	Ministry of Industry, Investment and Commerce	
Project Name	Canteen Concessionaire			Public Body	Bureau of Standards Jamaica	
Contractor	B & E Caterers & Restaurant Limited			Contract Sum	J\$19,240,000.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-07-26	2010-09-15	2010-09-15	2011-04-20	0000-00-00	2011-05-30
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$15,192,000.00	2011-05-30	2013-05-29	0000-00-00	0	J\$8,138,580.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on June 24, 2010. Tenders were to be submitted by July 26, 2010 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. Two (2) tenders were disqualified, as one (1) submitted no proof of company registration and the other failed to utilise the Two-Envelope System as indicated in the Tender Document.</p> <p>Of the two (2) remaining tenders, B & E Caterers and Restaurant Limited submitted the tender with the higher overall score, in the amount of J\$19,760,000.00, and was, consequently, recommended for the award of contract.</p> <p>Subsequently, a submission was made to the National Contracts Commission (NCC) for its endorsement. The Office of the Contractor General (OCG) noted that the Bureau of Standards Jamaica (BSJ) requested approval from the NCC to enter into negotiation with the recommended supplier.</p> <p>The NCC required the BSJ to provide further information such as the methodology used and the Request for Proposals. By way of a letter which was dated December 28, 2010, the BSJ provided the NCC with the requested information. The NCC, considered the matter at its meeting which was held on January 12, 2011 and, supported the request from the BSJ to negotiate a contract with B & E Caterers and Restaurant Limited.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the contract was ongoing.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-4461			Ministry	Ministry of Industry, Investment and Commerce	
Project Name	Janitorial Services			Public Body	Bureau of Standards Jamaica	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-07-29	2011-08-25	2011-09-06	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$10,000,000.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on July 3, 2011. Tenders were to be submitted by July 29, 2011 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:30 a.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. All four (4) Bidders exceeded the minimum required score of 56 points, and were invited to the opening of the Financial Proposals.</p> <p>The Financial Proposals were opened on August 11, 2011. The Bidder receiving the highest overall score and the lowest priced tender was recommended for the award of contract.</p> <p>The requisite approvals were obtained.</p> <p>As at December 31, 2011, the contract was not signed.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Contract Not Yet Signed					

Reference No.	GCM-4451			Ministry	Ministry of Industry, Investment and Commerce	
Project Name	VoIP - Telephony System			Public Body	Bureau of Standards Jamaica	
Contractor	Illuminat Jamaica Limited			Contract Sum	US\$123,087.39	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-10-19	2010-12-08	2010-12-15	2011-03-30	0000-00-00	2011-04-28
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$13,300,000.00	2011-04-28	2011-09-08	0000-00-00	3.5 Month(s)	J\$10,404,876.11	\$0.00
Project Location(s)						
All Island						
Comments						
<p>The Invitation to Tender was advertised on September 19, 2010. Tenders were to be submitted by October 11, 2010 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:30 p.m. The close of tender was extended to October 19, 2010. The Bureau of Standards Jamaica (BSJ) advised the Office of the Contractor General (OCG) that the tender period was extended "....due to the technical nature of the project and to ensure compliance and satisfaction of all the outlined criteria in the terms of reference."</p> <p>Eight (8) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The Bidder with the highest evaluated score and the lowest priced tender, in the sum of J\$10,404,876.42, which was submitted by Illuminat Jamaica Limited, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>In a Status Report to the OCG, the BSJ advised that "<i>Installation at the Main Office is complete; however, installation at the Regional Offices is ongoing. The system is operational with trainings being concluded.</i>"</p> <p>As at December 31, 2011, the contract was ongoing.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-4321			Ministry	Ministry of Industry, Investment and Commerce	
Project Name	Consultancy Services for the development of Caymanas Economic Zone			Public Body	Factories Corporation of Jamaica	
Contractor	C.H. Tomlinson & Associates			Contract Sum	J\$29,725,000.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-12-10	0000-00-00	2011-03-01	2011-03-23	0000-00-00	2011-05-17
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$35,000,000.00	2011-05-17	2013-05-17	0000-00-00	0	J\$48,548,185.50	\$0.00
Project Location(s)						
St. Catherine						
Comments						
<p>The Invitation to Tender was advertised on October 15, 2010. Tenders were to be submitted by November 25, 2010 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:05 p.m. Based upon a request from prospective Bidders, the tender submission date was extended to December 10, 2010 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:05 p.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation of the Technical Proposals was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. Two (2) companies attained the minimum score of eighty (80) points and advanced to the opening of the Financial Proposals on January 12, 2011. C.H. Tomlinson & Associates attained highest overall score and was recommended for the award of contract in the sum of J\$36,775,000.00.</p>						

The Head of Entity's approval and the National Contracts Commission's (NCC's) endorsement were obtained. However, the Office of the Contractor General (OCG) evidenced the NCC's letter dated April 1, 2011, which stated that *"The National Contracts Commission (NCC) considered the matter at its meeting held on 2011 March 23 has endorsed the recommendation to award the contract to C.H. Tomlinson & Associates in the sum of Thirty-Six Million, Seven Hundred and Seventy-Five Thousand Dollars (\$36,775,000.00) representing a fixed fee subject to the procuring entity providing the NCC with an appropriate extension of the tender validity period."*

Regarding the Procurement Committee's approval, the Procuring Entity informed that *"Major projects such as these are presented to the Procurement Committee of our Portfolio Ministry (MIIC) for scrutiny of the process... Not being a member of the Ministry's Procurement Committee, FCJ has no document recording their approval for the recommendation."*

By way of a letter which was dated June 17, 2011, the Procuring Entity informed the OCG that *"During the period of the wait for the approval of the project, some amount of pertinent design information was received from the UDC, which impacted the scope of the initially envisioned consultants' work. Consequently, FCJ was able to renegotiate the reduced scope and hence...the Contract sum of \$36,775,000.00 has been renegotiated to \$29,725,000.00."*

The contract was awarded accordingly.

Subsequently, the Procuring Entity informed the OCG that *"...on May 31, 2011, the consultants submitted their Preliminary Design Report which was based on the layout that was supplied to them...the sub-committee...decided that a critique of the layout was necessary... The consultants were advised of this decision and were forced to cease the work that had commenced on the project. Six (6) weeks had elapsed before...a design...was signed off by the sub-committee. With this new layout, a significant portion of the design work that had previously been completed had to be abandoned..."*

The Procuring Entity further informed the OCG that *"The consultants are far advanced in the preparation of tender documents for the procurement of a suitable contractor."*

The OCG noted payments which exceeded sixty three percent (63%) of the original contract sum (J\$29,725,000.00), amounting to J\$18,823,185.50. The requisite approvals for the variations were not evidenced.

As at December 31, 2011, the contract was being executed.

The OCG will continue to monitor the execution of the contract.

Preliminary Enquiry - Complaint received regarding Tender Process

On May 27, 2011, the OCG received a letter which was dated May 20, 2011, from a complainant who stated, *inter alia*, that *"From the terms of the RFP, Section 6, Price and method of Payment...It is clear that the Client, the FCJ, required a bid where all Costs are included in the Financial Proposal..."* With regard to the bid which was submitted by C.H. Tomlinson & Associates, the complainant stated that the bid *"...did not do so, is non compliant and therefore should not have been evaluated."*

In light of the foregoing, the OCG undertook a comprehensive review of the documents regarding the procurement and evaluation process. By way of a letter which was dated August 10, 2011, the OCG communicated its findings to the Procuring Entity. The referenced letter stated, among other things, that:

*"...the OCG has noted Section 6, Price and Method of Payment, of the Tender Document stated, inter alia, that, "Each Bidder shall submit an estimated total project cost in his Proposal...A breakdown of the reimbursable cost must also be provided showing the estimated total reimbursable." Further to same, the FCJ sought to provide clarification regarding the reimbursable cost by way of Memo dated November 26, 2011, which stated inter alia, that, "The inclusion of a Soil Engineer, etc. are considered as reimbursable and are to be included **solely based on the discretion of the tenderers.**"*

With regard to the foregoing, the OCG opines that, based upon the Instructions which were provided by the FCJ, that the inclusion of professional costs as reimbursable was at the discretion of the prospective Contractor, and therefore would not affect the compliance of a bid."

Status	Contract Being Executed / Implemented
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Reference No.	GCM-981			Ministry	Ministry of Industry, Investment and Commerce	
Project Name	Procurement of Security Services			Public Body	Factories Corporation of Jamaica	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-04-13	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$52,447,424.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Clarendon, Kingston and St. Thomas						
Comments						
<p>The Invitation to Tender was advertised on April 3, 2011. Tenders were to be submitted by April 13, 2011 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>Eleven (11) Bidders submitted a total of forty-four (44) tenders. Tenders were received as follows:</p> <ul style="list-style-type: none"> • Ten (10) tenders were received for the Duke Street location (Comparable Estimate - J\$4,410,000.00); • Eleven (11) tenders were received for the Marcus Garvey Drive location (Comparable Estimate - J\$6,750,000.00); • Eight (8) tenders were received for the Garmex Free Zone location (Comparable Estimate - J\$22,557,272.00); • Seven (7) tenders were received for the Goodyear, St. Thomas location (Comparable Estimate - J\$8,820,000.00); and • Eight (8) tenders were received for the Hayes Free Zone, Clarendon location (Comparable Estimate - J\$9,910,152.00). <p>All tenders were opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The Bidders that attained a score of seventy (70) and more advanced to the opening of the Financial Proposals.</p> <p>The Financial Proposals for the respective Bidders were opened on May 13, 2011.</p> <p>The Bidders who attained the highest overall scores for the respective locations, were recommended for the award of contract.</p> <p>By way of a letter which was dated October 10, 2011, the OCG noted that the Procuring Entity had failed to utilise the Standard Bidding Document as prescribed by <i>Section A7.1, Volume 2</i> of the Government of Jamaica (GOJ) Handbook of Procurement Procedures (October 2010). Additionally, it was noted that the Procuring Entity failed to submit a formal request for an extension of the Tender Validity Period as required by <i>Section A8.13, Vol. 2</i> of GOJ Handbook of Procurement Procedures (October 2010). In the foregoing regard, the OCG recommended that the Procuring Entity utilise the Standard Bidding Document for all future procurement opportunities and that a formal request for an extension of the Tender Validity Period be submitted to all Bidders.</p> <p>In response to the OCG's latter recommendation, the Procuring Entity submitted letters, which were dated October 18, 2011, to all Bidders, requesting an extension of the Tender Validity Period for a period of sixty (60) days, as a result of delays in the approval process. The Bidders responded in the affirmative. By way of a letter which was dated December 9, 2011, the Procuring Entity informed the OCG that <i>"Given that the extension of the validity period expires on December 16, 2011, and the date of the next Board Meeting is uncertain, we have no choice but to abandon this process and re-tender, as soon as a new Board is constituted."</i></p> <p>As at December 31, 2011, the process was not re-tendered.</p>						
Status	Project Aborted					

Reference No.	GCM-3681			Ministry	Ministry of Industry, Investment and Commerce	
Project Name	Auditing Services			Public Body	Jamaica Promotions Corporation (JAMPRO)	
Contractor	KPMG Chartered Accountants			Contract Sum	J\$3,404,500.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-11-30	0000-00-00	2011-01-20	0000-00-00	0000-00-00	2011-01-20
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$4,200,000.00	2011-03-31	0000-00-00	0000-00-00	0	J\$1,225,614.40	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on October 28, 2010. Tenders were to be submitted by November 30, 2010 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Six (6) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The preferred Bidder was recommended for the award of contract.</p> <p>No evidence of the Procurement Committee's approval was provided to the Office of the Contractor General (OCG). The contract was awarded to KPMG Chartered Accountants to provide Auditing Services, for the financial years ending March 31, 2011, March 31, 2012 and March 31, 2013.</p> <p>In a Status Report, which was dated October 19, 2011, JAMPRO advised that <i>"Audit for financial year finalized and full payments for same executed."</i></p> <p>As at December 31, 2011, the project was ongoing.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-501			Ministry	Ministry of Industry, Investment and Commerce	
Project Name	Consultancy Assessment - Functional and Organisational Review			Public Body	Jamaica Promotions Corporation (JAMPRO)	
Contractor	KPMG Advisory Services Jamaica			Contract Sum	J\$3,500,000.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-05-25	2010-06-15	2010-06-15	0000-00-00	0000-00-00	2010-07-15
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$4,643,161.20	2010-07-15	2010-10-01	2011-05-31	0	J\$4,228,000.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on May 12, 2010. Tenders were to be submitted by May 25, 2010 at 9:00 a.m., followed by a scheduled Tender Opening Ceremony at 9:15 a.m.</p> <p>Five (5) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A complaint was lodged by a Bidder representative who was present at the Tender Opening Ceremony, that a tender had been accepted after the close of tender. The Office of the Contractor General (OCG) found that JAMPRO had informed the National Contracts Commission (NCC) that upon investigation, "...it was found that the security officer (who receives all tenders on JAMPRO's behalf) accepted the tender based on the time on his watch...rather than the time shown on the lobby clock." JAMPRO further advised that the time on the lobby clock was three minutes ahead of Eastern Time (EST), and on that basis, the tender which was received was deemed late. An opinion was sought by JAMPRO from the Attorney General's Chambers, which posited that the bid was in fact late and was to be disqualified.</p> <p>Accordingly, the remaining four (4) tenders were evaluated in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, in the sum of J\$3,500,000.00, which was submitted by KPMG Advisory Services, Jamaica, was recommended for the award of contract.</p> <p>The OCG noted from the Evaluation Report, that the President of JAMPRO was a part of the Evaluation Team which reviewed the Technical Proposals which were submitted. The President subsequently endorsed the recommendation for the award of contract on June 15, 2010.</p> <p>A Letter of Engagement, which was dated July 12, 2010, was signed by JAMPRO on July 15, 2010. Documentation indicated that the Board of JAMPRO approved the award of contract on June 28, 2010.</p> <p>The OCG noted that the contract value excluded reimbursable or out-of-pocket expenses for items such as accommodation, travelling and secretarial services which were not expected to exceed 5% of the professional fees. Additionally, the Contract Document provided that where "...JAMPRO requests work in addition to the set deliverables, or the inclusion of any updates necessitated by the presentation of new information, an additional fee, which is based on an hourly rate of J\$18,000 per hour, will become applicable." This accounts for the difference in the contract value and the actual contract expenditure.</p> <p>In a Status Report, which was dated October 27, 2010, JAMPRO advised the OCG that the "...KPMG Consultants submitted their first Intermediate Report on October 12, 2010, and the document has been reviewed and approved by the Sub-Committee of the Board." Subsequently, the final report was submitted on May 31, 2011.</p> <p>As at May 31, 2011, the contract was fully executed and the requisite payments were made.</p>						
Status	Contract Completed					

Reference No.	GCM-5062			Ministry	Ministry of Industry, Investment and Commerce	
Project Name	Web Design and Development			Public Body	Jamaica Promotions Corporation (JAMPRO)	
Contractor	Panmedia Limited			Contract Sum	J\$3,818,100.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-03-15	0000-00-00	2010-05-17	0000-00-00	0000-00-00	2010-05-17
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
\$0.00	2010-06-11	2010-12-10	0000-00-00	0	J\$572,715.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on February 21, 2010. Tenders were to be submitted by March 15, 2010 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:30 p.m. No Comparable Estimate was prepared by the Public Body.</p> <p>Five (5) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation of the Technical Proposals was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. Two (2) tenders attained the minimum technical score of 75 and proceeded to the opening of the Financial Proposals.</p> <p>The opening of the Financial Proposals took place on March 19, 2010. The tender receiving the higher final composite score, which was submitted by Panmedia Limited, was recommended for the award of contract.</p> <p>The Board of Directors, at its meeting which was held on March 30, 2010, approved the recommendation for the award of contract. A six (6) month contract was awarded to Panmedia Limited. The Office of the Contractor General (OCG) did not evidence the Procurement Committee's approval of the contract award recommendation.</p> <p>In a Status Report, which was dated February 8, 2011, Jamaica Promotions Corporation (JAMPRO) advised the OCG, <i>inter alia</i>, that the "...project has had major delays as none of the graphical designs presented by Panmedia to date has been satisfactory to JAMPRO. JAMPRO has taken the decision to contract the services of a third party...Panmedia has been advised of the dissatisfaction and JAMPRO's intended course of action."</p> <p>The OCG notes that payment made to Panmedia Limited was a mobilisation fee of 15% of the total project cost.</p> <p>As at December 31, 2011, the procurement process has not been re-tendered.</p>						
Status	Project Aborted					

Reference No.	GCM-2471			Ministry	Ministry of Labour and Social Security	
Project Name	Framework Agreement - Provision of Undertaker Services			Public Body	Golden Age Home	
Contractor	Braithwaite Funeral Home			Contract Sum	J\$8,195.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-04-29	2011-06-14	2011-07-05	0000-00-00	0000-00-00	2011-07-20
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$8,195.00	0000-00-00	2014-06-30	0000-00-00	0	J\$108,340.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on March 27, 2011. Tenders were to be submitted by April 29, 2011, followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Upon review of the Tender Notice, the Office of the Contractor General (OCG) noted that the time for the close of tender was omitted. By way of a letter which was dated April 15, 2011, the OCG informed the Procuring Entity, <i>inter alia</i>, that:</p> <p style="padding-left: 40px;"><i>"...the place and deadline for bid delivery should be clearly indicated, as prescribed by Section A8.2 (f), Appendix 8, Volume 2 of the Government of Jamaica Handbook for Public Sector Procurement (October 2010). In this regard, the OCG recommended that an addendum be issued to all prospective bidders, outlining the required information."</i></p> <p>In response to the OCG's recommendation, the Procuring Entity submitted an Addendum, which was dated April 27, 2011, to all prospective Bidders informing that <i>"...the submission time for proposal will be 12:01 p.m. April 29, 2011."</i></p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>The OCG noted in the Procuring Entity's Tender Opening Evaluation Report, which was dated May 17, 2011, that Braithwaite Funeral Home was recommended for the award of contract, in the sum of J\$8,195.00 per body. The referenced document stated that <i>"The Burial documents was review [sic] and was found to have met the criteria, however a vote was done by the three members of the committee... All voted for Braithwaite as they were the lowest cost and without a doubt have served the Home for nearly twenty six years."</i></p> <p>In the foregoing regard, the OCG noted that the Tender Document had indicated that <i>"The lowest proposed price will be assigned the maximum points."</i> The foregoing Clause was supported by a cost formula. The OCG did not evidence the utilisation of the referenced cost formula for computation of the tenders in the Procuring Entity's Tender Opening Evaluation Report which was dated May 17, 2011. The OCG noted that the lowest priced tender was recommended for the award of contract.</p> <p>The Procurement Committee's approval was obtained on June 14, 2011; however the OCG did not evidence the Head of Entity's approval for the contract award recommendation. Notably, the Head of Entity signed the Framework Agreement on July 5, 2011.</p> <p>The selected Contractor signed the Framework Agreement on July 20, 2011, however, the effective date of the Agreement was July 1, 2011.</p> <p>By way of a letter which was dated December 23, 2011, the OCG informed the Procuring Entity, <i>inter alia</i>, that:</p> <p style="padding-left: 40px;"><i>"Reference is made to the Golden Age Home's Internal Memorandum dated April 26, 2011, regarding "Comparable Estimate for Undertaker Services" and the Tender Opening Record dated April 29, 2011..."</i></p> <p style="padding-left: 40px;"><i>With regard to same, the OCG noted that the bid price (\$8195.00) submitted by Braithwaite Funeral Home was identical to the Comparable Estimate of \$8195.00, which was outlined in the above-mentioned Memorandum of April 26, 2011.</i></p> <p style="padding-left: 40px;"><i>Upon enquiry, the OCG's representative who was present at the Tender Opening Ceremony...was informed that the Accountant of Golden Age Home utilized the incumbent contractor's (Braithwaite Funeral Home) price as the basis for their internal estimate.</i></p> <p style="padding-left: 40px;"><i>In the foregoing regard, and in an effort to maintain transparency and fair competition, the OCG is of the opinion that the comparable estimate should be based upon research which is carried out from a cross-section of companies in the particular industry. Albeit the Government of Jamaica (GOJ) Handbook of Public Sector Procurement Procedures (October 2010) does not provide specific guidelines as it relates to the preparation of the Comparable Estimate, it is imperative that the Procuring Entity conduct adequate research in this regard, prior to undertaking a tender process."</i></p> <p>In the foregoing regard, the OCG recommended that the Procuring Entity conduct proper due diligence in the preparation of the Comparable Estimate for all future procurements.</p> <p>In a Status Report which was submitted to the OCG, the Procuring Entity indicated that <i>"We are very satisfied to date with the services received from [sic] contractor."</i></p> <p>As at December 31, 2011, the contract was being implemented.</p> <p>The OCG will continue to monitor the implementation of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-2761			Ministry	Ministry of Labour and Social Security	
Project Name	Procurement of Catering Services			Public Body	Golden Age Home	
Contractor	Golden Age Home Kitchens Limited			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Direct Contracting	0000-00-00	0000-00-00	2010-01-04	2010-02-03	2011-02-07	2011-02-23
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
\$0.00	2011-02-01	2012-01-31	0000-00-00	0	J\$13,011,845.20	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was originally advertised on March 29, 2009. Tenders were to be submitted by May 15, 2009 at 1:00 p.m., followed by a scheduled Tender Opening Ceremony at 1:15 p.m.</p> <p>One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>The sole tender was evaluated, however, as a result of noted deficiencies in the Evaluation Criteria, the Procurement Committee recommended that the Procuring Entity request permission from the National Contracts Commission (NCC) to utilize the Direct Contracting Procurement Methodology to engage the incumbent provider.</p> <p>By way of a letter which was dated January 24, 2010, the Office of the Prime Minister (OPM) submitted a request to the NCC to utilise the Direct Contracting Procurement Methodology. The NCC gave its endorsement in its meeting of February 3, 2010.</p> <p>Subsequently, the Office of the Contractor General (OCG) evidenced a letter from the OPM, which was dated September 14, 2010, requesting clarification with regard to the NCC's endorsement which was granted on February 3, 2010. The referenced letter stated, <i>inter alia</i>, that "The Department is uncertain as to whether to the endorsement given was for approval to negotiate on a year by year basis considering that the tender...was for a three (3) year Catering Services contract... Kindly advise as to how to proceed for the subsequent two years..."</p> <p>In response to the OPM's letter, the NCC, by way of a letter which was dated September 17, 2010, informed that:</p> <p style="padding-left: 40px;"><i>"...the endorsement given to utilise the Direct Contracting Procurement Methodology to negotiate with Golden Age Kitchens for the provision of meals at an approximate amount of Thirty-Two Million Dollars (\$32,000,000.00)...was for one (1) year only i.e. 2010/2011..."</i></p> <p><i>The NCC is advising that the Department of Local Government go to tender for the remaining two (2) years..."</i></p> <p>Subsequently, by way of a letter which was dated October 12, 2010, the Procuring Entity requested the endorsement of the NCC for the contract with Golden Age Home Kitchens Limited who had submitted price increases for its catering services. The referenced letter stated that:</p> <p style="padding-left: 40px;"><i>"Subsequent to this response from the NCC regarding approval for one year only...the Golden Age Kitchens Limited has indicated that it cannot agree to the previous agreed price of One Hundred and Ninety Eight Dollars and Seventy Two Cents (\$198.72).</i></p> <p style="padding-left: 40px;"><i>...the Department re-negotiated with the Contractor...for one year 2010/2011 as follows:</i></p> <ul style="list-style-type: none"> • <i>the price of Two Hundred and Nine Dollars and Sixty Cents (209.60) per resident per day for three meals for Four Hundred and Fifty (450) residents and;</i> • <i>Forty Five Dollars (\$45.00) per special dietary meal; Rates are not inclusive of GCT...</i> <p style="padding-left: 40px;"><i>...the Department is requesting that the NCC give consideration to endorse the negotiated rates as well as the Contract..."</i></p> <p>The NCC provided its endorsement on October 27, 2010. The submission was subsequently approved by the Cabinet on February 7, 2011. The contract was, thereafter, awarded to Golden Age Home Kitchens Limited.</p> <p>The contract was signed on February 23, 2011, however, the duration of the contract is from February 1, 2011 to January 31, 2012.</p> <p>By way of a Status Report, the Procuring Entity informed the OCG that "The residents on a number of occasions, has raised concerns about the meals served by Golden Age Kitchens Ltd. The management team from both entities have met and brought about a speedy resolution to these concerns."</p> <p>As at December 31, 2011, the contract was being executed.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-3101			Ministry	Ministry of National Security	
Project Name	Manufacturing of Police Uniforms for the Financial Year 2010/2011			Public Body	Jamaica Constabulary Force	
Contractor	Siboney Manufacturing Company Limited			Contract Sum	\$7,200,000.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Contracting Under Emergency Circumstances	0000-00-00	2010-10-07	2011-02-14	2011-02-23	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
\$0.00	0000-00-00	0000-00-00	0000-00-00	0	J\$12,950,500.00	\$0.00

Project Location(s)

Kingston

Comments

The invitation for Expressions of Interest was advertised on April 29, 2010. Tenders were to be submitted by May 31, 2010 at 1:00 p.m., followed by a scheduled Tender Opening Ceremony at 1:30 p.m.

By way of a letter which was dated June 15, 2010, the Office of the Contractor General (OCG) requested that the Procuring Entity submit a copy of the Tender Document and other particulars relating to the tender process. Subsequently, the Procuring Entity submitted a letter which was dated June 29, 2010 to the OCG, which stated that "...due to significant financial constraints the JCF Finance Branch has postponed the exercise."

The OCG evidenced the Procuring Entity's December 7, 2010 "Report on the Tender Process conducted in 2010 for Uniforms" which stated, *inter alia*, that "In September, when the parlous state of uniform inventory was realised, quotations were sought from the existing pool of suppliers." In this regard, only two (2) companies responded.

Based upon the contents of the referenced Report, the OCG noted that the Procurement Committee approved the splitting of the shirt and pants requirements between two (2) companies (Siboney Manufacturing Company Limited and Clarke's Tailoring Establishment).

By way of a letter which was dated February 14, 2011, the Ministry of National Security (MNS) requested the permission of the National Contracts Commission (NCC) to utilise the Direct Contracting Methodology to award a contract to Siboney Manufacturing Company Limited for the procurement of ten thousand (10,000) male shirts. The referenced letter stated that "These represent emergency supplies of uniform shirts for police force from a total annual requirement of 40,000 shirts."

Subsequently, the NCC, in its meeting of February 23, 2011, approved the use of the Direct Contracting Procurement Methodology to award a contract to Siboney Manufacturing Company Limited, in the sum of \$7,200,000.00.

The OCG did not evidence a signed contract, formal agreement or purchase order in regard to the approval of the contract award recommendation to Siboney Manufacturing Company Limited.

By way of a letter which was dated October 24, 2011, the Procuring Entity informed the OCG that:

"...the Jamaica Constabulary has not entered into any overarching contract with any one manufacturer for the purpose of supplying police uniforms.

Rather we carry out procurements whenever items are needed. At these occurrence, we invite quotations from the pool of compliant manufacturers with whom we work and secure whatever approvals are necessary for the level of expenditure."

With regard to the foregoing, the OCG submitted a letter to Procuring Entity, which was dated November 8, 2011, stating, *inter alia*, that:

"...the type of agreement which you have described is reminiscent of a Framework Agreement..."

*Accordingly, the OCG hereby refers the JCF to Appendix 4, Framework Agreements, Vol. 2 of the Government of Jamaica (GOJ) Handbook of Public Sector Procurement Procedures (October 2010), which states, inter alia, "Under these Agreements, a contractor commits to supplying the purchase with goods and related services "as and when" required... **based upon firm prices and predetermined conditions over a specified validity period.**"*

*...please note Section A4.2 Characteristics of Framework Agreements, Vol. 2, of the GOJ Handbook of Public Sector Procurement Procedures (October 2010)..."(a) **unit prices established as a result of a Competitive Bidding process...**(c) stipulations regarding the limits on total expenditure...(e) **a stipulated validity period - usually FAs are valid for at least twelve (12) months...**(OCG's emphasis)..."*

the OCG wishes to caution the JCF to ensure full adherence to the dictates of the GOJ Handbook of Public Sector Procurement Procedures (October 2010), with regards to Framework Agreements...

the OCG recommends that the JCF review the process for the procurement of police uniforms to ensure that there are structured Framework Agreements, whereby there is an established validity period and upon expiration of said validity period, a Competitive Bidding process is undertaken..."

By way of a letter which was dated November 30, 2011, the Procuring Entity informed the OCG that "...we do not have any framework agreements in place with our uniform suppliers. We will move to establish these as soon as possible based on your recommendations."

During the monitoring period, the OCG noted that payments to the Contractor exceeded the amount which was approved by the NCC (J\$7,200,000.00). Further, it was noted that items were procured in addition to those which were approved by the NCC; however, the value of the additional items was not included in the expenditure indicated above.

As at December 31, 2011, the uniform requirements of the Procuring Entity were being met by means of the existing arrangement with the supplier.

The OCG will continue to monitor the procurement of items.

Status	Procurement of items ongoing
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Reference No.	GCM-2951			Ministry	Ministry of National Security	
Project Name	Manufacturing of Police Uniforms for the Financial Year 2010/2011			Public Body	Jamaica Constabulary Force	
Contractor	Clarke's Tailoring Establishment			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Contracting Under Emergency Circumstances	0000-00-00	2010-10-07	2010-10-14	2011-01-26	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
\$0.00	0000-00-00	0000-00-00	0000-00-00	0	J\$3,007,100.00	\$0.00

Project Location(s)

Kingston

Comments

The invitation for Expressions of Interest was advertised on April 29, 2010. Tenders were to be submitted by May 31, 2010 at 1:00 p.m., followed by a scheduled Tender Opening Ceremony at 1:30 p.m.

By way of a letter which was dated June 15, 2010, the Office of the Contractor General (OCG) requested that the Procuring Entity submit a copy of the Tender Document and other particulars relating to the tender process. In response, the Procuring Entity submitted a letter which was dated June 29, 2010, which stated, *inter alia*, that "...due to significant financial constraints the JCF Finance Branch has postponed the exercise."

Subsequently, the OCG evidenced the Ministry of National Security's (MNS') letter, which was dated October 14, 2010, to the National Contracts Commission (NCC) which stated that:

"Approval is being sought for the utilization of the sole-source method...for the manufacture of 5,000 Male and 4,000 Female Red Seam pants for police persons at a cost of Five Million, Eight Hundred and Fifty Thousand Dollars (\$5,850,000.00). These units represent emergency supplies out of a total annual requirement of 18,000 pants..."

A tender process undertaken in May 2010 to widen the pool of manufacturing suppliers met with limited success...

The cost of the total complement of 18,000 pants is Eleven Million, Seven Hundred Thousand dollars which would be procured over a one year period."

In the NCC's meeting of November 3, 2010, the MNS' submission was reviewed and it was requested that additional particulars be provided regarding the previous tender process.

In response to the NCC's request, the MNS submitted the December 7, 2010 "Report on the Tender Process which was conducted in 2010 for Uniforms", under cover of letter dated December 20, 2010. The referenced report stated, *inter alia*, that "There were only two responses..." The Report further indicated that one of the companies who responded was already in the pool of suppliers whilst the other was a new Entity. The Intelligence Unit was subsequently asked to conduct due diligence on the new Entity, however, the Procuring Entity advised that there had been no response from the Unit.

The above-mentioned Report further stated that "In September, when the parlous state of uniform inventory was realised, quotations were sought from the existing pool of suppliers." In this regard, only two (2) companies responded. Based upon the contents of the referenced Report, the OCG noted that the Procurement Committee approved the splitting of the shirt and pants requirements between two (2) companies (Siboney Manufacturing Company Limited and Clarke's Tailoring Establishment).

The NCC, in its meeting of January 26, 2011, offered its no objection to the utilisation of the Direct Contracting Procurement Methodology to award a contract to Clarke Tailoring Establishment for the manufacturing of nine thousand (9,000) pants, in the amount of J\$5,850,000.00. By way of a letter which was dated January 27, 2011, the NCC recommended that "The procurement should be carried out in accordance with the Contracting under Emergency Circumstances as outlined in the Government of Jamaica Handbook of Public Sector Procurement Procedures, Section 1, Item 1.1.5."

The OCG did not evidence a signed contract, formal agreement or purchase order in regard to the approval of the contract award recommendation to Clarke Tailoring Establishment.

By way of a letter which was dated October 24, 2011, the Procuring Entity informed the OCG that:

"...the Jamaica Constabulary has not entered into any overarching contract with any one manufacturer for the purpose of supplying police uniforms.

Rather we carry out procurements whenever items are needed. At these occurrence, we invite quotations from the pool of compliant manufacturers with whom we work and secure whatever approvals are necessary for the level of expenditure."

With regard to the foregoing, the OCG, by way of a letter which was dated November 8, 2011, informed the Procuring Entity, *inter alia*, that:

"...the type of agreement which you have described is reminiscent of a Framework Agreement...

Accordingly, the OCG hereby refers the JCF to Appendix 4, Framework Agreements, Vol. 2 of the Government of Jamaica (GOJ) Handbook of Public Sector Procurement Procedures (October 2010), which states, *inter alia*, "Under these Agreements, a contractor commits to supplying the purchase with goods and related services "as and when" required... **based upon firm prices and predetermined conditions over a specified validity period.**"

...please note Section A4.2 Characteristics of Framework Agreements, Vol. 2, of the GOJ Handbook of Public Sector Procurement Procedures (October 2010)...(a) **unit prices established as a result of a Competitive Bidding process...**(c) stipulations regarding the limits on total expenditure...(e) **a stipulated validity period - usually FAs are valid for at least twelve (12) months...**(OCG's emphasis)...

the OCG wishes to caution the JCF to ensure full adherence to the dictates of the GOJ Handbook of Public Sector Procurement Procedures (October 2010), with regards to Framework Agreements.

...the OCG recommends that the JCF review the process for the procurement of police uniforms to ensure that there are structured Framework Agreements, whereby there is an established validity period and upon expiration of said validity period, a Competitive Bidding process is undertaken..."

In response to the OCG's letter, the Procuring Entity, by way of a letter which was dated November 30, 2011, informed that "...we do not have any framework agreements in place with our uniform suppliers. We will move to establish these as soon as possible based on your recommendations."

During the monitoring period, the OCG noted that shorts were also procured, however, the value of the referenced item was not included in the expenditure indicated above.

As at December 31, 2011, the uniform requirements of the Procuring Entity were being met by means of the existing arrangement with the supplier.

The OCG will continue to monitor the procurement of the items.

Status	Procurement of items ongoing
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Reference No.	GCM-2901			Ministry	Ministry of National Security	
Project Name	Procurement of Funeral Home/Morgue Services			Public Body	Jamaica Constabulary Force	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-08-31					
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
\$0.00				0	\$0.00	\$0.00
Project Location(s)						
All Island						
Comments						
<p>The Office of the Contractor General (OCG) commenced monitoring of this procurement opportunity in 2009.</p> <p>The procurement opportunity was advertised on July 26, 2009. Fifteen (15) tenders were received at the Tender Opening Ceremony which was held on August 28, 2009. The tenders were evaluated of which seven (7) were recommended for the award of contract to provide Storage and Postmortem Services, and two (2) Funeral Homes were recommended for Storage of Bodies or Postmortem Services only, for several locations across the island.</p> <p>The requisite approvals were obtained and contracts were awarded accordingly. Note that additional details regarding the foregoing contract award process can be perused in the OCG's Twenty-fourth Annual Report of the Contract General 2010.</p> <p>The above-mentioned contracts were scheduled to expire on October 31, 2011, therefore, the Procuring Entity undertook a tender process to award new contracts.</p> <p>The Invitation to Tender was advertised on July 10, 2011. Tenders were to be submitted by August 31, 2011 at 4:30 p.m., immediately followed by a Tender Opening Ceremony at even time.</p> <p>Regarding the Comparable Estimate, the Procuring Entity indicated that:</p> <p style="padding-left: 40px;">"- For storage of bodies...the estimated rate is \$1,100 - For post mortem...the estimated rate is \$5,500"</p> <p>Sixteen (16) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>As at December 31, 2011, the evaluation process was underway.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Evaluation of Tenders Ongoing					

Reference No.	GCM-1691			Ministry	Ministry of National Security	
Project Name	Supply of 2011 Thirty (30) Seater Bus			Public Body	Jamaica Defence Force	
Contractor	Toyota Jamaica Limited			Contract Sum	J\$5,198,424.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Direct Contracting	0000-00-00	0000-00-00	0000-00-00	0000-00-00	2011-03-28	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$5,100,000.00	0000-00-00	0000-00-00	2011-04-29	0	J\$5,198,424.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on February 24, 2011. Tenders were to be submitted by March 4, 2011 at 2:00 p.m.</p> <p>Upon review of the Tender Notice, the Office of the Contractor General (OCG) noted the following discrepancies and omissions:</p> <ol style="list-style-type: none"> 1. The date for the submission of tenders, March 4, 2011, did not correspond with the day, Wednesday, which was stated. 2. Contact information for obtaining Bidding Documents and the place, date and time of the Bid Opening was omitted. This was in contravention of Clause A8.2, Volume 2 of the Government of Jamaica Handbook of Public Sector Procurement Procedures (October 2010). <p>By way of a letter which was dated March 10, 2011, the OCG informed the Procuring Entity of its observations and recommended that the relevant information be included in future Procurement Notices. Further to same, the OCG requested a copy of the Tender Document and the relevant Records relating to the Tender Opening Ceremony.</p> <p>No documentation was provided by the Procuring Entity to evidence that a formal Tender Opening Ceremony was convened or that a Tender Document was prepared.</p> <p>In light of the OCG's requisition, the Jamaica Defence Force (JDF), by way of a letter which was dated March 15, 2011, requested the permission of the National Contracts Commission (NCC) to utilise the Sole Source/Direct Contracting Procurement Methodology to procure the bus. The referenced letter stated, <i>inter alia</i>, the following:</p> <p style="padding-left: 40px;"><i>"...there is a balance of five point one million dollars (\$5.1M) that we would like to spend before the end of the financial year. To that end, permission has been sought and granted by the Ministry National [sic] Security to the funds to procure a 2011 thirty (30) seater bus.</i></p> <p style="padding-left: 40px;"><i>...subsequent to the receipt of...bids and the holding of a PCM, the JDF was advised by the Office of the Contractor General's (OCG) Department of additional requirements, such as bid documents, Request for Proposals (RFPs)...to be fully compliant...</i></p> <p style="padding-left: 40px;"><i>The JDF posits that the requirements outlined by the OCG Department, albeit in keeping with GOJ guidelines, will undoubtedly create delays and, based on the time constraints will not allow for the procurement by 31 March 2011. Consequently, it is hereby requested that approval be granted for Sole Source/Direct Contracting methodology to be used...we deeply regret that all requirements were not met through our inadvertence"</i></p> <p>Notably, "PCM", as referenced above, refers to the Procurement Committee Meeting.</p> <p>Based upon the contents of the above-mentioned letter, the OCG noted that three (3) tenders were received. Further, based upon documents which accompanied the aforementioned letter, the OCG noted the Procurement Committee's approval of Toyota Jamaica Limited for the procurement of a bus, in the amount of J\$5,198,424.00. Notably, the OCG did not evidence an Evaluation Report for the captioned procurement.</p> <p>In response to the JDF's letter of March 15, 2011, the NCC, by way of a letter which was dated March 18, 2011, stated that <i>"...the JDF is requested to refer to the Ministry of Finance and the Public Service to determine whether it qualifies under the Ministry of Finance and the Public Service's Circular No. 11 of 2009 April 09 pertaining to the Purchase of Motor Vehicles."</i></p> <p>In this regard, the OCG noted that the JDF, by way of a letter which was dated December 19, 2011, stated, <i>inter alia</i>, that <i>"The JDF...requested of the Ministry of National Security to make a Cabinet Submission for the procurement to be considered."</i></p> <p>The referenced letter was accompanied by a copy of a Cabinet Decision, which was dated March 28, 2011, and which stated that <i>"The Submission noted that the National Contracts Commission had been consulted and supported the Direct Procurement methodology proposed by the JDF, following Cabinet approval. After consideration, the Cabinet authorized the waiver of Decisions No. 13/09 and No. 18/10 for the purpose of the procurement of a thirty-seater bus by the Ministry of National Security for the Jamaica Defence Force."</i></p> <p>Regarding the contract award, the Procuring Entity informed that <i>"...no obligatory contract was necessary for the procurement of the thirty (30) seater bus."</i> Based upon the foregoing, the OCG was unaware of, <i>inter alia</i>, the duration of the project.</p> <p>The OCG noted a Payment Voucher, which was dated March 31, 2011, to Toyota Jamaica Limited, in the amount of J\$5,198,424.00.</p> <p>A Delivery Receipt, which was dated April 29, 2011, was also evidenced, and indicated the delivery of a Coaster Bus to the JDF.</p> <p>As at December 31, 2011, the procurement was completed.</p>						
Status	Contract Completed					

Reference No.	GCM-5922			Ministry	Ministry of National Security	
Project Name	Supply of Motor Vehicles			Public Body	Jamaica Defence Force	
Contractor	Toyota Jamaica Limited			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Direct Contracting	0000-00-00	0000-00-00	0000-00-00	2011-11-16	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$25,500,000.00	0000-00-00	0000-00-00	0000-00-00	0	J\$7,956,745.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on June 24, 2011, for the supply of the following motor vehicles:</p> <ol style="list-style-type: none"> One (1) Motor Car (Sedan); One (1) Sports Utility Vehicle (SUV); One (1) Fifteen (15) Seater Bus; One (1) Thirty (30) Seater Bus; and Four (4) Double Cab Pick-up. <p>Tenders were to be submitted by July 15, 2011 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>By way of a letter which was dated June 30, 2011, the Office of the Contractor General (OCG) requested a copy of the Tender Document for the referenced project. Based upon a review of same, the OCG opined that the Tender Document was in contravention of Volume 2, Appendix 7, of the Handbook of Public Sector Procurement Procedures (October 2010), which states, <i>inter alia</i>, that "Based on the nature and value of the procurement, Procuring Entities are required to utilise Standard Bidding Documents as prescribed, for established contract thresholds."</p> <p>Having regard to the foregoing, the OCG recommended that the Jamaica Defence Force (JDF) extend its deadline for submission and revise its Tender Document, in order to be in full compliance with the GOJ procurement procedures.</p> <p>Subsequent to same, the Tender Document was amended and tenders were to be submitted by July 29, 2011 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>The OCG noted in its review of the revised Tender Document, the following discrepancies:</p> <ol style="list-style-type: none"> The JDF did not explicitly state the specific National Contract Commission (NCC) category to which prospective Bidders should be registered; and The Tender Document did not stipulate the designated weighting for the Evaluation Criteria. <p>In light of the discrepancies noted, the OCG, by way of a letter which was dated July 25, 2011, recommended that the JDF issue an Addendum to the Tender Document, "...correcting the referenced discrepancies, in order to ensure that the specification which guides the bidding process is clear and unambiguous."</p> <p>Consequently, an Addendum was issued and further extended the deadline for submission to August 5, 2011 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Subsequently, four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The Minutes of the Meeting of the Evaluation Committee indicated that Toyota Jamaica Limited was recommended for the award of contract for all categories.</p> <p>The Minutes of the Meeting of the Procurement Committee which was held on September 27, 2011, indicates that the recommendation was approved. However, based upon a review of the Evaluation Report, the OCG, by way of a letter which was dated October 13, 2011, outlined certain anomalies and advised the JDF, in accordance with the GOJ Procurement Procedures, as follows:</p> <ol style="list-style-type: none"> With regard to the Sports Utility Vehicle (SUV) and the Double Cab Pickup Truck, Toyota Jamaica Limited was recommended for the award of contract, on the basis that it met all the technical specifications and standards of the Tender Document, even though it was not the lowest responsive tender. <p>Based upon same, the OCG advised the JDF that the recommendation contravened Section 1, Sub Section 40, of the Tender Document, which states, <i>inter alia</i>, that "the Procuring Entity shall award the Contract to the Bidder whose offer has been determined to be the lowest responsive bid and is substantially responsive to the Bidding Document", and as such the recommendation for the award of contract should have been in favour of the lowest responsive tender, in both instances.</p> <ol style="list-style-type: none"> The Chairman, in his closing remarks, stated, <i>inter alia</i>, that " ...in the future when buying a single vehicle (or one each in the respective category) to add to the JDF fleet, consideration will be given for the possibility of sole source procurement instead of sending out tenders..." 						

In light of the Chairman's remarks, the OCG made reference to Volume 2, Appendix 6 of the Handbook (October 2010), which represents, in a tabular form, the procurement method to be utilised for established contract thresholds and the requisite approvals necessary for same. The OCG noted that the referenced provision clearly indicates that where threshold values are above J\$10 million to J\$30 million the "...procurement opportunities are [to be] opened to all appropriately registered and qualified contractors".

Following upon the foregoing, the OCG further posited that save and except in circumstances such as those indicated in sub-section 1.1.4, Section 1, Volume 2 of the Handbook, or where prior approval is received from the National Contracts Commission (NCC), the Local Competitive Bidding (LCB), is the recommended procurement methodology which should be utilised for the contracts within said threshold.

In light of the foregoing circumstances, the OCG advised the JDF that the current process should be halted and the Evaluation Committee's recommendation for approval be disregarded. Further, the OCG advised that the tenders were to be re-evaluated to ensure strict compliance with the GOJ procurement procedures and the Tender Document.

Based upon the OCG's recommendation, the JDF, by way of a letter which was dated October 24, 2011, sought the approval of the NCC to utilise the Direct Contracting Procurement Methodology to award the contract to Toyota Jamaica Limited for the required vehicles. Subsequently, the NCC, by way of a letter which was dated November 18, 2011, advised the JDF that it should "...reject the current tender process and negotiate with Toyota Jamaica Ltd. for the required vehicles."

Subsequent to the foregoing, the OCG, requested a copy of the signed contract. In response, the JDF advised, *inter alia*, that "No obligatory contract was necessary for the procurement of the vehicles."

As at December 31, 2011, two (2) of the eight (8) vehicles had been delivered and payments were made which amounted to J\$7,956,745.00.

The OCG will continue to monitor the execution of the contract.

Status	Procuring Entity Awaiting Delivery of the Procured Items
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Reference No.	GCM-4061			Ministry	Ministry of National Security	
Project Name	Procurement CCTV Surveillance System for Montego Bay			Public Body	Ministry of National Security	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-05-27	0000-00-00	2009-09-15	2009-11-18	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
US\$360,000.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
St. James						
Comments						
<p>The Invitation to Tender was advertised on April 4, 2009. Tenders were to be submitted by May 6, 2009 at 12:30 p.m., followed by a scheduled Tender Opening Ceremony at 12:45 p.m. An Addendum was subsequently issued which extended the deadline for submission of tenders to May 27, 2009 at 12:30 p.m., followed by a scheduled Tender Opening Ceremony at 12:45 p.m.</p> <p>Six (6) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>The tenders were evaluated and the Bidder who attained the highest overall score was recommended for the award of contract.</p> <p>The Office of the Contractor General (OCG) did not evidence the Procurement Committee's approval for the contract award recommendation, however, the Head of Entity's approval and National Contracts Commission's (NCC's) endorsement were obtained.</p> <p>The contract award process was delayed as a result of challenges regarding the confirmation of funding for the project, which was to be provided by the Ministry of National Security and the Tourism Enhancement Fund.</p> <p>During the foregoing period, the Procuring Entity requested three (3) consecutive extensions to the Bid Validity Period. The extensions were granted by the recommended Contractor by way of letters which were dated November 3, 2009, July 27, 2011 and September 30, 2011.</p> <p>By way of an email which was dated October 11, 2011, the Procuring Entity informed the OCG that "...funding is in the Capital A budget of The Ministry of National Security. Hence we are now in a position to award the contract to the endorsed bidder... Since this amount is not J\$30 million and above no need for cabinet approval is required."</p> <p>Subsequently, by way of an Executive Summary received under cover of letter dated November 29, 2011, the Procuring Entity informed that "Tender validity extensions were requested by the procuring entity and granted by the preferred bidder at the endorsed price." In this regard, the OCG noted a letter from the recommended Contractor, which was dated November 29, 2011, confirming an extension of the Bid Validity Period to January 14, 2012.</p> <p>Further, the above-mentioned Executive Summary stated that "During the period November 2009 to present while we were awaiting funding for the project and the economic difficulties being experienced in the country, two (2) unsuccessful bidders...requested a return of their bid bond since they were unsuccessful. This was considered and granted by the procuring entity."</p> <p>As at December 31, 2011, the contract was not yet finalized.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Contract Not Yet Signed					

Reference No.	GCM-4271			Ministry	Ministry of National Security	
Project Name	Document Management Solution			Public Body	Ministry of National Security/Citizen Security and Justice Programme	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-08-19					
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
US\$30,000.00				0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on July 24, 2011. Tenders were to be submitted by August 12, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m. By way of an advertisement which was published on July 29, 2011, the deadline for submission of tenders was extended to August 19, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>As at December 31, 2011, the evaluation process was underway.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Evaluation of Tenders Ongoing					

Reference No.	GCM-1411			Ministry	Ministry of National Security	
Project Name	Procurement of Computers & Related Equipment for Source, Westmoreland			Public Body	Ministry of National Security/Citizen Security and Justice Programme	
Contractor	Fujitsu Caribbean (Jamaica) Limited			Contract Sum	US\$30,535.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-05-02	2011-05-26	2011-05-31	0000-00-00	0000-00-00	2011-07-29
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
US\$34,030.00	2011-07-29	2011-09-09	0000-00-00	8 Week(s)	\$0.00	\$0.00
Project Location(s)						
Westmoreland						
Comments						
<p>The Invitation to Tender was advertised on April 6, 2011. Tenders were to be submitted by May 2, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Upon review of the Tender Notice for the procurement opportunity, the Office of the Contractor General (OCG) noted the following statement:</p> <p style="text-align: center;"><i>"The successful Bidder must possess a valid Tax Compliance Certificate (TCC) and be registered with the National Contracts Commission (NCC)...at the time of the Contract Award."</i></p> <p>By way of a letter which was dated April 26, 2011, the OCG informed the Procuring Entity of its observations, and with regards to Local Contractors, highlighted Sections 1.3.1 and 1.3.3, Vol. 2 of the Government of Jamaica (GOJ) Handbook of Public Sector Procurement Procedures, which collectively requires that proof of a valid National Contracts Certificate and Tax Compliance Certificate be presented... "at the time of bid submission..."</p> <p>Consequently, the OCG recommended that the Tender Notice be revised in accordance with the stipulations of the GOJ Handbook of Public Sector Procurement Procedures (October 2010).</p> <p>In response to the OCG's letter of April 26, 2011, the Procuring Entity, by way of a letter which was dated May 2, 2011, informed, <i>inter alia</i>, of the following:</p>						

"...goods, works, services under Citizen, Security & Justice Programme II (CSJP II) is governed by Loan Contract No. 2272/OC-JA established between the Government of Jamaica (GOJ) and the Inter-American Development Bank (IDB) dated December 15, 2009..."

Section 4.01 referenced in the said contract provides as follows: "...Works and goods shall be procured in accordance with the provisions set forth in Document GN-2349-7 (Policies for the Procurement of Goods and Works Financed by the Inter-American Development Bank)" dated July 2006..."

In our view, Eligibility Requirements issued to Bidders (both local and overseas contractors) is not inconsistent with the procurement procedures contained in the loan agreement between the IDB and the GoJ."

Subsequent to same, three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.

The OCG submitted a letter, which was dated June 6, 2011, to the Procuring Entity, which stated the following:

"The OCG,...acknowledges that there is an established loan agreement between the IDB and the Government of Jamaica (GOJ)..."

The OCG also acknowledges that Section 1.2.1 (n) of the Handbook of Public Sector Procurement Procedures (October 2010), outlines that "procurement under GOJ's bilateral and other agreements" is one of the items listed as an Exclusion.

Notwithstanding the foregoing, the OCG is of the opinion that where possible, certain provisions within the Handbook of Public Sector Procurement Procedures (October 2010), should be incorporated within the procurement process, once the provision does not conflict with those of the IDB..."

Upon preliminary examination, two (2) tenders were deemed non-compliant to the technical requirements as outlined in the Tender Document. Regarding the remaining tender, the OCG noted the Procuring Entity's Evaluation Report, which was dated May 2011, indicated that a comparison of the proposed contract price and the Procuring Entity's Comparable Estimate was conducted. Further, the Evaluation Report stated that "...no scores were tabulated given that Fujitsu's response was considered responsive." Consequently, Fujitsu was recommended for the award of contract, in the sum of US\$30,535.00. Based upon the foregoing, the OCG noted that the Procuring Entity did not utilise the Evaluation Criteria as outlined in the Tender Document.

The requisite approvals were obtained and the contract was awarded accordingly.

By way of a Status Report, which was submitted under the cover of letter, and which dated October 20, 2011, the Procuring Entity informed the OCG that the "...computers and related equipment are currently being configured. The deployment of the equipment will follow the installation of the network cabling infrastructure which is scheduled for the week ending Friday October 28, 2011."

Subsequently, by way of a status update, the Procuring Entity informed the OCG that the "...installation of network equipment was ...completed on November 4, 2011..."

Further to same, the Procuring Entity informed the OCG that "...the management of the Source has requested that the delivery be delayed until the computer lab is outfitted with the requisite furniture. No payment has been made in respect of the procurement.

Based upon the foregoing, the time had elapsed between the agreed delivery date of six (6) weeks from the signing of the contract and the date the network equipment was installed (November 4, 2011) at the Source in Westmoreland, as represented in the Time Overrun in the table above. Subsequent delays were as a result of the Source's request, as outlined above.

As at December 31, 2011, the computers and related equipment were not delivered.

The OCG will continue to monitor the execution of the contract.

Status	Procuring Entity Awaiting Delivery of the Procured Items
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Reference No.	GCM-3181			Ministry	Ministry of National Security	
Project Name	Provision of Security Guard Services			Public Body	Passport, Immigration & Citizenship Agency	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-12-09	2011-03-08	2011-05-26	2011-06-08	2011-11-21	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$12,000,000.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston, St. Catherine and St. James						
Comments						
<p>The Invitation to Tender was originally advertised on February 21, 2010, to provide Security Guard Services at the following locations: Head Office, 25 Constant Spring Road; Regional Office, Overton Plaza, Montego Bay; and Remand Adult Correctional Centre, Spanish Town Road. Tenders were to be submitted by March 24, 2010 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Five (5) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>The Office of the Contractor General (OCG) recommended that the tender process be aborted as a result of the absence of Evaluation Criteria in the Tender Document.</p> <p>The procurement opportunity was subsequently aborted and re-tendered.</p> <p>The Invitation to Tender was re-advertised on October 31, 2010 for the three (3) referenced locations. Tenders were to be submitted by December 9, 2010 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Six (6) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The Bidder who attained the highest composite score was recommended for the award of contract for all three (3) locations.</p> <p>The requisite approvals were obtained.</p> <p>The Comparable Estimate, as indicated in the table above, represents the yearly estimate for all locations in which the Services were to be carried out.</p> <p>As at December 31, 2011, the contract award was pending.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Contract Not Yet Signed					

Reference No.	GCM-3221			Ministry	Ministry of National Security	
Project Name	Provision of VOIP Telephony System			Public Body	Passport, Immigration & Citizenship Agency	
Contractor	IBM World Trade Corporation			Contract Sum	J\$10,401,226.08	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2011-02-15	2011-04-11	2011-04-14	2011-06-08	0000-00-00	2011-10-03
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$10,000,000.00	2011-10-03	2012-02-29	0000-00-00	0	J\$2,080,245.22	\$0.00
Project Location(s)						
Kingston and St. James						
Comments						
<p>The Invitation to Tender was advertised on December 22, 2010. Tenders were to be submitted by February 8, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m. Addenda were subsequently issued which, among other things, extended the deadline for submission to February 15, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. IBM World Trade Corporation attained the highest composite score, and was recommended for the award of contract in the sum of J\$10,401,226.08.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>The Office of the Contractor General (OCG) noted that a payment advance for mobilization was made to the Contractor on December 6, 2011, in the amount of J\$2,080,245.22. This represents 20% of the contract price as stipulated in the Contract Document.</p> <p>As at December 31, 2011, the contract was being executed.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-3251			Ministry	Ministry of National Security	
Project Name	Supply and Implementation of Accrual-Based Accounting Software Package			Public Body	Passport, Immigration & Citizenship Agency	
Contractor	Port Computer Services Limited			Contract Sum	J\$5,837,552.10	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-03-03	2011-06-27	2011-07-20			2011-08-31
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$4,500,000.00	2011-09-26	2011-11-18		43 Day(s)	J\$583,755.21	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on February 6, 2011. Tenders were to be submitted by March 3, 2011 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon preliminary examinations, two (2) tenders were deemed non-responsive as a result of non-submission of requisite information and supporting documentation. A detailed evaluation was conducted of the remaining tender, in accordance with the Evaluation Criteria which were outlined in the Tender Document. The tender, which was submitted by Port Computer Services Limited, in the sum of J\$5,837,552.10, received a composite score of eighty percent (80%) and was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>A Payment Voucher in the amount of J\$583,755.21, which was dated September 8, 2011, was evidenced by the Office of the Contractor General (OCG). This represents a deposit of 10% of the contract sum which was paid to the Contractor.</p> <p>The OCG received a Status Report from the Procuring Entity which stated that "<i>Arrangements are currently being made through the Project Team to wrap up outstanding concerns... The proposed Date of Completion is set at March 31, 2012.</i>"</p> <p>As at December 31, 2011, the contract was being executed.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-2701			Ministry	Ministry of Tourism	
Project Name	Provision of Security Guard Services			Public Body	Devon House Development Limited	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-10-27	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$14,718,144.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on September 10, 2010. Tenders were to be submitted by September 24, 2010 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>Upon review of the Tender Notice, the Office of the Contractor General (OCG) noted that the time period allotted for the submission of tenders was fourteen (14) days, however, based upon the nature and estimated value of the procurement, this time period was insufficient.</p> <p>By way of a letter which was dated September 24, 2010, the OCG informed the Procuring Entity of its observation and advised the Entity to "...be guided by Sub-Section S-2090 of the Government of Jamaica Handbook of Public Sector Procurement, which outlines the mandatory time for bid submissions based on the contract value."</p> <p>An Addendum was subsequently issued which extended the deadline for submission of tenders to October 1, 2010 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>Upon review of the Tender Document, the OCG noted that there were deficiencies in the Evaluation Criteria. In this regard, the OCG informed the Procuring Entity of its observations and recommended that the Document be revised. In response, the Procuring Entity submitted a revised Evaluation Matrix to the OCG. The revision was accepted, and the Procuring Entity was advised to circulate same to all prospective Bidders.</p> <p>Consequently, the deadline for submission of tenders was extended to October 27, 2010 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>Twelve (12) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon preliminary review, four (4) companies were disqualified as a result of non-submission of valid documents. The Technical Proposals of the eight (8) remaining companies were submitted for evaluation in accordance with the Evaluation Criteria which were outlined in the Tender Document.</p> <p>Seven (7) companies exceeded the required score of sixty percent (60%) and advanced to the evaluation of the Financial Proposals. The Bidder who attained the highest overall score was recommended for the award of contract.</p> <p>Regarding the evaluation process, the OCG noted disparities in the scores which were issued by individual Evaluators and, in some instances, there were incorrect cumulative scores.</p> <p>The OCG noted that the Procuring Entity submitted a request to all Bidders for an extension of the Bid Validity Period to November 31, 2011. Six (6) Bidders responded in the affirmative.</p> <p>As at December 31, 2011, the approval of the Procurement Committee of the parent Ministry was pending. The OCG will continue to monitor the procurement process.</p>						
Status	Procurement Committee Approval Pending					

Reference No.	GCM-1081			Ministry	Ministry of Transport and Works	
Project Name	Cleaning, Treating and Painting of Four (4) Telecommunication Towers			Public Body	Aeronautical Telecommunications Limited	
Contractor	Jamaica Electrical Technologies Limited			Contract Sum	J\$6,797,052.60	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-08-22	2011-08-23	2011-09-07	0000-00-00	0000-00-00	2011-10-21
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$7,000,000.00	2011-11-09	2012-02-07	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was initially advertised on July 12, 2011. Tenders were to be submitted by July 25, 2011 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. Upon an evaluation of the tenders, all Bidders were deemed non-responsive and the tender process was annulled.</p> <p>The opportunity was re-advertised on July 31, 2011. Tenders were to be submitted by August 22, 2011 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>Upon review of the Tender Document, the Office of the Contractor General (OCG) noted that the Procuring Entity had made reference to the 2008 version of the GOJ Handbook of Public Sector Procurement Procedures instead of the applicable 2010 version.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The Evaluation Committee recommended the Bidder with the "next lowest bid price and the next highest technical score" for the award of contract, as the Bidder who received the highest score did not provide any evidence of experience in similar works.</p> <p>The Procurement Committee rejected the recommendation of the Evaluation Committee and recommended that the contract be awarded to the lowest evaluated tender, in the sum of J\$6,797,052.60, which was submitted by Jamaica Electrical Technologies Limited.</p> <p>In a Memorandum, which was dated September 7, 2011, the General Manager endorsed the recommendation to award the contract to Jamaica Electrical Technologies Limited as, "...the concerns raised by the Evaluation Committee did not cause the bidder...to be non-responsive as defined in the tender document."</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the Services had commenced.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-3431			Ministry	Ministry of Transport and Works	
Project Name	Provision of Transportation Services			Public Body	Jamaica Civil Aviation Authority	
Contractor	Parnad			Contract Sum	J\$5,420,250.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-06-15	0000-00-00	2011-06-30	0000-00-00	0000-00-00	2011-08-16
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$4,800,000.00	2011-08-01	2012-07-31	0000-00-00	0	J\$1,796,850.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on May 15, 2011. Tenders were to be submitted by June 8, 2011 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:15 p.m. An Addendum was subsequently issued which extended the deadline for submission of tenders to June 15, 2011 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>The Comparable Estimate of J\$4,800,000.00 represents an estimated cost per annum.</p> <p>An evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Parnad, in the sum of J\$5,420,250.00 per annum, was recommended for the award of contract.</p> <p>The Head of Entity and Board of Director approvals were obtained on June 30, 2011. The Office of the Contractor General (OCG) did not evidence the Procurement Committee's approval for the contract award recommendation.</p> <p>The contract was awarded on August 16, 2011. The OCG noted that the General Conditions of Contract which were outlined in the Tender Document were not included or referenced in the Contract Agreement which was signed by the Procuring Entity and the Contractor. The OCG also noted that the "Contract Period" Clause which was outlined in the signed Contract Agreement stated that:</p> <p style="padding-left: 40px;"><i>"(a) The contract shall run for one year in the first instance with effect from the 1st day of August, 2011 (hereinafter called "Commencement Date") to the 31st day of July, 2012.(a) [sic] Where as aforesaid the transportation service is performed to the satisfaction of the JCAA and there are no outstanding obligation of the Contractor, the contract shall be renewable for a further two years...but in any event the Contract shall not extend beyond the 31st day of July, 2014."</i></p> <p>As at December 31, 2011, the contract was being executed.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-1711			Ministry	Ministry of Transport and Works	
Project Name	Unarmed Security Guard Services (2011-2015)			Public Body	Jamaica Ultimate Tyre Company Limited	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-09-15	2011-11-18	2011-11-22	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$8,248,500.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on August 24, 2011. Tenders were to be submitted by September 15, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Eight (8) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, in the sum of J\$2,475,000.00 annually, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the signing of the contract was pending.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Contract Not Yet Signed					

Reference No.	GCM-1681			Ministry	Ministry of Transport and Works	
Project Name	Broadband Data Connectivity over Fibre Optic Cable			Public Body	Jamaica Urban Transit Company Ltd.	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-03-18	2011-09-19	2011-09-27	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$3,600,000.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Comments						
<p>The Invitation to Tender was advertised on February 20, 2011. Tenders were to be submitted by March 18, 2011 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. The two (2) tenders did not include a valid National Contracts Commission (NCC) Certificate.</p> <p>By way of a letter which was dated April 18, 2011, the Jamaica Urban Transit Company Limited (JUTC) wrote to the NCC, "seeking...approval to either continue the process by conducting the evaluation of the proposals or use the limited tender method...to engage the services of one of these potential providers" as the JUTC indicated that "Further checks were made and it was found that these are the only two companies that are capable of providing this kind of service."</p> <p>The NCC recommended that the JUTC abort the process and "...enter into negotiation with the lowest tenderer who is currently registered in the appropriate category and grade."</p> <p>The JUTC entered into negotiations with the lowest bidder and based upon said negotiations settled on a cost of J\$4,100,000.00 annually.</p> <p>As at December 31, 2011, the contract was not yet signed.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Contract Not Yet Signed					

Reference No.	GCM-1621			Ministry	Ministry of Transport and Works	
Project Name	Disposal of Derelict Buses			Public Body	Jamaica Urban Transit Company Ltd.	
Contractor	St. Catherine Metal Recyclers Limited			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2010-12-08	0000-00-00	0000-00-00	0000-00-00	0000-00-00	2011-02-03
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
\$0.00	2011-02-17	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
St. Catherine						
Comments						
<p>The Invitation to Tender invited offers from Scrap Metal Dealers to purchase a portion or all of 92 buses for scrap metal content. Tenders were to be submitted by November 18, 2009.</p> <p>Sixteen (16) tenders were received and INET Jamaica Limited was considered the preferred Bidder. INET made payment for twenty-two (22) buses and began the process of removing the buses. However, the company failed to remit payments and remove the buses as agreed.</p> <p>A second Invitation to Tender was advertised for the remaining 70 buses in April 2010. However, no tenders were received in response to this tender.</p> <p>The Jamaica Urban Transit Company (JUTC) published a third advertisement for 156 buses in July 2010, however, no tenders were received within the stipulated period.</p> <p>Consequently, the JUTC wrote to the National Contracts Commission (NCC) requesting permission to utilize the Limited Tender Procurement Methodology to dispose of the buses. The NCC informed the JUTC that the matter was "a disposal of assets and not procurement" and as such directed the JUTC to the Ministry of Finance and the Public Service.</p> <p>The JUTC, by way of an email which was dated November 29, 2010, invited a list of registered scrap metal dealers from the Trade Board website. Prospective Bidders were invited to submit sealed tenders "AS IS WHERE IS" by 2:00 p.m. on December 8, 2010.</p> <p>Three (3) Scrap Metal Dealers responded within the stipulated period. Subsequent to an evaluation, the Bidder with the highest evaluated score, St. Catherine Metal Recyclers Limited, was awarded the contract.</p> <p>A contract was signed on February 3, 2011.</p> <p>The JUTC has indicated that all 156 buses have been collected by the dealer and, that the dealer has paid the JUTC proceeds totalling J\$4,368,000.00.</p> <p>As at December 31, 2011, the contract was completed.</p>						
Status	Contract Completed					

Reference No.	GCM-3351			Ministry	Ministry of Transport and Works	
Project Name	Procurement of Canteen Concessionaire			Public Body	Jamaica Urban Transit Company Ltd.	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
\$0.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston and St. Catherine						
Comments						
<p>The Invitation to Tender was originally advertised on May 17, 2009. The procurement opportunity involved the provision of Canteen Concessionaire Services for four (4) Depot locations: Rockfort, Ashenheim, Spanish Town and Portmore. The Tender Opening Ceremony was held on June 19, 2009.</p> <p>Two (2) tenders were received, however, neither submission met the eligibility requirements which were outlined in the Tender Document. Subsequently, by way of a letter which was dated October 7, 2009, the Office of the Contractor General (OCG) informed the Procuring Entity, <i>inter alia</i>, that "...we hereby...formally recommend that the tender process be aborted due to all Bidders non-compliance of the eligibility requirements."</p>						

By way of a letter which was dated October 2, 2009, the Procuring Entity invited seven (7) companies to submit tenders for the procurement opportunity. The Tender Opening Ceremony was held on November 30, 2009. Five (5) tenders were received as follows: two (2) for Rockfort Depot; two (2) for Portmore Depot and one (1) for the Spanish Town Depot.

Upon evaluation, two (2) tenders were considered responsive and recommended for the award of contract for the Rockfort and Portmore Depots. The requisite approvals for the recommendations were obtained.

Subsequently, by way of a letter which was dated September 16, 2010, the recommended Contractors for the Rockfort and Portmore Depots were invited to submit tenders for the Spanish Town Depot. Tenders were to be returned by October 14, 2010 at 3:00 p.m.

At the close of tender, one (1) tender was received from the recommended Contractor for the Portmore Depot. The tender was reviewed and the Contractor was recommended for the award of contract for Spanish Town and the requisite approvals were obtained.

Genesis #1 Restaurant was awarded the contract for Rockfort Depot on December 16, 2010, as follows: Breakfast - J\$180.00; Lunch/Supper - J\$200.00. However, as preparations were being made to award the contracts for the Portmore and Spanish Town Depots, the Procuring Entity received a letter from the recommended Contractor which indicated that they were no longer interested in providing services at the Portmore and Spanish Town Depots.

In light of the foregoing, the OCG noted that an Invitation to Tender was advertised on May 25, 2011, for Canteen Concessionaire at the Spanish Town and Portmore Depots. Tenders were to be submitted by June 29, 2011 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:15 p.m.

Documents which were obtained by the OCG indicated that in an email dated June 28, 2011, to prospective Bidders, the Entity advised that *"With regards to the Canteen Concessionaire Tender for the Portmore & Spanish Town Depots that is scheduled to close tomorrow at 3:pm [sic], please note that such deadline (deadline for submission) has been extended until July 15, 2011.*

This extension is as a result of dialogue between the Office of the Contractor General (OCG) and the Jamaica Urban Transit Company Limited's Purchasing Department. A review of the JUTC tender document by the OCG was conducted and as such the OCG recommends that the Standard Bidding documents be used."

Subsequently, the Procuring Entity advised prospective Bidders in an email dated July 15, 2011, *"With regards to the Canteen Concessionaire Tender for the Portmore & Spanish Town Depots that is scheduled to close today – July 15, 2011 @ 3:00pm [sic], please note that such deadline (deadline for submission) has been extended until further notice.*

Such will be finalized as soon as the Standard Bidding Document is revised and dispatched to tenderers."

The Procuring Entity informed the OCG that arrangements were made with Genesis #1 Restaurant (Contractor for Rockfort Depot) to provide temporary service for six (6) months at the Portmore Depot. In this regard, the OCG noted that a Letter of Engagement was signed between the Procuring Entity and Genesis #1 on March 17, 2011.

Documents which were obtained by the OCG indicated that the Procuring Entity had concerns with the services being offered by Genesis #1 Restaurant. By way of a letter to Genesis #1 Restaurant, which was dated July 14, 2011, the Entity stated that:

"It was noted that the concerns raised...have not been satisfactorily addressed and there has been no improvement in the service offered by the canteen despite your commitment to make the necessary steps to improve the service...Consequently, the decision has been taken to terminate your contract for the provision of canteen concessionaire services at Rockfort and Portmore Depots...effective 2011 August 12."

Documents obtained by the OCG further indicated that, the Procuring Entity subsequently took the decision to invite companies to submit quotes, for the provision of temporary (6 months) Canteen Concessionaire Services at the Rockfort and Portmore Depots.

The OCG noted the Procuring Entity's Memorandum dated August 12, 2011, regarding *"Report - Process for Temporary Service Canteen Concessionaire Service for Portmore and Rockfort Depot"*, which stated that:

"On Tuesday, August 02nd, 2011 the names, locations and contact information of suppliers was retrieved from the National Contracts Website on Registered Sector Suppliers in the Category Catering for potential Organizations to provide Temporary Concessionaire Services for (Six (6) Months), also all persons that purchased Tender Documents re Canteen Concessionaire Service 2011-2013 were contacted and included.

"After evaluating the proposals received...Jacquis Catering was selected to operate both Portmore and Rockfort Depot Canteens to start on August 13, 2011. "

The OCG did not evidence the Head of Entity's approval for the recommended Contractor or a Contract Document. In this regard, the Procuring Entity indicated that *"Jacquis Catering was successful in the procurement process and commenced services on August 13, 2011; the Contract was drafted...and submitted to Jacquis Catering however the contract was never signed..."*

Subsequently, a tender process was undertaken to procure Canteen Concessionaire Service for a two (2) year contracting period. Letters of Invitation dated September 9, 2011, were submitted to eight (8) companies. Tenders were to be returned by October 12, 2011 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:15 p.m.

At the close of tender, no tenders were received.

Subsequently, the OCG noted the Procuring Entity's letter, which was dated November 15, 2011, to the Permanent Secretary of the Ministry of Transport and Works, which stated that:

"...Jacqui's Catering being selected to provide the services at both locations. On October 14, 2011, a request for price increases for tea and chicken meals was received from the service provider, which also stated that failure to grant this request would result in the services being discontinued on October 21, 2011. The matter was discussed at an emergency canteen committee held on October 18, 2011 and the decision taken was the [sic] Company could not afford to grant an increase in the prices.

The current situation is that all three canteens are being operated by chefs that were left behind by the previous concessionaires. ...the JUTC is seeking your approval to continue using the current providers for all three canteens for the next twelve (12) months."

As at December 31, 2011, a response from the Permanent Secretary was pending.

The OCG will continue to monitor procurement process.

Status	No Tenders Received
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Reference No.	GCM-1601			Ministry	Ministry of Transport and Works	
Project Name	Procurement of Non-Administrative Staff Uniforms (2011-2013)			Public Body	Jamaica Urban Transit Company Ltd.	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-09-22	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$16,537,500.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00

Project Location(s)

Comments

The Invitation to Tender was advertised on May 15, 2011. Tenders were to be submitted by June 21, 2011 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:15 p.m.

The Office of the Contractor-General (OCG) had recommended that the Jamaica Urban Transit Company Limited (JUTC) extend the deadline for submission of bids in an effort to revise its Tender Document.

The JUTC accepted the OCG's recommendation and issued an Addendum extending the deadline to July 13, 2011. Tenders were to be submitted by July 13, 2011 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:15 p.m.

Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.

A detailed evaluation was conducted in accordance with the Evaluation Criteria. The Committee found all three bids to be non-responsive.

The procurement opportunity was re-advertised on August 24, 2011. Tenders were to be submitted by September 22, 2011 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:15 p.m.

Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.

A detailed evaluation was conducted in accordance with the Evaluation Criteria. The Evaluation Committee again found all three (3) tenders to be non-responsive.

As at December 31, 2011, the project was on hold.

The OCG will continue to monitor the procurement process.

Status	Project On Hold
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Reference No.	GCM-1651			Ministry	Ministry of Transport and Works	
Project Name	Provision of Customs Brokerage Services (2011-2014)			Public Body	Jamaica Urban Transit Company Ltd.	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2011-01-31	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
\$0.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on December 15, 2010. Tenders were to be submitted by January 31, 2011 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>Six (6) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document.</p> <p>The lowest responsive tender was recommended for the award of contract by the Evaluation Committee. However, certain discrepancies were identified in which some Bidders "...quoted in percentage and some [in] dollar value" and based upon such discrepancies, the Chairman of the Board of the Jamaica Urban Transit Company Limited (JUTC) recommended that the tender be aborted.</p> <p>As at December 31, 2011, the project was aborted.</p>						
Status	Project Aborted					

Reference No.	GCM-1071			Ministry	Ministry of Transport and Works	
Project Name	Provision of Security Services			Public Body	Ministry of Transport and Works	
Contractor	Sentry Services Security Company			Contract Sum	J\$8,168,160.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-03-29	2011-04-19	2011-05-12	0000-00-00	0000-00-00	2011-07-01
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$8,008,000.00	2011-07-01	2013-06-30	0000-00-00	0	J\$1,532,550.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The procurement opportunity was originally advertised on September 12, 2010. Tenders were to be submitted by October 1, 2010 at 2:30 p.m., followed by a scheduled Tender Opening Ceremony at 2:45 p.m.</p> <p>Seven (7) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted and the tender which attained the highest overall score was recommended for the award of contract.</p> <p>The Procurement Committee approved the contract award recommendation on November 10, 2010.</p> <p>The recommended Contractor was subsequently advised the award selection, without the requisite approval of the Head of Entity.</p> <p>With regards to the evaluation process and the subsequent contract award recommendation, a number of concerns were raised by the Head of Entity and other representatives of the Procuring Entity. By way of a letter which was dated January 24, 2011, the Procuring Entity requested the guidance of the OCG, with regards to the concerns which were raised.</p> <p>In response to the Procuring Entity's request, the Office of the Contractor General (OCG), by way of a letter which was dated February 10, 2011, referred the Procuring Entity to <i>Volume II, Appendix 8, 8.5</i>, of the Government of Jamaica Handbook of Public Sector Procurement Procedures (October 2010), which provides that, "<i>The Procuring Entity reserves the right to accept or reject any bid, or to abort the tender process and reject all tenders at any time prior to award of contract...</i>"</p> <p>Consequently, the Head of Entity issued instructions to re-tender the procurement opportunity.</p> <p>The procurement opportunity was subsequently re-tendered in March 2011.</p> <p>The Invitation to Tender was advertised on March 13, 2011. Tenders were to be submitted by March 29, 2011 at 2:30 p.m., followed by a scheduled Tender Opening Ceremony at 2:45 p.m.</p> <p>Nine (9) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The tender which was submitted by Sentry Services Security Company Limited attained the highest overall score and was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>A Status Report, which was submitted by the Procuring Entity, under the cover of letter which was dated December 14, 2011, stated, <i>inter alia</i>, that "...Sentry Services Security Company...have maintained the terms and conditions of the contract and there [sic] service has been satisfactorily [sic]."</p> <p>As at December 31, 2011, the contract was being executed.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-1191			Ministry	Ministry of Transport and Works	
Project Name	Procurement of Traffic Signal Equipment			Public Body	National Works Agency	
Contractor	Traffic Control Products			Contract Sum	J\$2,925,520.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-03-21	2011-04-11	2011-04-13	0000-00-00	0000-00-00	2011-05-17
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$2,790,000.00	0000-00-00	2011-06-18	2011-07-04	16 Day(s)	J\$2,925,520.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on March 6, 2011. Tenders were to be submitted by March 21, 2011 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Traffic Control Product Limited, in the sum of J\$2,925,520.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>By way of a Status Report, the Procuring Entity informed the Office of the Contractor General that the "...equipment was delivered to the National Works Agency (NWA) on 2011 July 4...and the project deemed completed as of the said date."</p> <p>As at December 31, 2011, the contract was completed.</p>						
Status	Contract Completed					

Reference No.	GCM-1661			Ministry	Ministry of Transport and Works	
Project Name	Supply and Delivery of River Shingles at Roselle			Public Body	National Works Agency	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-12-10	2011-01-10	2011-01-14			
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$9,600,000.00				0	\$0.00	\$0.00
Project Location(s)						
St. Thomas						
Comments						
<p>The Invitation to Tender was advertised on November 25, 2010. Tenders were to be submitted by December 10, 2010 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender was recommended for the award of contract.</p> <p>The requisite approvals were obtained. However, prior to the award of contract the Procuring Entity aborted the process.</p> <p>By way of Status Report which was dated July 25, 2011, the Procuring Entity informed the OCG, <i>inter alia</i>, that "Due to reduction in the fiscal space for the current financial year, the budget for the Loan No. 2026/OC-JA Programme was reduced, hence the process...was suspended for this financial year... All tender bonds were returned..."</p> <p>As at December 31, 2011, there was no change to the status of the procurement.</p>						
Status	Project Aborted					

Reference No.	GCM-4652			Ministry	Ministry of Transport and Works	
Project Name	Procurement of Seven Hundred and Ten (710) Traffic Signs			Public Body	National Works Agency (NWA)	
Contractor	Machinery and Services Limited			Contract Sum	J\$2,479,557.80	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-07-05	2011-08-15	2011-08-22	0000-00-00	0000-00-00	2011-09-12
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$3,210,000.00	2011-09-12	2011-11-11	2011-12-23	42 Day(s)	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on June 17, 2011. Tenders were to be submitted by July 5, 2011 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Six (6) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the "Evaluation of Bids" and "Award Criteria" Clauses, which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Machinery and Services Limited, in the sum of J\$2,479,557.80, was recommended for the award of contract.</p> <p>By way of the Minutes of a meeting between Machinery and Services Limited and the Procuring Entity, which was convened on July 26, 2011, the Office of the Contractor General (OCG) noted the following:</p> <p><i>"...the meeting was called to seek confirmation that [the Bidder] fully understands the expectations of the National Works Agency...as specified in the bid document. The concern...had arisen due to the bid of Machinery and Services limited being significantly lower than the comparable estimate and the NWA not having any prior experience with the company supplying traffic signs...[the Bidder] confirmed that he understands the expectations of the NWA; he has confirmed the specifications with his supplier and is willing to stand by the figures quoted..."</i></p> <p>The requisite approvals were subsequently obtained and the contract was awarded accordingly.</p> <p>The OCG noted a Delivery Slip which was dated December 23, 2011, which indicated the delivery of the procured items to the Procuring Entity.</p> <p>As at December 31, 2011, payment to the Contractor was pending.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Final Payment to the Contractor Pending					

Reference No.	GCM-4622			Ministry	Ministry of Transport and Works	
Project Name	Supply, Installation and Commissioning of the one (1) Passenger Elevator at the National Works Agency Corporate Office			Public Body	National Works Agency (NWA)	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-06-30	2011-08-23	2011-09-06	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$6,539,500.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on May 29, 2011. Tenders were to be submitted by June 24, 2011 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m. The deadline for submission was subsequently extended to June 30, 2011 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the "Award Criteria" Clause, which was outlined in the Tender Document. The sole tender was deemed responsive and recommended for the award of contract.</p> <p>The requisite approvals were obtained.</p> <p>By way of a Status Report, the Procuring Entity informed the Office of the Contractor General (OCG) that the "...project has now been put on hold, awaiting confirmation of funding in the new financial year (2012/2013)."</p> <p>As at December 31, 2011, the project was on hold.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Project On Hold					

Reference No.	GCM-4782			Ministry	Ministry of Transport and Works	
Project Name	Capital Development Programme - Extension of the Existing Fire Suppression System			Public Body	Norman Manley International Airport	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-10-19	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$14,292,724.96	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on July 28, 2010. Tenders were to be submitted by October 4, 2010 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:30 p.m. The deadline for submission of tenders was subsequently extended to October 19, 2010 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:30 p.m.</p> <p>Four (4) tenders were received and opened on the stipulated date.</p> <p>By way of a letter which was dated October 22, 2010, the Procuring Entity requested the guidance of the Office of the Contractor General (OCG) with regard to a Bidder who had difficulties submitting a proposal by the required medium. The referenced letter stated the following:</p> <p style="padding-left: 40px;"><i>"Prior to closing of the request for proposals, information was received via electronic mail from overseas bidder...informing that the courier service provider responsible for the delivery of their proposal had experienced internal logistics errors; the resultant was the anticipated non-delivery of the proposal within the specified timeline."</i></p> <p>By way of a letter which was dated November 2, 2010, the OCG informed the Procuring Entity that "...only the document which was presented at the time of tender opening may be considered for evaluation by the NMIA Airports Limited...</p> <p><i>In this regard, the Tender Document, in Section 7.1.2, outlines the method of packaging and with specific reference to the submission of bids, states that, "Proposals may not be submitted by fax or email."</i></p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. Upon completion of the evaluation process, the Evaluation Committee recommended that all tenders be rejected and that permission be granted to negotiate a contract with the Bidder that achieved the second highest technical score, and the proposal which was the closest to the Comparable Estimate.</p> <p>Subsequently, by way of a letter which was dated November 29, 2011, the Procuring Entity informed that the "...Extension of the Existing Fire Suppression System Request for Proposals for design of the system was aborted. The project is being redefined and a new Request for Proposal is scheduled to be issued within the 4th quarter of financial year 2011/12."</p> <p>As at December 31, 2011, the process was not re-tendered.</p>						
Status	Project Aborted					

Reference No.	GCM-5032			Ministry	Ministry of Transport and Works	
Project Name	Provision of Janitorial Services			Public Body	Norman Manley International Airport	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-10-08	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$366,988,516.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was originally advertised on July 26, 2009. The tender process was aborted as the Infrastructure Sub-Committee of the Cabinet did not approve the contract award recommendation.</p> <p>An Invitation to Tender was re-advertised on July 18, 2010. Tenders were to be submitted by September 10, 2010 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:30 p.m.</p> <p>Addenda were issued, one of which extended the deadline for submission of tenders to September 24, 2010 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:30 p.m.</p> <p>Upon review of the Tender Document, the Office of the Contractor (OCG) noted a number of inconsistencies and omissions. By way of a letter which was dated August 20, 2010, the OCG informed the Procuring Entity of its observations and recommended that it issue Addenda with regard to same.</p> <p>Based upon the OCG's recommendation, Addenda were issued, one of which extended the deadline for submissions to October 8, 2010 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:30 p.m.</p> <p>Six (6) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>An evaluation was conducted and a recommendation for the contract award was made.</p> <p>By way of an email which was dated July 11, 2011, the Procuring Entity requested the guidance of the OCG with regard to noted discrepancies in the evaluation process. The referenced email stated that "...we are in the process of submitting for approval, the selected tenderer..."</p> <p><i>However, the internal approvals process has unearthed a few discrepancies with the evaluator's submissions. Specifically, the scoring guidelines seem not to have been followed.</i></p> <p><i>In an attempt to resolve the problem we proposing [sic] another briefing session with the evaluators to go over the scoring methodology."</i></p> <p>By way of a letter which was dated August 2, 2011, the OCG requested additional information from the Procuring Entity in order to provide a response.</p> <p>The Procuring Entity submitted the requisite documents to the OCG, under cover of letter which was dated September 14, 2011. The referenced letter stated that "...the noted statement "...the application of the minimum and maximum score, were not followed..." is making reference to the fact that in some instance the evaluators applied scores that were below the minimum prescribed score."</p> <p>By way of a letter which was dated September 23, 2011, the OCG recommended, <i>inter alia</i>, that the Procuring Entity abort the tender process in light of the noted discrepancies in the evaluation process.</p> <p>The Procuring Entity subsequently informed the OCG, by way of a letter which was dated December 5, 2011, that "...the recommendation of the Office of the Contractor-General to abort the captioned procurement was accepted in principle. In an effort to execute the new tender process and contract award in a reduced time-frame, we sought the permission of the Ministry of Transport and Works to invite the existing proposers to submit updated proposals (based on the existing Tender Document), which would then be subjected to a revised evaluation process. The revised Evaluation Criteria would be communicated to the existing proposers as an addendum."</p> <p>In the foregoing regard, the OCG submitted a letter which was dated December 30, 2011, to Norman Manley International Airport (NMIA), outlining its concerns regarding the process which the Entity seeks to undertake. The OCG's referenced letter stated that:</p> <p><i>"...the OCG is of the opinion that said process, regarding the submission of updated proposals based upon the existing Tender Document, do not appear to uphold the principles of transparency and judiciousness.</i></p> <p><i>Additionally, and given the reason for aborting the tender process, the OCG believes that the NMIA should undertake a local competitive bidding process in keeping with the value threshold and the requirements of the Government of Jamaica (GOJ) handbook of Public Sector Procurement Procedures (October 2010)...</i></p> <p><i>Accordingly, the OCG recommends that the NMIA, revisit the tender process with the aim of ensuring that: i. A new Tender Document is prepared with the relevant sections...ii. The overall process is conducted in accordance with the provisions of the GOJ Handbook of Procurement Procedures..."</i></p>						
Status	Project Aborted					

Reference No.	GCM-4521			Ministry	Ministry of Transport and Works	
Project Name	Provision of Infrastructure Design Consultancy Services for Tinson Pen Logistics and Distribution Centre			Public Body	Port Authority of Jamaica	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-06-17	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
US\$4,000,000.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on April 17, 2011. Tenders were to be submitted by June 10, 2011 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:15 p.m. An Addendum was subsequently issued which extended the deadline for submission of tenders to June 17, 2011 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Five (5) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation of the Technical Proposals was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. Four (4) tenders exceeded the minimum required score of eighty (80) points and the respective Bidders were invited to the opening of the Financial Proposals on September 7, 2011.</p> <p>By way of a letter which was dated September 13, 2011, the Procuring Entity requested an extension of the Tender Validity Period to November 14, 2011. All Bidders responded in the affirmative.</p> <p>Subsequently, the Procuring Entity informed that it "...had aborted the process prior to the completion of the Tender Evaluation Report."</p> <p>As at December 31, 2011, the project was not re-tendered.</p>						
Status	Project Aborted					

Reference No.	GCM-4501			Ministry	Ministry of Transport and Works	
Project Name	Supply and Commissioning of a Wireless Data Network at Kingston Container Terminal			Public Body	Port Authority of Jamaica	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2011-06-14	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
US\$381,045.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was originally advertised on February 17, 2010. Tenders were to be submitted by March 31, 2010 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:15 p.m. An Addendum was subsequently issued which extended the deadline for submission of tenders to April 9, 2010.</p> <p>Three (3) tenders were received and evaluated. The process was subsequently aborted. In this regard, the Procuring Entity informed that the "...bids that were received were rejected because they were either non-responsive, or did not compare favourably with The Port Authority's internal estimate."</p> <p>The procurement opportunity was re-tendered.</p> <p>The Invitation to Tender was re-advertised on September 5, 2010. Tenders were to be submitted by October 15, 2010 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:10 p.m. An Addendum was subsequently issued which extended the deadline for submission of tenders to October 29, 2010 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:10 p.m.</p> <p>Five (5) tenders were received, however, all tenders were rejected. One (1) tender far exceeded the internal estimate and the remaining tenders were ineligible due to the non-submission of the appropriate National Contracts Commission (NCC) Registration Certificate and Tender Security.</p> <p>By way of a letter which was dated March 31, 2011, the Procuring Entity requested the permission of the NCC to invite the five (5) Entities which had submitted tenders in the previous process. The referenced letter stated that "Our detailed assessment of the bids that were received determined that the systems being proposed by the five bidders are potentially viable solutions for the Terminal. It is therefore in the PAJ's interest to limit the tender process to these five entities, utilizing a shorter response time period of twelve days..."</p> <p>The NCC, in its meeting of April 13, 2011, endorsed the Procuring Entity's request to abort the previous tender process and utilise the Limited Tender Procurement Methodology to invite the five (5) Entities that had previously submitted tenders. By way of a letter which was dated May 3, 2011, the NCC informed that the "...approval...is subject to the companies being duly registered with the NCC in the appropriate category."</p> <p>By way of letters which were dated May 10, 2011, the Procuring Entity invited tenders from the five (5) Entities. Tenders were to be submitted by May 27, 2011 at 11:30 a.m., followed by a scheduled Tender Opening Ceremony at 11:40 a.m. An Addendum was subsequently issued which extended the deadline for submission of tenders to June 14, 2011.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>An evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The tender which attained the highest overall score was recommended for the award of contract.</p> <p>The recommendation was forwarded to the Procurement Committee for its review on December 15, 2011. By way of a Memorandum which was dated December 28, 2011, the Procurement Committee noted that the recommended Contractor's tender price was adjusted by the Evaluation Committee during the evaluation process. In this regard, the Procurement Committee stated the following:</p> <p style="padding-left: 40px;"><i>"The procurement evaluation team is not authorized to adjust the bid amount for any bid received. The correct action would be to write to the bidder to ask that they stand by the bid price as per the Handbook... The Committee therefore recommends that the Information Systems (IS) Department write...and ask that the company stand by the bid amount which would include the omission...If the response to that request is no, the bid from the next responsive bidder is to be evaluated for competitiveness. If that bid is not competitive, the IS Department should write to the National Contracts Commission (NCC) and seek permission to:</i></p> <p style="padding-left: 40px;"><i>i. Abort the tender process, and</i></p> <p style="padding-left: 40px;"><i>ii. Enter into negotiation...for the provision of the network services."</i></p> <p>As at December 31, 2011, preparations were being made to implement the recommendations of the Procurement Committee.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Evaluation of Tenders Ongoing					

Reference No.	GCM-4491			Ministry	Ministry of Transport and Works	
Project Name	Voice Over Internet Protocol Private Branch Exchange at Falmouth Cruise Ship Pier			Public Body	Port Authority of Jamaica	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-08-29	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
US\$175,125.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Trelawny						
Comments						
<p>The Invitation to Tender was advertised on June 17, 2011. Tenders were to be submitted by August 3, 2011 at 11:30 a.m., followed by a scheduled Tender Opening Ceremony at 11:40 a.m. An addendum was subsequently issued which extended the deadline for submission of tenders to August 29, 2011 at 11:30 a.m., followed by a scheduled Tender Opening Ceremony at 11:40 a.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender was recommended for the award of contract.</p> <p>The recommendation was forwarded to the Procurement Committee for review on December 8, 2011. By way of a Memorandum dated December 28, 2011, the Procurement Committee requested clarification from the Evaluation Committee regarding sections of the Evaluation Report and outlined its recommendations for amendments to other sections of the Report.</p> <p>As at December 31, 2011, the Evaluation Committee was preparing to action the recommendations of the Procurement Committee.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Evaluation of Tenders Ongoing					

Reference No.	GCM-3051			Ministry	Ministry of Transport and Works	
Project Name	Staff Transportation			Public Body	Ports Security Corps Ltd.	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$21,900,000.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Comments						
<p>The Invitation to Tender was advertised on October 5, 2011. Tenders were to be submitted by October 21, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:30 p.m.</p> <p>Upon submission of Ports Security Corps Limited's Tender Document to the Office of the Contractor General (OCG), it was noted that the Entity had failed to utilize the applicable Standard Bidding Document. The OCG, by way of a letter which was dated October 21, 2011, recommended that the referenced Entity extend the deadline for submission in an effort to revise its Tender Document.</p> <p>The Ports Security Corps Limited accepted the OCG's recommendation and re-tendered the opportunity on November 23, 2011. Tenders were to be submitted by January 20, 2012 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:30 p.m.</p> <p>As at December 31, 2011, the OCG awaits the scheduled close of tender.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Close of Tender Pending					

Reference No.	GCM-4582			Ministry	Ministry of Transport and Works	
Project Name	Procurement of Auctioneering Services			Public Body	Transport Authority	
Contractor	La Maison Property Services			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-12-21	2010-01-25	2010-01-26	0000-00-00	0000-00-00	2010-05-11
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
\$0.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on November 8, 2009. Tenders were to be submitted by December 14, 2009 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:30 a.m. The deadline for submission of tenders was extended to December 21, 2009 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:30 a.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>The tenders were evaluated and the tender which was submitted by La Maison Property Services obtained the highest overall score and was recommended for the award of contract. The payment terms were at a rate of eight percent (8%) of the total value of vehicles to be sold at each auction.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>The contract duration was not evidenced on the signed contract, however, the Tender Document had outlined that the "...contracted Auctioneer will be contracted for a period of three years."</p> <p>The Office of the Contractor General (OCG) noted the payment terms which were outlined in the contract, which stated that "...in consideration of its services in conducting the said auction to pay the auctioneer a fee of (8%) of the sold Jamaican Dollar value plus General Consumption Tax of the highest and last bid made and taken on each item listed in the inventory..."</p> <p>By way of a Status Report, which was submitted under the cover of letter dated January 7, 2011, the Procuring Entity informed that the "...TA is still in dialogue with contracted Auctioneer to arrange Auction of vehicles."</p> <p>As at December 31, 2011, the status remained unchanged. No payments have been made to the Contractor.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-4762			Ministry	Ministry of Transport and Works	
Project Name	Procurement of Closed Circuit Television (CCTV) System			Public Body	Transport Authority	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2011-02-04	2011-04-08	2011-05-09	2011-09-28	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$15,000,000.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
All Island						
Comments						
<p>The Invitation to Tender was originally advertised on September 13, 2010. Tenders were to be submitted by October 21, 2010 at 3:00 p.m., followed by a Tender Opening Ceremony at 3:15 p.m. The deadline for submission of tenders was subsequently extended to November 2, 2010 at 3:00 p.m., followed by a Tender Opening Ceremony at 3:15 p.m.</p> <p>Five (5) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>By way of a Status Report, which was submitted under cover of letter dated January 7, 2011, the Procuring Entity subsequently informed the Office of the Contractor General (OCG) that <i>"All proposals were rejected. This process is presently being re-tendered..."</i></p> <p>The Invitation to Tender was re-advertised on December 26, 2010. Tenders were to be submitted by January 28, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m. Two (2) Addenda were issued and the deadline for submission of tenders was extended to February 4, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon a preliminary examination, one (1) tender was deemed ineligible as a result of the non-submission of a valid National Contracts Commission (NCC) Certificate. A detailed evaluation was conducted of the remaining tenders, in accordance with the Evaluation Criteria which were outlined in the Tender Document. The Bidder who attained the highest overall score was recommended for the award of contract.</p> <p>The requisite approvals were obtained.</p> <p>By way of a Status Report, which was received under cover of letter dated December 2, 2011, the Procuring Entity indicated that the contract was being prepared.</p> <p>As at December 31, 2011, the award of contract was pending.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Contract Not Yet Signed					

Reference No.	GCM-1741			Ministry	Ministry of Youth, Sports and Culture	
Project Name	Case Management System for Human Services - Child Protection System			Public Body	Child Development Agency	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
International Competitive Bidding	2011-10-10	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
US\$76,662.50	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on August 28, 2011. Tenders were to be submitted by September 26, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>The Child Development Agency (CDA) indicated that an executive decision was made by the Chairperson of the Steering Committee to extend the deadline for submission. Tenders were to be submitted by October 10, 2011 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The sole tender, in the sum of J\$71,724,095.96, was recommended for the award of contract.</p> <p>As at December 31, 2011, the Entity was preparing the report for submission to the Procurement Committee.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Procurement Committee Approval Pending					

Reference No.	GCM-3461			Ministry	Office of the Cabinet	
Project Name	Development of a Decentralisation Policy			Public Body	Office of the Cabinet	
Contractor	UWI Consulting			Contract Sum	J\$3,888,225.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2010-05-20	2010-06-22	2010-07-16	0000-00-00	0000-00-00	2010-10-11
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
US\$44,400.00	2010-10-11	2010-12-13	0000-00-00	0	J\$2,935,609.88	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was originally advertised in March 2009. A detailed evaluation was conducted, the requisite approvals were obtained and the contract was awarded to Delta Partnership Solutions Limited with five (5) specific deliverables.</p> <p>In a Status Report, which was dated December 1, 2010, the Office of the Cabinet, advised the Office of the Contractor General (OCG) that the "...consultant failed to submit the fourth deliverable to an acceptable standard, despite several attempts to rectify the deficiencies highlighted by the Cabinet Office. It was therefore mutually agreed to terminate the contract and the consultant paid for expenses incurred up to the termination as specified in the contract."</p> <p>Subsequently, letters of Invitation to Tender, which were dated April 28, 2010, were sent to six (6) Consulting firms, by way of the Limited Tender Procurement Methodology. Tenders were to be submitted by May 20, 2010 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted of the Technical Proposal which was submitted by the sole Bidder, UWI Consulting, in accordance with the Evaluation Criteria which were outlined in the Tender Document. UWI Consulting exceeded the required technical evaluation score of 75 points and subsequently advanced to the opening of the Financial Proposal.</p> <p>The sole Bidder was invited to a public opening of the Financial Proposal on June 7, 2010. A detailed evaluation was conducted and UWI Consulting was recommended for the award of contract. The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>In a Status Report to the OCG, the Office of the Cabinet advised that the <i>contract was "...amended to extend the project end date to April 15, 2011, due to an extension to the consultation process..."</i></p> <p>The Status Report also indicated that <i>"Based on the extensive work required to provide for a working policy, the contract was extended for another five (5) months between October 31, 2011 to March 31, 2012. There will be no further increases in total compensation."</i></p> <p>As at December 31, 2011, three (3) of the four (4) key deliverables were satisfactorily completed and payments were allocated according to the contract.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-4071			Ministry	Office of the Cabinet	
Project Name	The provision of Cartridge Free Solid Ink Multifunction Printing Machines for the Public Sector Modernisation Division			Public Body	Office of the Cabinet	
Contractor	Productive Business Solutions			Contract Sum	J\$3,895,112.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-10-29	2011-01-31	2011-01-31	0000-00-00	0000-00-00	2011-02-15
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$2,900,000.00	2011-02-15	2011-03-15	0000-00-00	0	J\$3,895,112.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on October 10, 2010. Tenders were to be submitted by October 29, 2010 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>A representative from the Office of the Contractor General (OCG), in attendance at the Tender Opening Ceremony, noted that the Comparable Estimate was not made public. This is in contravention of the requirements of the Government of Jamaica Public Sector Procurement Handbook (November 2008), Sub-Section S-2110 which states, <i>inter alia</i>, that the "...comparative estimate should be made public at the tender opening..."</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The highest scored tender, in the sum of J\$3,473,884.00, which was submitted by Productive Business Solutions was recommended for the award of contract.</p> <p>The requisite approvals were obtained. Further to the approvals which were received from the Procurement Committee and the Head of Entity, the Chief Technical Director, by way of a Memorandum which was dated February 10, 2011, sought the approval of the Head of Entity to increase the number of Medium Multifunctional Printer from three (3) to four (4). The additional printer resulted in an increase in the contract price from J\$3,473,884.00 to J\$3,895,112.00.</p> <p>The Head of Entity approved the variation, and the contract which was dated February 7, 2011, and which was signed on February 15, 2011, was issued for the provision of one (1) large Multifunctional Printer and four (4) medium sized Multifunctional Printers, in the sum of J\$3,895,112.00.</p> <p>Further, the OCG, by way of a letter which was dated July 7, 2011, requested a Status Report on the referenced project. In response the Cabinet Office, by way of a letter which was dated July 12, 2012 stated, <i>inter alia</i>, that the requisite printers were received and first payment had been made, however, "...two (2) [printers] were malfunctioning and have been replaced...final payment is pending satisfactory evaluation of these machines".</p> <p>By way of a Status Report, which was dated August 15, 2011, the Cabinet Office advised the OCG, <i>inter alia</i>, that the "...Printers have been delivered and final payment will be made after acceptance report from the Manager, Information System". A subsequent Status Update which was dated September 27, 2011, indicated that the printers had been accepted by the Manager, Information System.</p> <p>As at December 31, 2011, all payments had been made and the requisite items received.</p>						
Status	Contract Completed					

Reference No.	GCM-4962			Ministry	Office of the Cabinet	
Project Name	To Conduct an Economic Analysis Indicating the Benefits and Costs of Implementing a Data Sharing Policy Across all Government of Jamaica Ministries, Departments and Agencies			Public Body	Office of the Cabinet	
Contractor	Kevin St. Croix Morrison			Contract Sum	J\$3,129,539.38	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-07-11	2011-08-18	2011-08-18	0000-00-00	0000-00-00	2011-09-05
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$5,500,000.00	2011-09-05	2011-12-31	0000-00-00	0	J\$1,877,723.63	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on June 19, 2011. Tenders were to be submitted by July 11, 2011 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. Subsequent to the technical evaluation, one (1) tender attained the minimum required score and proceeded to the opening of the Financial Proposal. The sole responsive tender which was submitted by Kevin St. Croix Morrison, in the sum of J\$3,129,539.38, was recommended for the award of contract.</p> <p>The requisite approvals were obtained. The contract was awarded and signed on September 5, 2011.</p> <p>As at December 31, 2011, the final deliverable had been executed and the Contractor was paid a total of \$1,877,723.63. Final payments are outstanding.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-1441			Ministry	Office of the Prime Minister	
Project Name	Automated Content Monitoring System			Public Body	Broadcasting Commission	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-10-21	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
US\$1,850,000.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was initially advertised on July 10, 2011. The Office of the Contractor General (OCG) noted certain deviations during its preliminary review of the advertisement and the Request for Proposal (RFP).</p> <p>The OCG, by way of a letter which was dated August 2, 2011, recommended that the Broadcasting Commission make the necessary amendments to its RFP and advertisement in order to ensure full compliance with the requirements of the GOJ Handbook of Public Sector Procurement Procedures.</p> <p>The Broadcasting Commission accepted the OCG's recommendation and issued an Invitation to Tender extending the deadline for the submission of tenders on August 14, 2011. Tenders were to be submitted by September 12, 2011 at 10:30 a.m., followed by a scheduled Tender Opening Ceremony at 10:45 a.m.</p> <p>The deadline for submission was subsequently extended to October 21, 2011 at 10:30 a.m.</p> <p>The Broadcasting Commission noted that its Comparative Estimate was based upon "...systems [which] were identified that range in cost from approximately US\$160,000 to US\$.85 million."</p> <p>One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The Evaluation Committee found the sole bidder to be substantially non-responsive and recommended that the tender be rejected. The Bidder was informed of the decision taken by the Broadcasting Commission, by way of a letter which was dated December 15, 2011.</p> <p>The OCG, during the course of its monitoring, noted that the Broadcasting Commission had "...utilized a non-standard form to record the Tender received..." Of particular concern to the OCG, was the fact that no time was recorded for the receipt of the tender. The OCG implored the Broadcasting Commission to ensure that for future tenders, it utilizes the Bid Receipt Record as stipulated in the Government of Jamaica Handbook of Public Sector Procurement Procedures.</p> <p>As at December 31, 2011, the project was aborted.</p>						
Status	Project Aborted					

Reference No.	GCM-1151			Ministry	Office of the Prime Minister	
Project Name	Computers (Desktop & Laptop) Accessories & Uninterruptable Power Supply			Public Body	Jamaica Fire Brigade	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-11-21	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$5,087,927.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was initially advertised on October 2, 2011. Tenders were to be submitted by October 24, 2011 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Six (6) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. Subsequent to the opening, the Office of the Contractor General (OCG) was advised that the tender process was cancelled as "Responses to queries made by bidders were not made in good time to enable them to prepare bids without ambiguity."</p> <p>The procurement opportunity was re-advertised on November 6, 2011. Tenders were to be submitted by November 21, 2011 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>As at December 31, 2011, the evaluation process had not commenced.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Procurement Process is Ongoing					

Reference No.	GCM-1181			Ministry	Office of the Prime Minister	
Project Name	Procurement of Firefighters' Protective Gear			Public Body	Jamaica Fire Brigade	
Contractor	Bell Communications Limited			Contract Sum	J\$19,511,250.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-09-02	2010-11-30	2010-12-06	2011-02-02	0000-00-00	2011-03-18
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
US\$224,250.00	2011-03-18	0000-00-00	2011-06-07	0	J\$19,511,250.00	\$0.00
Project Location(s)						
Comments						
<p>The Invitation to Tender was advertised on August 8, 2010. Tenders were to be submitted by September 2, 2010 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Bell Communications Limited, in the sum of J\$19,511,250.00, was recommended for the award of contract.</p> <p>The signed contract indicated that the delivery of the goods shall be in accordance with the delivery schedule set out in the tender submitted by the supplier. Bell Communications Limited's tender indicated a delivery time of 8-10 weeks from time of order.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the contract was completed.</p>						
Status	Contract Completed					

Reference No.	GCM-3601			Ministry	Office of the Prime Minister	
Project Name	Consultant for Cost Database			Public Body	Jamaica Social Investment Fund	
Contractor	Amada Limited			Contract Sum	J\$4,401,800.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-10-15	2010-12-02	2010-12-02	0000-00-00	0000-00-00	2011-01-06
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$5,000,000.00	2011-01-21	2011-04-23	0000-00-00	0	J\$3,689,751.11	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to submit Expressions of Interest was advertised on June 20, 2010. Expressions of Interest were to be submitted by July 1, 2010. Based on limited interest, the deadline for submission was extended to July 9, 2010.</p> <p>Five (5) Expressions of Interest were received. Subsequently, a Bidders Conference was held on July 14, 2010 at 2:30 p.m. On September 16, 2010, a Request for Proposal was issued to all Bidders who expressed an interest. Tenders were to be submitted by October 15, 2010.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>The Technical Proposals were evaluated in accordance with the Evaluation Criteria which were outlined in the Tender Document. Subsequent to the evaluation, two (2) tenders received the minimum required score of 70 and advanced to the opening of the Financial Proposals.</p> <p>The Financial Proposals were opened on October 26, 2010. The Quality and Cost Based Selection Method was used in selecting the successful Bidder.</p> <p>The tender which attained the higher overall score, which was submitted by Amada Limited, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract awarded accordingly.</p> <p>In a Status Report to the Office of the Contractor General (OCG), the Jamaica Social Investment Fund (JSIF) advised that "<i>During the rate building process, an extended period of time was required for the IT staff to make adjustments to the current interface which will facilitate the building of rates.</i>" JSIF further advised that the revised end date for maintenance was extended to February 2012.</p> <p>As at December 31, 2011, all activities associated with the Costing Module and the Cost Database were completed.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-471			Ministry	Office of the Prime Minister	
Project Name	Waste Collection Equipment - Procurement of Skips			Public Body	Jamaica Social Investment Fund	
Contractor	Matrix Engineering Works Limited			Contract Sum	J\$10,450,000.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-12-04	2010-01-28	2010-03-24	2010-03-31	0000-00-00	2010-05-19
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$8,800,000.00	2010-05-19	2010-11-14	2010-11-19	0	J\$10,450,000.00	\$0.00
Project Location(s)						
All Island						
Comments						
<p>The Invitation to Tender was advertised on November 1, 2009. Tenders were to be submitted by December 4, 2009 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:05 p.m.</p> <p>Five (5) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Matrix Engineering Works Limited, in the sum of J\$10,450,000.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>The Skips were manufactured and delivered to the Jamaica Social Investment Fund (JSIF) in November 2010. Subsequently, in August 2011, after doing remedial work on the skips, the JSIF solicited the assistance of the National Solid Waste Management Authority (NSWMA) to undertake the lifting of the rectified skips.</p> <p>In a Status Report to the Office of the Contractor General (OCG), JSIF advised that <i>"To date, the NSWMA has completed 22 of the 55 skips and has projected that by the end of February 2012 the remaining skips will be completed. Notwithstanding, NSWMA's undertaking to complete the repairs at no cost to the JSIF, during our monthly meeting the agency is now proposing a charge of J\$253,000.00 for remedial work carried out on the 55 skips."</i></p> <p>As at December 31, 2011, the skips were in storage pending further discussion between JSIF and NSWMA regarding the proposed costing for the remedial work.</p> <p>The OCG will continue to monitor the process.</p>						
Status	Contract Completed					

Reference No.	GCM-4662			Ministry	Office of the Prime Minister	
Project Name	Janitorial Services			Public Body	National Housing Trust	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-07-05	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$7,000,000.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on June 12, 2011. Tenders were to be submitted by July 5, 2011 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>The Office of the Contractor General (OCG) conducted a preliminary review of the Tender Document, and opined that same was in contravention of Volume 2, Appendix 7, of the Handbook of Public Sector Procurement Procedures (October 2010) which states, <i>inter alia</i>, that "Based on the nature and value of the procurement, Procuring Entities are required to utilize Standard Bidding Documents as prescribed, for established contract thresholds."</p> <p>Based upon the foregoing, the OCG, by way of a letter which was dated June 23, 2011, recommended that the National Housing Trust (NHT) "...extends the deadline for submission of bids...in an effort to revise its Tender Document, in order to ensure that it complies fully with the requirements of the Government of Jamaica Procurement Guidelines."</p> <p>In response, the NHT, by way of a letter which was dated July 5, 2011, advised that the "...recommendation made by the OCG for the NHT to revise the tender document has been accepted...and...the Invitation to Tender for Janitorial Services was withdrawn..."</p> <p>As at December 31, 2011, the procurement had not been re-tendered.</p>						
Status	Project Aborted					

Reference No.	GCM-4772			Ministry	Office of the Prime Minister	
Project Name	Provision of Security Services			Public Body	National Housing Trust	
Contractor	Quest Security Limited			Contract Sum	J\$57,672,725.01	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-09-25	0000-00-00	2010-03-19	2010-03-31	2010-05-25	2010-07-05
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$63,000,000.00	2010-07-10	2013-07-09	0000-00-00	0	J\$17,759,129.76	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on August 27, 2009. Tenders were to be submitted by September 11, 2009 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:30 p.m.</p> <p>The Office of the Contractor General (OCG), in a letter which was dated September 10, 2009, advised the National Housing Trust (NHT), <i>inter alia</i>, that the "instructions to Tenders S.4.2(b) requests that bidders evidence their registration with the Private Security Regulations Authority. The PSRA Licence is also a mandatory requirement for this tender and should also be requested as an eligibility requirement... No bids shall be rejected or an opinion/judgement voiced as to its responsiveness, at the bid opening, except for late bids... The evaluation and qualification criteria stated must specify the criteria that the procuring entity will use to evaluate the bids... the OCG recommends that the shortcomings identified in the Tender Document be addressed before the scheduled Tender closing."</p> <p>Upon the recommendations of the OCG, the NHT issued an Addendum which was dated September 11, 2009. The Addendum advised that the new date for the submission of tenders was September 25, 2009 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:30 p.m. The Comparable Estimate which was disclosed at the Tender Opening Ceremony was J\$21 Million. This represented year one (1) of the three (3) year contract.</p> <p>Eleven (11) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Seven (7) tenders were deemed responsive. Upon evaluation of the Technical Proposal, five (5) of the seven (7) responsive tenders attained the minimum required score and proceeded to the opening of the Financial Proposals.</p> <p>Subsequent to the evaluation of the Financial Proposals, the lowest priced tender was recommended for the award of contract.</p> <p>The recommendation was approved at the Meeting of the Board of Directors, which was held on February 22, 2010.</p> <p>The recommendation was submitted to the Ministry of Water and Housing Sector Committee which accepted the recommendation, during its meeting which was held on March 23, 2010. A submission was then made to the National Contracts Commission (NCC). The NCC endorsed the recommendation at its meeting which was held on March 31, 2010.</p> <p>Subsequently, on May 25, 2010, the Cabinet approved the recommendation for the award of contract to Quest Security Limited, in the amount of \$57,672,725.01.</p> <p>The contract was awarded accordingly.</p> <p>The NHT, in a Status Report, advised the OCG that "<i>Since the commencement of this contract, post orders have been developed to account for locations that were not included in the standing orders at the time. This provision now accounts for guards required for Contribution Refunds processing and night patrol.</i>"</p> <p>As at December 31, 2011, the contract was ongoing.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-5942			Ministry	Office of the Prime Minister	
Project Name	Supply and Installation of Canvas for Dome			Public Body	National Housing Trust	
Contractor	Deryck A. Gibson			Contract Sum	J\$2,712,786.90	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-06-14	2011-06-30	2011-10-04	0000-00-00	0000-00-00	2011-07-05
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$2,800,000.00	2011-07-05	0000-00-00	2011-09-13	0	J\$3,187,524.61	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on May 29, 2011. Tenders were to be submitted by June 14, 2011 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. One (1) tender was disqualified as the tender amount was increased in response to a request for clarification by the Procuring Entity.</p> <p>The sole responsive tender which was submitted by Deryck A. Gibson, in the sum of J\$2,712,786.90 (exclusive of G.C.T.), was recommended for the award of contract.</p> <p>The approval of the Procurement Committee was received. The OCG noted that the award to Deryck A. Gibson was made by way of a Purchase Order, which was dated July 5, 2011, in the sum of J\$2,712,786.90 (plus G.C.T., totalling J\$3,187,524.50).</p> <p>The OCG, by way of a letter which was dated September 14, 2011, requested, <i>inter alia</i>, "Documentation evidencing the Head of Entity Approval". In response, the NHT, by way of a letter which was dated September 22, 2011, stated, <i>inter alia</i>, that "The NHT's Procurement Committee approves award recommendation below \$10M, on behalf of the Head of Entity..."</p> <p>Based upon the foregoing response, the OCG, by way of a letter which was dated September 28, 2011, advised the NHT that the foregoing practice was in contravention of Volume 2, Appendix 6, of the Government of Jamaica Handbook of Public Sector Procurement Procedures (October 2010), which states that where threshold values are above J\$275,000.00, the "...award of contract recommendation is to be approved by the Head of the Procuring Entity."</p> <p>Subsequent to same, the NHT, by way of a letter which was dated October 4, 2011 stated, <i>inter alia</i>, that "...to rectify this matter, the above-captioned has been approved post facto by the Head of Entity". This Head of Entity approval which was dated October 4, 2011, was made subsequent to the award of contract.</p> <p>The NHT further stated, <i>inter alia</i>, that it "...has accepted the recommendation of the Office of the Contractor-General and our internal procedures have been reviewed to ensure that all future procurement approvals are done in accordance with the requirements of the GOJ procurement guidelines."</p> <p>The NHT reported that the procured item was satisfactorily installed on September 12, 2011 and that full payment was made during September 2011 (Please note that the expenditure indicated above is inclusive of G.C.T.).</p> <p>As at December 31, 2011, the contract was completed.</p>						
Status	Contract Completed					

Reference No.	GCM-5642			Ministry	Office of the Prime Minister	
Project Name	The Digitization of NHT's Annual Returns			Public Body	National Housing Trust	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-05-11	2011-08-15	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$6,703,054.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on April 24, 2011. Tenders were to be submitted by May 11, 2011 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. One (1) tender was deemed ineligible for failure to submit a valid National Contracts Commission Certificate of Registration and one (1) tender was deemed non-responsive for failure to comply with the bidding instructions.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The sole responsive tender achieved the minimum technical evaluation score of 65 and proceeded to the opening of the Financial Proposal on June 23, 2011.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document and the sole responsive Bidder was recommended for the award of contract.</p> <p>As at December 31, 2011, the contract was being prepared.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Contract Not Yet Signed					

Reference No.	GCM-2501			Ministry	Office of the Prime Minister	
Project Name	Garbage Disposal Services			Public Body	Office of the Prime Minister	
Contractor	Notch Line Traders Limited			Contract Sum	J\$2,160,000.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-12-07	2009-12-17	2009-12-28	0000-00-00	0000-00-00	2010-04-30
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
\$0.00	2010-04-30	2012-04-30	0000-00-00	0	J\$990,330.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on November 8, 2009. Tenders were to be submitted by December 7, 2009 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Notch Line Traders Limited, in the sum of J\$1,080,000.00 per annum, for a two (2) year period, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>The Office of the Prime Minister (OPM) experienced challenges with the Contractor such as the untimely collection of garbage and the submission of invoices without the necessary garbage collection slips.</p> <p>By way of a letter which was dated July 12, 2011, the OPM informed the Contractor of the referenced challenges and advised that the "...lack of compliance has put the contract under heavy scrutiny and as such the OPM requests that this problem be remedied immediately." The OPM, in a Status Report which was dated November 7, 2011, advised the Office of the Contractor General (OCG) that the "...OPM Contract Administration team has met twice with the contractor and we have since seen improved results."</p> <p>As at December 31, 2011, the project was ongoing.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-1981			Ministry	Office of the Prime Minister	
Project Name	Local Area Network Infrastructure Renewal and Backbone Upgrade			Public Body	Office of the Prime Minister	
Contractor	SYNCON Technologies Limited			Contract Sum	J\$11,521,043.86	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-09-28	2010-11-26	2010-12-06	2011-01-19	0000-00-00	2011-02-10
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$18,980,900.00	2011-03-02	2011-06-11	2011-07-11	0	J\$11,521,043.86	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on September 5, 2010. Tenders were to be submitted by September 28, 2010 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Five (5) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. SYNCON Technologies Limited, the Bidder receiving the highest evaluated score, which submitted a tender in the sum of J\$11,521,043.86, was recommended for the award of contract.</p> <p>The matter was reviewed by the National Works Agency Sector Committee and submitted to the National Contracts Commission (NCC) for endorsement. The NCC considered the matter at its meeting held on December 22, 2010, and referred the submission to the Central Information Technology Office (CITO) for its review and recommendation. CITO offered its non-objection to the recommendation on January 13, 2011.</p> <p>The matter was re-considered by the NCC at its meeting, which was held on January 19, 2011, and endorsed the recommendation to award the contract to SYNCON Technologies Limited.</p> <p>The contract was awarded accordingly.</p> <p>By way of a Status Report, the Office of the Prime Minister (OPM) informed the Office of the Contractor General (OCG) that "...the Contractor did not include in their project schedule the additional 30 days required as the testing period to ensure the equipment operated without fault or downtime." Consequently, there was a one (1) month difference between the scheduled and actual completion date.</p> <p>As at July 31, 2011, the project was completed with all payments remitted.</p>						
Status	Contract Completed					

Reference No.	GCM-2061			Ministry	Office of the Prime Minister	
Project Name	Provision of Janitorial Services			Public Body	Office of the Prime Minister	
Contractor	Manpower & Maintenance Services Limited			Contract Sum	J\$18,103,930.56	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-12-07	2009-12-17	2010-01-26	2010-03-10	0000-00-00	2010-04-30
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$16,085,931.84	2010-04-30	2013-04-29	0000-00-00	0	J\$3,845,931.17	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on November 8, 2011. Tenders were to be submitted by December 7, 2009 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>Five (5) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. Manpower & Maintenance Services Limited, which submitted a tender in the sum of J\$18,103,930.56, received the highest evaluated score and was recommended for the award of contract.</p> <p>The matter was reviewed by the National Works Agency Sector Committee and submitted to the National Contracts Commission (NCC) for its review. The NCC considered the matter at its meeting, which was held on March 10, 2010, and endorsed the recommendation of the Sector Committee to award the contract to Manpower Maintenance Services Limited.</p> <p>The contract was awarded accordingly.</p> <p>As at December 31, 2011, the contract was being executed.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-341			Ministry	Office of the Prime Minister	
Project Name	Wireless Network Infrastructure Indoor Access Points			Public Body	Office of the Prime Minister	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-08-30	2011-12-02	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$3,000,000.00	0000-00-00	0000-00-00	0000-00-00	0 Day(s)	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on July 24, 2011. Tenders were to be submitted by August 23, 2011 at 11:00 a.m. The close of tender was extended by way of a subsequent advertisement which was published on August 21, 2011. Tenders were to be submitted by August 30, 2011 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>Seven (7) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The Evaluation Committee recommended the tender which received the highest score for the award of contract.</p> <p>The Procurement Committee approved the recommendation for award of contract on December 2, 2011.</p> <p>As at December 31, 2011, the approval of the Permanent Secretary was pending.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Head of Entity Approval Pending					

Reference No.	GCM-3701			Ministry	Office of the Prime Minister	
Project Name	Civil Registration and Vital Statistics Modernisation Programme			Public Body	Planning Institute of Jamaica	
Contractor	Delaware Consultoria S.L.			Contract Sum	US\$337,000.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Open Tender	2010-12-17	0000-00-00	0000-00-00	2011-03-02	0000-00-00	2011-05-03
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
US\$645,300.00	2011-05-03	2011-11-03	0000-00-00	0	US\$50,500.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to submit Expressions of Interest was advertised on October 3, 2010. Expressions of Interest were to be submitted by October 26, 2010. Nine (9) Expressions of Interest were received.</p> <p>The Expressions of Interest were reviewed to ensure that all firms met the qualification criteria outlined by the Funder, the Inter-American Development Bank (IDB). Based on said eligibility criteria, one (1) firm was deemed ineligible.</p> <p>Subsequent to this review, a Request for Proposals was developed and issued to the remaining eight (8) eligible firms on November 17, 2010. Tenders were to be submitted by December 17, 2010 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m. Based on the Bidder's request for visits to the Procuring Entity, a Pre-Proposal Conference was convened on December 10, 2010, at the Offices of the Planning Institute of Jamaica (PIOJ).</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>The Technical Proposals were evaluated in accordance with the Evaluation Criteria which were outlined in the Tender Document.</p> <p>Subsequent to the evaluation, only one (1) Bidder received the minimum required score of 80 and advanced to the opening of the Financial Proposal.</p> <p>The Financial Proposal of the sole Bidder was opened on February 7, 2011.</p> <p>Delaware Consultoria S.L., was recommended for the award of contract.</p> <p>The recommendation was reviewed and approved by the Office of the Prime Minister on February 17, 2011. The Urban Development Corporation (UDC) Sector Committee considered the matter at its meeting which was held on February 21, 2011, and forwarded the recommendation for the award of contract to the National Contracts Commission (NCC), by way of a letter which was dated February 23, 2011. The NCC considered the recommendation at its meeting which was held on March 2, 2011, and endorsed the recommendation to award the contract to Delaware Consultoria S.L., in the sum of US\$337,000.00.</p> <p>The contract was awarded accordingly.</p> <p>In a Status Report to the Office of the Contractor General (OCG), the PIOJ advised that "<i>Critical factors inclusive of delays in data collection activities, untimely feedback from agencies, the quality of deliverables and scheduling of meetings and visits to agencies are just some of the factors that have been affected [sic] consultancy time lines. While there has been improvement during the course of the project they have served to adversely affect the timely execution of activities resulting in constant shifts in the submission of deliverables.</i>"</p> <p>Subsequently, during the last quarter of 2011, the Contractor sought an amendment to the contract due to the impeding challenges highlighted.</p> <p>The Status Report also indicated that the PIOJ reviewed the request and made a recommendation to the IDB "...for the granting [of] a "no objection" to an amended contract."</p> <p>As at December 31, 2011, the PIOJ was awaiting a response from the IDB.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-4982			Ministry	Office of the Prime Minister	
Project Name	Procurement of Local Area Network Infrastructure Upgrade			Public Body	Post and Telecommunications Department	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-12-09	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$11,380,914.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was originally advertised on March 13, 2011. Tenders were to be submitted by March 28, 2011 at 1:00 p.m., followed by a scheduled Tender Opening Ceremony at 1:15 p.m. An Extension was subsequently published on March 27, 2011, which indicated tenders were to be submitted by April 1, 2011 at 1:00 p.m., followed by a scheduled Tender Opening Ceremony at 1:15 p.m.</p> <p>Eight (8) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>The Office of the Contractor General (OCG) subsequently noted the Minutes of the Meeting of the Procurement Committee, which was dated May 19, 2011, wherein it was indicated that the incorrect price was recorded on the Bid Opening Record for one (1) Bidder. In this regard, the referenced Minutes indicated that guidance was subsequently sought from the Office of the Prime Minister (OPM) which advised that "...in the presence of an auditor...make the correction to the Bid Opening Record Sheet, and subsequently dispatch letters to all the bidders informing them of this change."</p> <p>The Minutes further indicated that advice was also sought from the Ministry of Finance, however, the Ministry gave "...two (2) conflicting solutions to this situation: one (1) was in favour of the recommendation that OPM had given; the second was not supportive of that proposal; instead they recommended that the matter be referred to the Post and Telecommunications Department's Procurement Committee for a decision to be taken."</p> <p>In this regard, the Minutes of the Meeting of the Procurement Committee, which was dated May 19, 2011, stated that "The Committee deliberated on the matter, which resulted in their decision to terminate this tender and it was proposed that this service be re-tendered."</p> <p>By way of letters which were dated May 26, 2011, all Bidders were informed that the tender process was cancelled.</p> <p>The Invitation to Tender was re-advertised on November 13, 2011. Tenders were to be submitted by December 9, 2011 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>Seven (7) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>As at December 31, 2011, the evaluation was being conducted.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Evaluation of Tenders Ongoing					

Reference No.	GCM-4932			Ministry	Office of the Prime Minister	
Project Name	Procurement of Private Security and/or Armoured Services			Public Body	Post and Telecommunications Department	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2010-09-17	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$32,000,000.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
All-Island						
Comments						
<p>A tender process was undertaken for the procurement opportunity in the year 2009, however, the process was unsuccessful.</p> <p>The Procuring Entity obtained approval from the National Contracts Commission (NCC), in its meeting which was held on March 24, 2010, to utilise the Limited Tender Procurement Methodology to invite six (6) companies who had participated in the previous tender process, to submit tenders.</p> <p>By way of a letter which was dated August 23, 2010, the Procuring Entity invited the six (6) companies to submit tenders by September 17, 2010 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Five (5) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>An evaluation was conducted and a recommendation for the award of contract was made.</p> <p>On February 15, 2011, the Office of the Contractor General (OCG) received a letter from the Procuring Entity which was dated February 14, 2010, which stated that the "...tender report was reviewed by the Department's Procurement Committee, subsequent to the evaluation of bids by an independent Committee. It was thereafter agreed by the Procurement Committee members that a formal request should be forwarded to the Chairperson of the Evaluating Committee recommending a re-evaluation of the tenders, as the process was deemed to be flawed, and the recommendation not in keeping with the tender document. That is the recommendation for the awarding of the contract was made on the basis of cost rather than the total aggregate score as per the tender document."</p> <p>By way of a letter which was dated February 22, 2011, the OCG informed the Procuring Entity that it "...concurs with the Procurement Committee, as the contract award recommendation was not in keeping with the evaluated scores. The foregoing contravenes the principles of fairness and judiciousness which should be exercised throughout the procurement process.</p> <p>With regards to aforementioned, the OCG recommends that the tenders be re-evaluated in accordance with...the Tender Document."</p> <p>Subsequently, by way of a letter which was dated June 17, 2011, the Procuring Entity requested the guidance of the OCG with regard to concerns and recommendations which were raised by the Board of the Postal Corporation regarding the evaluation process. The referenced letter stated, <i>inter alia</i>, that:</p> <p>"We also note the OCG has recommended that the tenders be re-evaluated in accordance with...the Tender Document.</p> <p>On behalf of the Board of the Postal Corporation, I would like to take this opportunity to express our own concerns regarding this entire Tender process...we are also concerned that the weighting scale used to calculate the aggregate score does not support the Government's emphasis and focus on getting the lowest cost and services procured via the tender process... In fact in checking with other security tenders for similar services, we find that the weighting used is highly unusual.</p> <p>To ensure that the tender process for procuring private security services is consistent with the Governments desire to obtain the lowest costs for low technical services...we recommend that:</p> <p>A. The Tender process be aborted.</p> <p>B. The weighting be adjusted in line with similar tenders</p> <p>C. A new tender process for the captioned is embarked upon as soon as possible."</p> <p>In response to the foregoing, the OCG submitted a letter, which was dated July 5, 2011, to the Procuring Entity which stated, <i>inter alia</i>, that "In light of the foregoing, and the concerns being expressed with regards to the tender process, the OCG finds that the Public Body is within its right to proceed as proposed, as it is allowed to "cancel a tender process at any stage prior to the notification of the contract award, without incurring liability." The recommendation to abort the tender process was endorsed by the Procurement Committee on August 17, 2011.</p> <p>By way of a letter which was dated August 17, 2011, the Procuring Entity informed Bidders that the process had been cancelled and that the Bid Security of all companies would be returned.</p> <p>As at December 31, 2011, preparations were being made to re-tender the procurement opportunity.</p>						
Status	Project Aborted					

Reference No.	GCM-991			Ministry	Office of the Prime Minister	
Project Name	Procurement for Disaster Recovery Services			Public Body	Spectrum Management Authority	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
\$0.00	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on February 20, 2011. Tenders were to be submitted by March 25, 2011 at 3:00 p.m.</p> <p>Upon review of the Tender Notice, the Office of the Contractor General (OCG) noted that information relating to the Tender Opening Ceremony was omitted. By way of a letter which was dated March 11, 2011, the OCG informed the Procuring Entity, <i>inter alia</i>, that the "...foregoing contravenes Clause A8.2 (h)...Volume 2...of the Government of Jamaica Handbook of Public Sector Procurement Procedures, October 2010, which stipulates the information that should be outlined in a Procurement Notice." It was, therefore, recommended that the details of the tender opening be included for all future Procurement Notices.</p> <p>By way of a letter which was dated March 18, 2011, the Procuring Entity informed the OCG, <i>inter alia</i>, that "We have accepted the recommendation and will adjust all future public notices to reflect the particular information."</p> <p>The OCG subsequently conducted a review of the Tender Document, and noted that the Procuring Entity failed to utilise the Standard Bidding Document as prescribed by the Government of Jamaica Handbook of Public Sector Procurement Procedures (October 2010).</p> <p>By way of a letter which was dated March 24, 2011, the OCG informed the Procuring Entity of the aforementioned deviation and also outlined deficiencies which were noted in the Evaluation Criteria, as it did not provide adequate guidance with regards to the evaluation process. Consequently, the OCG recommended that "...the Spectrum Management Authority revises the Tender Document in accordance with the Standard Bidding Documents, as prescribed by Volume 2, A7.1...of the Government of Jamaica Handbook of Public Sector Procurement Procedures..."</p> <p>The Procuring Entity subsequently placed the procurement opportunity on hold in order to address the deficiencies which were highlighted by the OCG.</p> <p>As at December 31, 2011, the procurement was still on hold.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Project On Hold					

Reference No.	GCM-5012			Ministry	Office of the Prime Minister	
Project Name	Procurement of 2011 Population and Housing Census Printing and Data Processing Services			Public Body	Statistical Institute of Jamaica	
Contractor	XSOMO International Limited			Contract Sum	J\$89,384,400.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-09-09	2010-10-13	2010-10-13	2010-12-27	2010-12-21	2011-01-26
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
US\$152,370.00	2010-12-23	2012-03-31	0000-00-00	0	J\$42,691,488.12	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on August 8, 2010. Tenders were to be submitted by September 9, 2010 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:30 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Subsequently, by way of a letter which was dated September 15, 2010, the Procuring Entity requested the guidance of the Office of the Contractor General (OCG) with regard to the inadvertent opening of the Financial Proposals. The referenced letter stated that:</p> <p style="padding-left: 40px;"><i>"In preparation for the evaluation of the tenders one of the senior Information and Technology (IT) Officers opened the envelopes containing the Financial Proposals in error. Notwithstanding [sic] the opening of the envelopes, the contents were not examined by the Officer or anyone else... We recognize that a breach in procedure has occurred and we are seeking your advice on how to effectively address this issue."</i></p> <p>Subsequently, the Procuring Entity advised the OCG that a meeting was convened with Bidders to inform them of the discrepancy that occurred and the steps which have been taken.</p> <p>By way of a letter which was dated October 12, 2010, the OCG informed the Procuring Entity that <i>"...in an effort to maintain and secure transparency...the Office of the Contractor-General (OCG) recommends that the Statistical Institute of Jamaica outlines the details of the referenced discrepancy in the Evaluation Report."</i></p> <p>A detailed evaluation was conducted of the Technical Proposals in accordance with the Evaluation Criteria which were outlined in the Tender Document. Two (2) tenders exceeded the maximum score of eighty-five percent (85%), and advanced to the opening of the Financial Proposals on October 11, 2010.</p> <p>XSOMO International Limited attained the highest overall score and was recommended for the award of contract in the sum of J\$89,384,400.00.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly. The OCG evidenced the Board of Director's approval of the contract award recommendation on October 13, 2010.</p> <p>The scheduled completion date is in keeping with the Contract Document which states that <i>"The expiration of the contract shall take effect after the delivery of the final data sets and the subsequent expiration of the Defects Liability Period."</i> Notably, the scheduled delivery date for the final batch of data was December 31, 2011. Further, the Defects Liability Period as outlined in the Contract Document is <i>"...90 working-days and shall commence on the first working-day after the delivery by XSOMO of the final data sets to STATIN."</i></p> <p>By way of a status update, the Procuring Entity informed that <i>"The first delivery of questionnaires to XSOMO was done on July 18, 2011. Based on the contract, the first delivery should have been made in June 2011. This was not so due to the field work starting later than expected."</i></p> <p>The OCG noted in the Minutes of the Meeting of the Technical Committee, which was dated November 24, 2011, that there were concerns regarding the quality of the data on the questionnaires which were being processed by the Contractor. Further, the Minutes indicated that the project plan was to be revised to indicate that the <i>" Final data would be delivered by the middle of March 2012."</i></p> <p>The OCG also noted that in the Minutes of the Meeting of the Technical Committee, which was dated December 15, 2011, there were concerns regarding the impact of the upcoming General Election (on December 29, 2011) on the workflow of the Contractor as a result of the location of its office.</p> <p>As at December 31, 2011, the execution of the project was on-going with noted delays.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-4111			Ministry	Office of the Prime Minister	
Project Name	Supply and Installation of Air Conditioning and Ventilation System at Simon Bolivar Cultural Centre			Public Body	Urban Development Corporation	
Contractor	CAC 2000 Limited			Contract Sum	J\$9,290,304.91	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-12-02	2010-07-19	2010-07-20	0000-00-00	0000-00-00	2011-03-21
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$10,541,351.50	2011-04-14	2011-08-05	0000-00-00	4 Month(s)	\$0.00	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on November 11, 2009. Tenders were to be submitted by December 2, 2009 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon preliminary examination, two (2) tenders were deemed ineligible. A detailed evaluation was conducted of the remaining tender in accordance with the Evaluation Criteria which were outlined in the Tender Document. The Evaluation Report outlined that "CAC 2000 Limited was the only qualifying tender. Their proposed solution met most of our technical specifications. The observed differences were considered minor..."</p> <p>Subsequently, CAC 2000 Limited was determined to be the lowest evaluated tender and was recommended for the award of contract in the sum of J\$9,290,306.33.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>Notably, the Evaluation Report indicated an error in the tender sum and after arithmetic corrections, the amount was revised from J\$9,290,304.91 to J\$9,290,306.33. However, the contract was awarded in the initial contract sum.</p> <p>By way of a letter which was dated July 25, 2011, the Contractor informed the Procuring Entity that "Based on our discussion the new design includes two (2) 14Hp and two (2) 10 Hp condensing modules. As a result of increasing the size of the condensers we had to increase the copper pipe sizes and the quantity of refrigerant. The new contract sum is Nine Million, Nine Hundred and Fifty-Six Thousand, Two Hundred and Thirty-Two Cents (J\$ 9,956,207.32) including G.C.T.</p> <p><i>In addition to the change in the contract sum, we are requesting that the project duration be extended to 14 weeks."</i></p> <p>Subsequently, the Office of the Contractor General (OCG) noted an approved Variation Order Form, which was dated August 4, 2011, in the amount of J\$587,674.71. The OCG did not evidence any documentation which explained the difference between the approved variation amount and the proposed revision of the contract sum to J\$9,956,207.32.</p> <p>As at December 31, 2011, the contract was being executed.</p> <p>The OCG will continue to monitor the execution of the contract.</p>						
Status	Contract Being Executed / Implemented					

Reference No.	GCM-3131			Ministry	Office of the Prime Minister	
Project Name	Supply of IT Network, Workstation and Office Equipment - Montego Bay Convention Centre			Public Body	Urban Development Corporation	
Contractor	N/A			Contract Sum	\$0.00	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-05-31	2011-06-10	2011-06-15	2011-11-02	0000-00-00	0000-00-00
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$10,892,193.26	0000-00-00	0000-00-00	0000-00-00	0	\$0.00	\$0.00
Project Location(s)						
St. James						
Comments						
<p>The Invitation to Tender was advertised on April 24, 2011. Tenders were to be submitted by May 10, 2011 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>The Urban Development Corporation (UDC), by way of an Addendum which was dated May 5, 2011, extended the deadline for submission to May 19, 2011. Subsequently, the UDC issued a second Addendum, which was dated May 18, 2011, which further extended the deadline for submission to May 31, 2011.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The responsive tender was recommended for the award of contract.</p> <p>The requisite approvals were received, however, the UDC indicated that after careful assessment, the decision was taken to abort the tender process.</p> <p>As at December 31, 2011, the project had been aborted.</p>						
Status	Project Aborted					

Reference No.	GCM-3161			Ministry	Office of the Prime Minister	
Project Name	Supply of Storage Area Network			Public Body	Urban Development Corporation	
Contractor	Fujitsu Caribbean (Jamaica) Limited			Contract Sum	J\$7,203,895.63	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval Date	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Local Competitive Bidding	2011-03-01	2011-04-08	2011-04-19	0000-00-00	0000-00-00	2011-06-30
Comparable Estimate	Project Start Date	Scheduled Completion Date	Actual Completion Date	Time Overrun	Expenditure To Date	Cost Overrun
J\$8,217,500.00	2011-06-30	0000-00-00	2011-08-18	0	J\$7,191,403.29	\$0.00
Project Location(s)						
Kingston						
Comments						
<p>The Invitation to Tender was advertised on February 13, 2011. Tenders were to be submitted by March 1, 2011 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>The Office of the Contractor General (OCG) noted that the Urban Development Corporation (UDC) had issued an Addendum to all Bidders. It was further noted that one (1) particular Bidder was provided with eight (8) numbered amendments, while the other Bidders were provided with five (5) numbered amendments. In this regard, the UDC indicated that <i>"...the items 6 to 8 of Addendum 1 were inadvertently only sent to one supplier."</i></p> <p>A detailed evaluation was conducted in accordance with the Evaluation Criteria which were outlined in the Tender Document. The second lowest responsive tender, in the sum of J\$7,203,895.63, which was submitted by Fujitsu Caribbean (Jamaica) Limited, was recommended for the award of contract. The OCG found that the lowest responsive tender did not include General Consumption Tax (G.C.T.) and the supplier <i>"...was not able to reserve the tendered sum."</i></p> <p>The requisite approvals were obtained and the contract was awarded accordingly. While the Contract Document did not speak to a delivery schedule, Fujitsu Caribbean (Jamaica) Limited had indicated a delivery time of 4-6 weeks.</p> <p>The UDC stated that the difference between the contract price and final payment is attributable to <i>"...fluctuations due to foreign exchange rates."</i></p> <p>As at December 31, 2011, the contract had been completed.</p>						
Status	Contract Completed					

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APPENDIX VII - CONSTITUENCY DEVELOPMENT FUND (CDF) PROJECTS

Reference No.	CDF-15351					
Implementing Agency	Hanover Parish Council		Project Description	Rehabilitation of Green Island Post Office		
Constituency	Hanover Western		Project Type	Physical Infrastructure		
Parliamentary Committee Approval Date	Project Sum Approved	Project Sum Disbursed	Contractor / Supplier	Project Implementation Date	Completion Date	Expenditure to Date
2011-09-13	J\$4,798,626.00	J\$4,798,626.00	N/A	0000-00-00	0000-00-00	J\$0.00
Comments						
<p>The Office of the Contractor General (OCG) was advised by the Hanover Parish Council that the funds for this project were allocated in late 2011 and, therefore, procurement activities had not commenced.</p> <p>Additionally, the Council indicated that it will be using the Force Account Procurement Methodology to implement the project.</p> <p>As at December 31, 2011, the project had not commenced.</p> <p>The OCG will continue to monitor the implementation of the project.</p>						
Status	Evaluation not yet completed					

Reference No.	CDF-15401					
Implementing Agency	Kingston and St. Andrew Corporation		Project Description	Cleaning and clearing of bushes along verges, whitewashing of sidewalks and carting away all spoils to an approved dump. Removal of silt and debris from drains.		
Constituency	St. Andrew West Rural		Project Type	Physical Infrastructure		
Parliamentary Committee Approval Date	Project Sum Approved	Project Sum Disbursed	Contractor / Supplier	Project Implementation Date	Completion Date	Expenditure to Date
2011-08-30	J\$5,250,000.00	J\$3,045,000.00	N/A	0000-00-00	0000-00-00	J\$0.00
Comments						
<p>The Office of the Contractor General (OCG) commenced monitoring of the captioned project based upon the approval of the Parliamentary Committee, which was received on August 30, 2011.</p> <p>The project implementation method utilised was the Force Account Methodology. The OCG was advised by the Implementing Agency that the projects "...started within short order of notification of approval from the Constituency Development Fund (CDF) office."</p> <p>As at December 31, 2011, the Kingston and St. Andrew Corporation reported that the Physical Infrastructure projects for the referenced area were in progress and were at different stages of completion.</p> <p>The OCG will continue to monitor the execution of the projects.</p>						
Status	Contract is being implemented					

Reference No.	CDF-15172					
Implementing Agency	Manchester Parish Council		Project Description	Educational Assistance through the provision of books, uniforms, bursaries, etc.		
Constituency	Manchester North Eastern		Project Type	Human and Social Development		
Parliamentary Committee Approval Date	Project Sum Approved	Project Sum Disbursed	Contractor / Supplier	Project Implementation Date	Completion Date	Expenditure to Date
2011-07-26	J\$11,512,000.00	J\$11,512,000.00	Acorn Bookstore Limited; Christiana Pharmacy & Book Centre Limited; Super Deals Bookshop & Gift Centre	0000-00-00	0000-00-00	J\$8,507,134.26
Comments						
<p>The Office of the Contractor General (OCG) commenced monitoring of the captioned project in October 2011, based upon the approval of the Parliamentary Committee which was received on July 26, 2011.</p> <p>A sum of J\$5,000,000.00 was approved for the provision of Educational Assistance within the Constituency.</p> <p>Documents which were obtained from the Manchester Parish Council revealed that funds were transferred to its account in August 2011.</p> <p>The Parish Council utilised the Limited Tender Procurement Methodology to invite four (4) Suppliers from the parish to submit tenders. All Suppliers were subsequently selected to provide textbooks to the beneficiaries. The Parish Council provided a list of the beneficiaries.</p> <p>Upon a review of the documents relating to the project, the following payments were evidenced:</p> <ul style="list-style-type: none"> • Acorn Bookstore Limited was paid a total of J\$2,587,834.65; • Super Deals Bookshop and Gift Centre was paid a total of J\$2,093,663.61; and • Christiana Pharmacy and Book Centre Limited was paid a total of J\$2,967,020.00. <p>The Constituency Development Fund Programme Management Unit approved payment for an additional sum of J\$6,512,000.00, in November 2011, to assist with school supplies and tuition.</p> <p>Payments were made to Mid Island Educational Supplies, in the amount of J\$558,126.00. The tuition which were allocated to the various schools amounted to J\$3,277,020.00.</p> <p>The invoices which were received from the Book Stores included the names of the beneficiaries along with the books disbursed and the amounts expended.</p> <p>As at December 31, 2011, the project was ongoing.</p>						
Status	Contract is being implemented					

Reference No.	CDF-15391					
Implementing Agency	Manchester Parish Council		Project Description	Nazareth Primary School (Phase 2) Staff Room		
Constituency	Manchester North Western		Project Type	Physical Infrastructure		
Parliamentary Committee Approval Date	Project Sum Approved	Project Sum Disbursed	Contractor / Supplier	Project Implementation Date	Completion Date	Expenditure to Date
2011-07-26	J\$1,000,000.00	J\$956,931.75	Tropicair Limited, Hatfield Hardware, Big Ben Tiles and More and Bi-way Hardware	2011-06-27	0000-00-00	J\$956,931.75
Comments						
<p>The Office of the Contractor General (OCG) commenced monitoring of the captioned project based upon the approval of the Parliamentary Committee, which was received on July 26, 2011.</p> <p>The project involved the Physical Infrastructure of the Nazareth Primary School Staff Room (Phase 2), in the Manchester North Western Constituency.</p> <p>The procurement method utilised by the Manchester Parish Council to undertake the Works (Material and Labour) was the Force Account Methodology.</p> <p>The Manchester Parish Council engaged four (4) Contractors for the labour aspect of the Works and four (4) Hardware Stores for the supply of the material.</p> <p>As at December 31, 2011, the payment records indicated that the Implementing Agency paid the Contractors a total amount of \$956,931.75, however, the OCG has not evidenced an actual project completion date.</p>						
Status	Project Completed					

Reference No.	CDF-15421					
Implementing Agency	National Works Agency		Project Description	The project scope includes home repair, restoration of agriculture, improvement of constituency aesthetics, clearing of roadways, cleaning of 1500m ³ of earth drains and 2000m side drains, and two (2) blocked catch basins and culverts.		
Constituency	St. Mary South Eastern		Project Type	Disaster Mitigation		
Parliamentary Committee Approval Date	Project Sum Approved	Project Sum Disbursed	Contractor / Supplier	Project Implementation Date	Completion Date	Expenditure to Date
2011-09-13	J\$2,000,000.00	J\$2,000,000.00	N/A	2011-11-16	0000-00-00	J\$1,071,000.00
Comments						
<p>The Office of the Contractor General (OCG) commenced monitoring of the captioned project based upon the approval of the Parliamentary Committee, which was received on September 13, 2011.</p> <p>As at December 31, 2011, the OCG was advised by the Implementing Agency of the following:</p> <ul style="list-style-type: none"> • The Disaster Mitigation Plan outlined that "...with the passage of hurricanes, tropical storms and sporadic rainfall events the South Eastern Section of St. Mary has been adversely affected. The adverse effects ranged from landslides, fallen trees & boulders and flooding of communities and major roadways due to blocked critical drains."; • In light of the foregoing, the CDF allocation is to be utilised for the cleaning of critical blocked drains and roadways. This is to mitigate or eliminate possible flooding, thereby reducing the vulnerability of the population and structures in the event of a natural disaster; • That no meetings were held for the Programme and as such no Minutes were available; and • The current project being executed was reported as being 51% complete, with an expenditure of J\$1,071,000.00 (including NWA Fees). <p>The OCG will continue to monitor the execution of the project.</p>						
Status	Contract is 51% completed					

Reference No.	CDF-15262					
Implementing Agency	North-East Regional Health Authority		Project Description	Dental Equipment and Supplies for Port Maria Dental Clinic.		
Constituency	St. Mary Central		Project Type	Human and Social Development		
Parliamentary Committee Approval Date	Project Sum Approved	Project Sum Disbursed	Contractor / Supplier	Project Implementation Date	Completion Date	Expenditure to Date
2010-02-09	J\$3,256,000.00	J\$3,256,000.00	Cornwall Medical and Dental Supplies Limited and Donemar Limited	2010-11-01	0000-00-00	J\$2,633,819.00
Comments						
<p>The procurement process was conducted in the year 2010. Letters of Invitation, which were dated August 18, 2010, were sent to six (6) companies of which three (3) responded.</p> <p>An evaluation process was conducted and two (2) companies were recommended for contract awards as follows:</p> <ol style="list-style-type: none"> 1. Cornwall Medical and Dental Supplies Limited, in the sum of J\$1,620,480.00, for the supply of two (2) Dental Operatory Units, twelve (12) Slow Hand Pieces and twelve (12) Fast Hand Pieces; and 2. Donemar Limited, in the sum of J\$1,241,165.00, for the supply of one (1) X-ray Unit, one (1) Autoclave and two (2) Instrument Cabinets. <p>The recommended contract awards were approved by the Implementing Agency's Procurement Committee on September 24, 2010, and the Chairman of the Board of Directors on October 22, 2010.</p> <p>The contracts for Cornwall Medical and Dental Supplies Limited and Donemar Limited were signed on November 1, 2010 and November 11, 2010, respectively.</p> <p>Upon review of the payment records, the Office of the Contractor General (OCG) noted that on November 29, 2010, Donemar Limited was paid an amount of J\$620,582.50 and Cornwall Medical and Dental Supplies Limited was paid an amount of J\$810,240.00, which represented a fifty percent (50%) deposit for the respective contracts.</p> <p>The OCG noted that Donemar Limited, by way of a letter which was dated March 7, 2011, wrote to the Implementing Agency and stated, <i>inter alia</i>, the following:</p> <p style="padding-left: 40px;"><i>"... it was decided as a matter of urgency on the part of the NERHA that Donemar Limited must install the items outlined on the NERHA issued Purchase Order...forthwith, at the Port Maria Dental Clinic in St. Mary:</i></p> <p style="padding-left: 40px;"><i>Consequently, on Thursday March 4, 2011, company representatives attended the site to conduct said installation but were unable to do so as there was no electricity available in the building.</i></p>						

Please note that we...have no choice but to transfer one half of the cost associated with this unproductive trip to your organization."

Subsequently, by way of a letter which was dated March 10, 2011, the Implementing Agency informed the OCG of the following:

"Donemar Limited is the supplier for 1 X-Ray Unit, 1 Autoclave and 2 instrument cabinets. Items were scheduled to be delivered on March 04, 2011. All items except the autoclave have been delivered. Penalties will be imposed for late delivery of the outstanding item."

The Implementing Agency, by way of a letter which was dated March 8, 2011, advised Cornwall Medical and Dental Supplies Limited, of the following:

"To date, we are yet to receive an official correspondence from your office seeking an extension of the delivery period.

The contractual delivery period was November 30, 2010-March 04, 2011 (12 weeks).

Pursuant to clause 5.8 of the special conditions of contract; the North East Regional Health Authority will be imposing penalties due to lack of diligence and due care in executing the contract."

A Delivery Receipt, which was dated April 19, 2011, indicated that the Dental Autoclave was delivered.

Donemar Limited, by way of a letter which was dated May 5, 2011, informed the Implementing Agency that *"...it was found that whilst there was electricity in the building, the provision was incomplete and was technically appropriate for the specific installations. In that there was no 220 volt circuit in the building to facilitate the Autoclave and the 110 volt circuit in the building to facilitate the Autoclave and the 110 volt circuit and Pilot Switch needed to engage the X-Ray unit were also lacking."*

The OCG noted a Memorandum, which was dated May 12, 2011, which requested an approval for additional payments to be made to Cornwall Medical & Dental Supplies Limited, in the sum of J\$25,165.62. The referenced payments were required for additional items to complete the installation of the Dental Operatory Units. The approval was obtained from the Acting Director of Operations & Maintenance.

The OCG also noted a second Memorandum, which was dated May 12, 2011, which stated that *"The Procurement Unit is hereby seeking approval as a follow up procurement to contract Donemar Limited to conduct electrical works to facilitate the completion of the Dental Equipment. Total amount being sought for approval is \$53,745.00."* In this regard, the Procurement and Contracts Monitoring Officer stated that *"...the electrical provision that was in place was insufficient to effectively carry out the installation process as such the supplier opted to conduct same as a means of speeding up the process and complete his job."* The approval was obtained from the Acting Director of Finance.

A third Memorandum, which was dated May 17, 2011, from the Procurement Manager to the Director Finance, indicated that liquidated damages, in the amount of ten percent (10%) of the contract sum, would be applied to the invoices which were sent by Cornwall Medical and Dental Supplies Limited and Donemar Limited for late delivery of the dental equipment to the Port Maria Dental Clinic.

A Packing List, which was dated August 22, 2011, from Cornwall Medical & Dental Supplies Limited, indicated the delivery of twelve (12) Slow Hand Pieces and twelve (12) Fast Hand Pieces. The procured items were received by the Implementing Agency on August 26, 2011.

By way of a letter which was dated October 28, 2011, the Implementing Agency informed the OCG of the following:

"Cornwall Medical and Dental Supplies Limited delivered the 2 Dental Units on May 18, 2011 and the 12 Slow Hand-pieces and 12 Fast Hand-pieces were delivered on August 28, 2011..."

On the 20th of October 2011 we were informed that the unit light in one of the Dental Units started making sounds and fluctuating then went out and that one of the operator's chairs supplied had a broken back rest..."

Following on the above, our Biomedical Technician was asked to do an assessment on the Dental Units and provide a report. Further to the report we wrote to Cornwall Medical and Dental Supplies Limited on October 24, 2011 expressing our dissatisfaction and requested that units be replaced."

Based upon the foregoing, the OCG, on December 8, 2011, conducted a site visit in order to verify the veracity of the information which was outlined in the Implementing Agency's letter of October 28, 2011, and to review the other dental equipment which were procured.

The OCG noted that the Dental Operatory Unit and Operator's Chair were faulty. Further, the X-Ray Unit had not been utilised due to the absence of the X-Ray Film Processor. Notwithstanding this, the other dental equipment were fully operational.

As at December 31, 2011, the faulty Dental Operatory Unit and Operator's Chair were to be retrieved by Cornwall Medical & Dental Supplies Limited, and a refund issued for same.

The OCG will continue to monitor the execution of the project.

Status	Project Ongoing
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Reference No.	CDF-15411					
Implementing Agency	St. Catherine Parish Council		Project Description	Disaster Mitigation Initiatives, which include Road Rehabilitation through the use of Asphalt Shingles and the Cleaning of blocked Drains, Waterways and Roadways.		
Constituency	St. Catherine South Western		Project Type	Disaster Mitigation		
Parliamentary Committee Approval Date	Project Sum Approved	Project Sum Disbursed	Contractor / Supplier	Project Implementation Date	Completion Date	Expenditure to Date
2011-06-14	J\$1,000,000.00	J\$221,000.00	N/A	0000-00-00	0000-00-00	J\$221,000.00
Comments						
<p>The Office of the Contractor General (OCG) commenced monitoring of the project based upon the approval of the Parliamentary Committee, which was received on June 14, 2011.</p> <p>As at December 31, 2011, the OCG was advised by the Implementing Agency of the following:</p> <ul style="list-style-type: none"> • The Council was not in possession of the Parliamentary Committee approval information or date; • There was no Disaster Mitigation Management and Recovery Plan in place; • There was no Implementation Schedule for the project and that the Works "...are done on the request of the Member of Parliament"; • That no meetings were held for the Programme and, as such, no Minutes were available; and • The Disaster Mitigation projects were reported as in-progress/on going and expenditures are made when so required. <p>The OCG will continue to monitor the execution of the project.</p>						
Status	Contract is being implemented					

Reference No.	CDF-15272					
Implementing Agency	Portland Parish Council		Project Description	Community Beautification		
Constituency	Portland Eastern		Project Type	Physical Infrastructure		
Parliamentary Committee Approval Date	Project Sum Approved	Project Sum Disbursed	Contractor / Supplier	Project Implementation Date	Completion Date	Expenditure to Date
2011-08-30	J\$2,000,000.00	J\$2,000,000.00	Multiple Contractors	2011-12-02	2011-12-31	J\$2,000,000.00
Comments						
<p>The Office of the Contractor General (OCG) commenced monitoring of the project based upon the approval of the Parliamentary Committee, which was received on August 30, 2011.</p> <p>The project identified and implemented small scale community cleaning and beautification Works along public roads. The Works included: cleaning of sidewalks, drains and verges, creating and maintaining community gardens and recreational areas, painting of sidewalks and kerbs. The budget was allocated to each division within the Constituency, as follows:</p> <ul style="list-style-type: none"> • Division 1: Port Antonio - J\$390,000.00; • Division 2: Prospect - J\$390,000.00; • Division 3: Fairy Hill - J\$270,000.00; • Division 4: Manchioneal - J\$350,000.00; • Division 5: Fellowship - J\$400,000.00; • Materials and Supervision - J\$100,000.00; and • Agency Fees - J\$100,000.00. <p>As at December 31, 2011 the project was completed.</p>						
Status	Project Completed					

Reference No.	CDF-15312					
Implementing Agency	Portland Parish Council		Project Description	Rehabilitation of Windsor Playfield		
Constituency	Portland Eastern		Project Type	Physical Infrastructure		
Parliamentary Committee Approval Date	Project Sum Approved	Project Sum Disbursed	Contractor / Supplier	Project Implementation Date	Completion Date	Expenditure to Date
2011-02-23	J\$499,629.00	J\$499,629.00	Miller's Electrical & Construction Limited	2012-02-25	2012-03-16	J\$0.00
Comments						
<p>The Office of the Contractor General (OCG) commenced monitoring of the project based upon the approval of the Parliamentary Committee, which was received on February 23, 2011.</p> <p>By way of a letter which was obtained from the Portland Parish Council, which was dated November 9, 2011, the OCG was advised that the Works had not commenced.</p> <p>As at December 31, 2011, the status of the project had not changed. The OCG has been advised that the project is scheduled to commence on February 25, 2012, and is to be completed by March 16, 2012.</p> <p>The OCG will continue to monitor the implementation of the project.</p>						
Status	The Project has not yet started					

Reference No.	CDF-15192					
Implementing Agency	Rural Agricultural Development Authority		Project Description	Agricultural Programme Phase 4		
Constituency	St. Elizabeth South Eastern		Project Type	Economic Enablement		
Parliamentary Committee Approval Date	Project Sum Approved	Project Sum Disbursed	Contractor / Supplier	Project Implementation Date	Completion Date	Expenditure to Date
2011-06-14	J\$3,000,000.00	J\$3,000,000.00	N/A	0000-00-00	0000-00-00	J\$2,695,747.43
Comments						
<p>The Office of the Contractor General (OCG) commenced monitoring of the project in October 2011. Documents which were obtained from the Rural Agricultural Development Authority (RADA) revealed that funds were transferred to its account in July 2011.</p> <p>The RADA, under cover of letter dated November 7, 2011, submitted details of the allocation of funds which covered, but were not limited to, the supply of fertilizer, the supply of poultry and drought assistance. A list of persons who benefitted from the Programme was also provided.</p> <p>As at December 31, 2011, the Programme had assisted over 241 farmers with, amongst other things, chicken, fertilizer and water drums. Upon review of the records, the OCG noted that J\$2,695,747.43 had been expended from the budget and the Programme was 89.86% completed.</p> <p>The OCG will continue to monitor the execution of the project.</p>						
Status	Contract is being implemented					

Reference No.	CDF-15182					
Implementing Agency	Social Development Commission		Project Description	Social Housing		
Constituency	Kingston Central		Project Type	Human and Social Development		
Parliamentary Committee Approval Date	Project Sum Approved	Project Sum Disbursed	Contractor / Supplier	Project Implementation Date	Completion Date	Expenditure to Date
2011-06-15	J\$1,000,000.00	J\$1,000,000.00	Greater Kingston Community Development Projects Limited	0000-00-00	0000-00-00	J\$483,823.65
Comments						
<p>The Office of the Contractor General (OCG) commenced monitoring of the project based upon the approval of the Parliamentary Committee, which was received on June 15, 2011.</p> <p>The project was implemented by the Member of Parliament through the Greater Kingston Community Development Project Limited.</p> <p>The Greater Kingston Community Development Project Limited provided housing material, such as zinc and form-ply, for persons living within the Constituency, on a needs basis. The OCG noted that the Greater Kingston Community Development Project Limited purchased the housing material and provided same to the beneficiaries.</p> <p>Payments were made by the Social Development Commission to the Greater Kingston Community Development Project Limited, based upon the purchases which were made and upon the submission of an invoice and supporting documents from the Member of Parliament. The supporting documents included a list of the beneficiaries and the allotted funds.</p> <p>As at December 31, 2011, fourteen (14) persons have benefitted. The project is ongoing.</p> <p>The OCG will continue to monitor the execution of the project.</p>						
Status	Project Ongoing					

Reference No.	CDF-15292					
Implementing Agency	Social Development Commission		Project Description	Disaster Management & Recovery Programme		
Constituency	St. Andrew Eastern		Project Type	Disaster Mitigation		
Parliamentary Committee Approval Date	Project Sum Approved	Project Sum Disbursed	Contractor / Supplier	Project Implementation Date	Completion Date	Expenditure to Date
2011-06-28	J\$1,000,000.00	J\$0.00	N/A	0000-00-00	0000-00-00	J\$0.00
Comments						
<p>The Office of the Contractor General (OCG) commenced monitoring of the project based upon the approval of the Parliamentary Committee, which was received on June 28, 2011.</p> <p>Based upon information which was obtained from the Social Development Commission (SDC), the OCG was advised that the project had been put on hold.</p> <p>As at December 31, 2011, the project was still on hold.</p> <p>The OCG will continue to monitor the project.</p>						
Status	Put on Hold					

Reference No.	CDF-15282					
Implementing Agency	Social Development Commission		Project Description	Disaster Mitigation Programme N.E. St. Ann		
Constituency	St. Ann North Eastern		Project Type	Disaster Mitigation		
Parliamentary Committee Approval Date	Project Sum Approved	Project Sum Disbursed	Contractor / Supplier	Project Implementation Date	Completion Date	Expenditure to Date
2011-06-07	J\$2,000,000.00	J\$2,000,000.00	M. Washington, V. Robinson, L. Robinson, K. Dixon, L. Parkinson, E. Melville, P. Walters, W. Wilmot, A. Boyden, R. Watson, E. Lobban, I. Barrett, L. Daley, H. Green, D. Arcer, G. Wray, T. Clarke, L. Henry	2011-07-12	2011-12-10	J\$2,000,000.00
Comments						
<p>The Office of the Contractor General (OCG) commenced monitoring of the project based upon the approval of the Parliamentary Committee, which was received on June 7, 2011.</p> <p>The project involved the cleaning of drains in Ocho Rios, St. Ann's Bay, Lime Hall, Eltham Main Road, Seville Heights, Steer Town, Greenwich Acres Estate, Hollywood, Green Bay, Green Park, Gully Road, Beecher Town, Exchange, and at the entrance of Dunns River Falls.</p> <p>Based upon information which was obtained from the Social Development Commission (SDC), the OCG was advised that the project expended the approved project sum.</p> <p>The project was segmented and resulted in approximately eighteen (18) persons being contracted to undertake the Works in several designated areas. The value of the contracts ranged from J\$20,814.43 to J\$200,000.00.</p> <p>The SDC utilised the Direct Contracting Procurement Methodology to procure the services of the persons contracted for the Labour portion of the Works. Of note, the OCG was not provided with any supporting documentation regarding the procurement process.</p> <p>As at December 31, 2011, the project was completed.</p>						
Status	Contract is 100% completed					

Reference No.	CDF-15322					
Implementing Agency	Social Development Commission		Project Description	Consultancy		
Constituency	St. Catherine North Western		Project Type	Disaster Mitigation		
Parliamentary Committee Approval Date	Project Sum Approved	Project Sum Disbursed	Contractor / Supplier	Project Implementation Date	Completion Date	Expenditure to Date
0000-00-00	J\$2,000,000.00	J\$2,000,000.00	N/A	0000-00-00	0000-00-00	J\$2,025,000.00
Comments						
<p>The Social Development Commission (SDC) advised the Office of the Contractor General (OCG) that since the funds were disbursed in 2010, the project had been on hold. Subsequent to this information, activity on the project began in 2011.</p> <p>Documentation provided by the SDC indicated that the funds were expended on activities such as cleaning and bushing of roadways, the removal of debris, clearing of blocked drains and roads, amongst other things. The SDC has also indicated that a cost over-run of J\$25,000.00 was paid from funds carried forward from 2008/2009.</p> <p>As at December 31, 2011, J\$2,025,000.00 had been expended and the project was completed.</p>						
Status	Project Completed					

Reference No.	CDF-15332					
Implementing Agency	Social Development Commission		Project Description	Social Intervention Programme		
Constituency	St. James North Western		Project Type	Human and Social Development		
Parliamentary Committee Approval Date	Project Sum Approved	Project Sum Disbursed	Contractor / Supplier	Project Implementation Date	Completion Date	Expenditure to Date
2011-06-07	J\$600,000.00	J\$600,000.00	N/A	0000-00-00	0000-00-00	J\$2,340,000.00
Comments						
<p>The Office of the Contractor General (OCG) commenced monitoring of the project based upon the approval of the Parliamentary Committee, in its meeting of June 7, 2011.</p> <p>Based upon the documentation which was submitted to the OCG, under cover of letter dated December 29, 2011, it was noted that the allocated funds were in aid of the continuation of the Social Intervention Programme in the Constituency.</p> <p>The OCG noted that an Administrative fee, in the sum of J\$300,000.00, was paid to the Implementing Agency for the management of the project.</p> <p>Payments were made directly to the Centre of Excellence for disbursements to individuals who had served as Community Animators under the Social Intervention Programme in the various communities within the Constituency. Based upon the documentation which was reviewed, the OCG found that the responsibility of the Community Animator varies depending on the needs of the community, however, some of their responsibilities included "...sensitizing and organizing youths in the community for them to procure holiday jobs through CSJP and Spruce Up Jamaica ... [and] informing and sensitizing teenagers and young adults alike about the present St. James Youth Service Center skills training program."</p> <p>As at December 31, 2011, the project was ongoing.</p> <p>The OCG will continue to monitor the execution of the project.</p>						
Status	Project Ongoing					

Reference No.	CDF-15302					
Implementing Agency	Social Development Commission		Project Description	Education and Training Assistance		
Constituency	St. James Southern		Project Type	Human and Social Development		
Parliamentary Committee Approval Date	Project Sum Approved	Project Sum Disbursed	Contractor / Supplier	Project Implementation Date	Completion Date	Expenditure to Date
2011-06-15	J\$3,000,000.00	J\$3,000,000.00	N/A	2011-07-28	2011-09-09	J\$2,999,321.00
Comments						
<p>The Implementing Agency provided the Office of the Contractor General (OCG) with information relating to the captioned project, under cover of a letter which was dated December 29, 2011.</p> <p>Upon review of the referenced information, the OCG noted that an Administrative fee, in the sum of J\$150,000.00, was paid to the Implementing Agency for the management of the project.</p> <p>The OCG noted that payments, which amounted to J\$1,578,600.00, were made directly to schools and Vocational Institutions for approximately eighty-eight (88) students, in order to assist with tuition fees for the academic year 2011/2012.</p> <p>In this regard, the OCG noted letters from parents and students requesting assistance from the respective Member of Parliament. Further supporting documents included Status Letters, Letters of Acceptance from the respective institutions of study and letters of recommendation from Authorities, on behalf of students.</p> <p>The OCG also noted payments to Sangster's Book Store Limited, in the amount of J\$1,270,721.00, for textbooks for Primary and Secondary School students.</p> <p>The OCG evidenced the requisite Tax Compliance Certificate (TCC) and National Contracts Commission (NCC) Certificate for Sangster's Book Store Limited; however, no documentation was provided which would suggest that a formal procurement process was undertaken by the Implementing Agency for the selection of the said Book Store.</p> <p>As at December 31, 2011, the funds had been utilised and a balance of J\$679.00 was remaining.</p>						
Status	Project Completed					

Reference No.	CDF-15202					
Implementing Agency	Social Development Commission		Project Description	Eastern St. Thomas Educational Assistance Project		
Constituency	St. Thomas Eastern		Project Type	Human and Social Development		
Parliamentary Committee Approval Date	Project Sum Approved	Project Sum Disbursed	Contractor / Supplier	Project Implementation Date	Completion Date	Expenditure to Date
2011-06-14	J\$7,500,000.00	J\$7,500,000.00	N/A	2011-07-11	2011-09-19	J\$7,498,885.97
Comments						
<p>The Office of the Contractor General (OCG) commenced monitoring of the project based upon the approval of the Parliamentary Committee, which was received on June 14, 2011.</p> <p>The project provided the following:</p> <ul style="list-style-type: none"> • Purchase of Books and Stationary Supplies; • Payment of school fees and boarding accommodation; • Donation of \$20,000.00 to the St. Thomas Lay Magistrates Association Scholarship Fund-raiser; • Purchase of one (1) Computer for the Old Pera Primary School; • Purchase of Sports Gear for the St. Thomas Technical High School; • \$250,000.00 for the purchase of construction material for the development of the Cheswick Multi-Purpose Centre; • Purchase of school shoes for 37 students; • \$15,000.00 donation for hosting a school event; • Donation of \$60,000.00 to the Lay Magistrates Association regarding a request made to assist two (2) students who attend the Morant Bay High School, for the school year 2011-2012; • Provision of Laptops for two (2) students; • Provision of Desks and Chairs for four (4) Primary Schools namely: Johnson Mountain Basic School, Spring Bank Basic School, Wheelersfield Basic School and Rowlandsfield Basic School; • Purchase of supplies for the Saunders Basic School; • Supply of Uniform Material; and • Purchase of the book "<i>Jamaica at the Wicket</i>" for the St. Thomas Parish Library and Schools. <p>Documents which were received from the Social Development Commission (SDC) indicated that the project was completed with a balance of J\$1,114.03 remaining from disbursed funds.</p> <p>The records indicated that a total of 610 students have benefitted directly from the project. A total of J\$7,498,885.97 was expended on the project.</p> <p>The project was completed on September 19, 2011.</p>						
Status	Project Completed					

Reference No.	CDF-15371					
Implementing Agency	Sports Development Foundation		Project Description	Rehabilitation of Westchester Multi-purpose Court		
Constituency	St. Catherine South Eastern		Project Type	Physical Infrastructure		
Parliamentary Committee Approval Date	Project Sum Approved	Project Sum Disbursed	Contractor / Supplier	Project Implementation Date	Completion Date	Expenditure to Date
2011-07-19	J\$2,698,500.00	J\$2,093,492.50	Asphalting Specialist Limited	2011-10-18	2011-11-18	J\$1,946,948.00
Comments						
<p>The Office of the Contractor General (OCG) commenced monitoring of the project based upon the approval of the Parliamentary Committee, which was received on July 19, 2011.</p> <p>The Limited Tender Procurement Methodology was utilised by the Implementing Agency to invite Contractors who were registered with the National Contracts Commission (NCC), in the category of Civil Engineering, General Road Works or Road Maintenance Works, at a minimum of Grade 4.</p> <p>Tenders were to be submitted by September 30, 2011 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Seven (7) Bidders were invited to submit tenders. Of the seven (7), three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the evaluation criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by Asphalting Specialist Limited, in the sum of J\$2,022,780.00, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>Documents which were obtained by the OCG indicated that the project had commenced on October 18, 2011, with a project duration of three (3) weeks.</p> <p>As at December 31, 2011, the contract was completed and the Contractor had been paid an amount of J\$1,946,948.00.</p>						
Status	Project Completed					

Reference No.	CDF-15361					
Implementing Agency	St. Ann Parish Council		Project Description	Rehabilitation of York Castle Community Centre		
Constituency	St. Ann South Eastern		Project Type	Physical Infrastructure		
Parliamentary Committee Approval Date	Project Sum Approved	Project Sum Disbursed	Contractor / Supplier	Project Implementation Date	Completion Date	Expenditure to Date
2011-07-19	J\$2,174,079.00	J\$2,174,079.00	N/A	0000-00-00	0000-00-00	J\$0.00
Comments						
<p>The Parliamentary Committee granted approval for the disbursement of funds for the project on July 19, 2011.</p> <p>Documents which were obtained by the Office of the Contractor General (OCG) indicated that the St. Ann Parish Council received funds for the project on September 7, 2011. The St. Ann Parish Council, by way of a letter which was dated October 27, 2011, advised the OCG that the designs for the project were being reviewed and will be discussed at a scheduled meeting of the Evaluation Committee on November 1, 2011.</p> <p>As at December 31, 2011, the procurement process was ongoing.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	Evaluation not yet completed					

Reference No.	CDF-15381					
Implementing Agency	Westmoreland Parish Council	Project Description		Drainage Construction in Llandilo		
Constituency	Westmoreland Central	Project Type		Physical Infrastructure		
Parliamentary Committee Approval Date	Project Sum Approved	Project Sum Disbursed	Contractor / Supplier	Project Implementation Date	Completion Date	Expenditure to Date
2011-07-26	J\$679,421.10	J\$642,210.10	N.R. Diaram Construction Limited	2011-10-31	2011-11-04	J\$565,144.86
Comments						
<p>The Office of the Contractor General (OCG) commenced monitoring of the project based upon the approval of the Parliamentary Committee, which was received on July 26, 2011.</p> <p>The Limited Tender Procurement Methodology was utilised by the Implementing Agency to invite Contractors who were registered with the National Contracts Commission (NCC), in the category of Civil Engineering, General Road Works or Road Maintenance Works, at a minimum of Grade 4.</p> <p>Tenders were to be submitted by October 29, 2011 at 12:00 noon, followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Three (3) Bidders were invited to submit tenders. Of the three (3), two (2) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the evaluation criteria which were outlined in the Tender Document. The lowest responsive tender, which was submitted by N.R. Diaram Construction Limited, in the sum of J\$642,210.10, was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was awarded accordingly.</p> <p>As at December 31, 2011, the contract was completed and the Contractor had been paid an amount of J\$565,144.86.</p>						
Status	Project Completed					

Reference No.	CDF-15341					
Implementing Agency	Westmoreland Parish Council	Project Description		Bushing and drain cleaning		
Constituency	Westmoreland Western	Project Type		Disaster Mitigation		
Parliamentary Committee Approval Date	Project Sum Approved	Project Sum Disbursed	Contractor / Supplier	Project Implementation Date	Completion Date	Expenditure to Date
2011-06-22	J\$3,066,000.00	J\$3,066,000.00	N/A	2011-08-04	0000-00-00	J\$1,556,240.00
Comments						
<p>The Parliamentary Committee granted approval for the disbursement of J\$3,066,000.00 for the project on June 22, 2011.</p> <p>The Implementing Agency was, however, unable to provide evidence of the disbursement sum as well as the date on which the sum was disbursed.</p> <p>Documents which were received by the Office of the Contractor General (OCG) indicated that the Works commenced on August 4, 2011, in various communities of the Constituency and was executed by several informal Contractors. The Works have been completed and payments were made to the Contractors.</p> <p>As at December 31, 2011, the Implementing Agency expended J\$1,556,240.00.</p> <p>The OCG will continue to monitor the execution of the project.</p>						
Status	Contract is being implemented					

Reference No.	CDF-15431					
Implementing Agency	Social Development Commission		Project Description	The provision of bases for housing units		
Constituency	Trelawny Southern		Project Type	Social Housing		
Parliamentary Committee Approval Date	Project Sum Approved	Project Sum Disbursed	Contractor / Supplier	Project Implementation Date	Completion Date	Expenditure to Date
2011-06-22	J\$4,000,000.00	J\$4,000,000.00	Glastonbury Potato Company, Marshall Hardware, Carib Electrical Company & Reneil Mundel	0000-00-00	0000-00-00	J\$2,100,953.82

Comments

The Office of the Contractor-General (OCG) by way of letter dated September 29, 2011, wrote to Mrs. Paula Barrett, acting Parish Manager of the Social Development Commission (SDC), regarding a Constituency Development Fund (CDF) project in the constituency of South Trelawny. The referenced letter sequestered the following information specific to the project:

- a) *"Evidence of the disbursement of approved sums;*
- b) *A copy of the Tender Document;*
- c) *A status report on the Tender process;*
- d) *A copy of the Tender Receival Form;*
- e) *A copy of the Tender Opening Report;*
- f) *A copy of the Evaluation Report;*
- g) *A copy of the signed contract, if available;*
- h) *A copy of all Payment Vouchers/ Certificates, if available; and*
- i) *A copy of any other pertinent correspondence or documentation relating to the captioned."*

A response was received by way of letter dated October 11, 2011, from Mrs. Marisa Dalrymple- Philibert, Member of Parliament for South Trelawny. Mrs. Dalrymple – Philibert stated that, *"Miss Paula Barrett, Parish Manager....has passed to me your letter of September 29, 2011, regarding the matter noted at caption."*

Mrs. Dalrymple – Philibert’s letter further explained that the project entailed the construction of bases for simple housing units that were furnished by the Food for the Poor organization, and asserted that the SDC officers were not involved in the project until it was required for payments to be made to the suppliers. The referenced letter further stated that in an effort to create employment, the house bases were constructed by local tradesmen and that supplies for the construction were taken on credit from a Hardware store located outside of South Trelawny.

Subsequently, the OCG by way of letter dated October 20, 2011, wrote to Dr. Dwayne Vernon, acting Executive Director of the Social Development Commission, regarding Mrs. Dalrymple- Philibert’s letter. The OCG’s letter outlined that proper procedures for the implementation of the aforementioned project were not carried out in accordance with Section 9(9.1) (a-c) of the Revised Constituency Development Fund Operational Procedures (January 17, 2011). Section 9(9.1) (a-c) of the Revised Constituency Development Fund Operational Procedures (January 17, 2011) which states;

"(9.1) Implementing agencies shall be responsible for:

- a) *Implementing the projects and activities of the CDF assigned to its by the CDF-PMU;*
- b) *To undertake technical, administrative and supervisory functions of the CDF project/ activities assigned;*
- c) *To undertake procurement in accordance with the procedures and guidelines outlined in the GOJ Procurement Handbook for the purchase of goods, services and works undertaken by the Fund."*

The OCG’s letter to Dr. Vernon indicated that the SDC Trelawny had breached the Procurement Guidelines as it regards (i) lack of competition and transparency, (ii) no evidence of value for money and (iii) no evidence of utilizing NCC registered supplies and contractors. Consequently the following information was requested to be furnished to the OCG, by November 3, 2011:

- a) *"The actual location of the project;*
- b) *All particulars which supports the disbursement of funds for the captioned project, inclusive of the names of the persons or entity, which received payments;*
- c) *A detailed Executive Summary, outlining, inter alia, the reason why the SDC did not provide the requisite oversight and management of the technical, administrative and supervisory roles in the captioned project, and whether said conduct is customary for all CDF projects implemented by SDC;*
- d) *A detailed explanation as to why records of transactions for the captioned project are being maintained in the Member of Parliament’s office and not the SDC’s;*
- e) *A report outlining the result of the checks which were made by SDC officers of the bases for the houses and the methodology which was used to give approval for work to proceed and consequent payments to be made; and*

- f) *A detailed financial breakdown, outlining the actual labour and material cost to provide the total amount of house bases actually built."*

The SDC however did not meet the above scheduled deadline and subsequently, the OCG sent it a warning letter dated November 9, 2011. The letter indicated a revised due date of November 16, 2011, to furnish the sequestered information.

By way of letter dated November 17, 2011, the SDC provided the OCG with the following information:

1. Evidence of the amount disbursed to the SDC;
2. Beneficiaries' letters of request;
3. The names of beneficiaries';
4. A copy of an Expenditure Report; and
5. A copy of Invoices for Material supplied to the project.

The above information however, did not fulfill that which was requested in the OCG's letter dated October 20, 2011 and consequently a second warning letter dated December 1, 2011 was sent to Dr. Vernon, to furnish the sequestered information, by December 1, 2011.

With no response still forthcoming from the SDC, a third warning letter dated December 23, 2011 was sent to Dr. Vernon.

On December 30, 2011, Mr. Daniel Wilson, Senior Director , SDC, via a telephone conversation with a representative of the OCG, requested an extension of time. This extended deadline was however not met and a final warning letter dated January 5, 2012 was sent to Dr. Vernon.

In its subsequent response by way of letter dated January 6, 2012, the SDC outlined that a total of **J\$ 2,100,953.82** was expended from the available **J\$ 3,800,000.00**. A total of **J\$ 4,000,000.00** was disbursed by the CDF-PMU of which **J\$ 200,000.00** represented management fees to SDC. The breakdown of the payment is as follows:

Name of Supplier	Amount Disbursed
Glastonbury Potato Company	\$ 1,285,593.70
Marshall Hardware	\$ 195,200.00
Carib Electrical Company	\$ 450,160.12
Reneil Mundel	\$ 170,000.00
Total	\$ 2,100,953.82

The beneficiaries from the programme are as follows:

Beneficiaries	Amount
John & Doreen Brown	\$ 94,987.00
Raniel Carter	\$ 108,182.25
Blanch Lawrence	\$ 94,987.00
Rita Bailey & Debra McFarlane	\$ 94,987.00
Trecia Darby	\$ 113,657.74
Elaine Daley	\$ 121,559.63
Orlando Johnson	\$ 102,826.60
Fritz Plummer	\$ 112,116.15
Total	\$ 843,303. 37

Status	Project Completed
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APPENDIX VIII - QCA SUMMARY TABLE

Public Body Quarterly Contract Award (QCA) Report (Contracts Which Do Not Require NCC Endorsement)*

For 2011 Covering The 1st, 2nd, 3rd and 4th Quarters

(1) Public Body	(2) QCA Reports Approved for Electronic Upload	(3) Total Number of Contracts Awarded	(4) Total Value of Contracts Awarded	(5) Number and Percentage of Contracts Awarded (Classified by Procurement Method)+						(6) Value of Sole Source and Direct Contracting Contracts	(7) Contracts Not Approved by Public Body's Procurement Committee		(8) Contracts Reported, Not Awarded to NCC Registered Contractors		(9) Contracts over \$1Million Procured by Sole Source or Direct Contracting Methodology		
				ICB	LCB	LT	GG	DC	Not Stated		No.	% of Total Contracts	No.	% of Total Contracts	No.	% of Total Contracts	
1	Accountant General Department	3 Qtrs	0	\$0.00M													
2	Administrator General's Department	4 Qtrs	5	\$6.79M	0	0	5	0	0	0	\$0.00M	0	0%	1	20%	0	0%
					0%	0%	100%	0%	0%	0%	0%						
3	Aeronautical Telecommunication Limited	4 Qtrs	8	\$16.66M	0	2	4	0	2	0	\$0.00M	0	0%	4	50%	1	13%
					0%	25%	50%	0%	25%	0%	0%						
4	Agricultural Credit Board	4 Qtrs	1	\$0.48M	0	0	0	0	1	0	\$0.00M	0	0%	0	0%	0	0%
					0%	0%	0%	0%	100%	0%	0%						
5	Agricultural Marketing Corporation	4 Qtrs	0	\$0.00M													
6	Agro Investment Corporation	4 Qtrs	4	\$7.69M	0	3	1	0	0	0	\$0.00M	0	0%	0	0%	0	0%
					0%	75%	25%	0%	0%	0%	0%						

Public Body Quarterly Contract Award (QCA) Report (Contracts Which Do Not Require NCC Endorsement)*

For 2011 Covering The 1st, 2nd, 3rd and 4th Quarters

(1) Public Body	(2) QCA Reports Approved for Electronic Upload	(3) Total Number of Contracts Awarded	(4) Total Value of Contracts Awarded	(5) Number and Percentage of Contracts Awarded (Classified by Procurement Method)+						(6) Value of Sole Source and Direct Contracting Contracts	(7) Contracts Not Approved by Public Body's Procurement Committee		(8) Contracts Reported, Not Awarded to NCC Registered Contractors		(9) Contracts over \$1Million Procured by Sole Source or Direct Contracting Methodology	
				ICB	LCB	LT	GG	DC	Not Stated		No.	% of Total Contracts	No.	% of Total Contracts	No.	% of Total Contracts
7 Air Jamaica Ltd.	2 Qtrs	6	\$15.49M	0	0	3	0	3	0	\$0.00M	0	0%	6	100%	2	33%
				0%	0%	50%	0%	50%	0%	0%						
8 Airports Authority of Jamaica	4 Qtrs	22	\$16.46M	0	0	16	0	6	0	\$0.00M	5	23%	6	27%	0	0%
				0%	0%	73%	0%	27%	0%	0%						
9 Anti-Dumping and Subsidies Commission	4 Qtrs	1	\$1.23M	0	0	1	0	0	0	\$0.00M	0	0%	1	100%	0	0%
				0%	0%	100%	0%	0%	0%	0%						
10 Attorney General's Department	4 Qtrs	3	\$2.44M	0	0	3	0	0	0	\$0.00M	0	0%	0	0%	0	0%
				0%	0%	100%	0%	0%	0%	0%						
11 Auditor General's Department	4 Qtrs	11	\$7.94M	0	0	7	0	4	0	\$0.00M	2	18%	2	18%	1	9%
				0%	0%	64%	0%	36%	0%	0%						
12 Banana Board	4 Qtrs	5	\$2.36M	0	0	1	0	4	0	\$0.00M	0	0%	0	0%	0	0%
				0%	0%	20%	0%	80%	0%	0%						

Public Body Quarterly Contract Award (QCA) Report (Contracts Which Do Not Require NCC Endorsement)*

For 2011 Covering The 1st, 2nd, 3rd and 4th Quarters

(1) Public Body	(2) QCA Reports Approved for Electronic Upload	(3) Total Number of Contracts Awarded	(4) Total Value of Contracts Awarded	(5) Number and Percentage of Contracts Awarded (Classified by Procurement Method)+						(6) Value of Sole Source and Direct Contracting Contracts	(7) Contracts Not Approved by Public Body's Procurement Committee		(8) Contracts Reported, Not Awarded to NCC Registered Contractors		(9) Contracts over \$1Million Procured by Sole Source or Direct Contracting Methodology		
				ICB	LCB	LT	GG	DC	Not Stated		No.	% of Total Contracts	No.	% of Total Contracts	No.	% of Total Contracts	
13	Bank of Jamaica	4 Qtrs	233	\$296.59M	0	18	96	6	113	0	\$0.00M	148	64%	85	36%	42	18%
					0%	8%	41%	3%	48%	0%							
14	Bath Fountain Hotel and Spa	4 Qtrs	0	\$0.00M													
15	Bauxite and Alumina Trading Company (B.A.T.C.O)	4 Qtrs	1	\$1.03M	0	1	0	0	0	0	\$0.00M	0	0%	0	0%	0	0%
					0%	100%	0%	0%	0%	0%							
16	Bellevue Hospital	4 Qtrs	127	\$127.77M	0	0	84	11	32	0	\$0.00M	114	90%	38	30%	14	11%
					0%	0%	66%	9%	25%	0%							
17	Betting, Gaming and Lotteries Commission	4 Qtrs	14	\$28.65M	0	1	8	1	4	0	\$0.00M	3	21%	7	50%	3	21%
					0%	7%	57%	7%	29%	0%							
18	Broadcasting Commission	4 Qtrs	7	\$11.24M	0	0	2	1	4	0	\$0.00M	0	0%	5	71%	0	0%
					0%	0%	29%	14%	57%	0%							

Public Body Quarterly Contract Award (QCA) Report (Contracts Which Do Not Require NCC Endorsement)*

For 2011 Covering The 1st, 2nd, 3rd and 4th Quarters

(1) Public Body	(2) QCA Reports Approved for Electronic Upload	(3) Total Number of Contracts Awarded	(4) Total Value of Contracts Awarded	(5) Number and Percentage of Contracts Awarded (Classified by Procurement Method)+						(6) Value of Sole Source and Direct Contracting Contracts	(7) Contracts Not Approved by Public Body's Procurement Committee		(8) Contracts Reported, Not Awarded to NCC Registered Contractors		(9) Contracts over \$1Million Procured by Sole Source or Direct Contracting Methodology		
				ICB	LCB	LT	GG	DC	Not Stated		No.	% of Total Contracts	No.	% of Total Contracts	No.	% of Total Contracts	
19	Bureau of Standards	4 Qtrs	38	\$65.10M	0	2	14	3	19	0	\$0.00M	16	42%	24	63%	7	18%
					0%	5%	37%	8%	50%	0%							
20	Bureau of Women's Affairs	4 Qtrs	1	\$0.45M	0	0	0	0	1	0	\$0.00M	1	100%	1	100%	0	0%
					0%	0%	0%	0%	100%	0%							
21	Caribbean Maritime Institute	4 Qtrs	24	\$19.79M	0	0	17	0	7	0	\$0.00M	0	0%	6	25%	2	8%
					0%	0%	71%	0%	29%	0%							
22	Caymanas Track Limited	4 Qtrs	35	\$32.37M	0	0	35	0	0	0	\$0.00M	0	0%	2	6%	0	0%
					0%	0%	100%	0%	0%	0%							
23	Central Information and Technology Office (CITO)	4 Qtrs	0	\$0.00M													
24	Child Development Agency	4 Qtrs	11	\$15.08M	0	1	8	0	2	0	\$0.00M	2	18%	0	0%	1	9%
					0%	9%	73%	0%	18%	0%							

Public Body Quarterly Contract Award (QCA) Report (Contracts Which Do Not Require NCC Endorsement)*

For 2011 Covering The 1st, 2nd, 3rd and 4th Quarters

(1) Public Body	(2) QCA Reports Approved for Electronic Upload	(3) Total Number of Contracts Awarded	(4) Total Value of Contracts Awarded	(5) Number and Percentage of Contracts Awarded (Classified by Procurement Method)+						(6) Value of Sole Source and Direct Contracting Contracts	(7) Contracts Not Approved by Public Body's Procurement Committee		(8) Contracts Reported, Not Awarded to NCC Registered Contractors		(9) Contracts over \$1Million Procured by Sole Source or Direct Contracting Methodology		
				ICB	LCB	LT	GG	DC	Not Stated		No.	% of Total Contracts	No.	% of Total Contracts	No.	% of Total Contracts	
25	Clarendon Alumina Production Limited (CAP)	4 Qtrs	1	\$4.30M	0	0	0	0	1	0	\$0.00M	1	100%	1	100%	1	100%
					0%	0%	0%	0%	100%	0%							
26	Clarendon Parish Council	4 Qtrs	13	\$41.96M	0	10	3	0	0	0	\$0.00M	0	0%	0	0%	0	0%
					0%	77%	23%	0%	0%	0%							
27	Coconut Industry Board	4 Qtrs	26	\$24.35M	0	0	21	0	5	0	\$0.43M	0	0%	6	23%	1	4%
					0%	0%	81%	0%	19%	0%							
28	Coffee Industry Board	4 Qtrs	5	\$3.91M	0	0	4	0	1	0	\$0.00M	0	0%	2	40%	0	0%
					0%	0%	80%	0%	20%	0%							
29	College of Agriculture, Science and Education (CASE)	4 Qtrs	4	\$2.14M	0	0	3	0	1	0	\$0.00M	0	0%	0	0%	0	0%
					0%	0%	75%	0%	25%	0%							
30	Commission for the Prevention of Corruption	4 Qtrs	1	\$0.32M	0	0	1	0	0	0	\$0.00M	0	0%	0	0%	0	0%
					0%	0%	100%	0%	0%	0%							

Public Body Quarterly Contract Award (QCA) Report (Contracts Which Do Not Require NCC Endorsement)*

For 2011 Covering The 1st, 2nd, 3rd and 4th Quarters

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				ICB	LCB	LT	GG	DC	Not Stated		No.	% of Total Contracts	No.	% of Total Contracts	No.	% of Total Contracts
31 Companies Office of Jamaica	4 Qtrs	23	\$21.22M	0	0	7	0	16	0	\$2.12M	10	43%	15	65%	3	13%
				0%	0%	30%	0%	70%	0%	10%						
32 Consumer Affairs Commission	4 Qtrs	2	\$1.29M	0	0	1	0	1	0	\$0.00M	0	0%	0	0%	0	0%
				0%	0%	50%	0%	50%	0%	0%						
33 Council of Community Colleges of Jamaica	4 Qtrs	3	\$2.10M	0	0	2	0	1	0	\$0.00M	0	0%	1	33%	1	33%
				0%	0%	67%	0%	33%	0%	0%						
34 Creative Production and Training Centre	4 Qtrs	7	\$5.49M	0	0	2	0	5	0	\$0.90M	0	0%	5	71%	1	14%
				0%	0%	29%	0%	71%	0%	16%						
35 Culture, Health, Arts, Sports and Education (C.H.A.S.E.)	4 Qtrs	18	\$78.44M	0	13	5	0	0	0	\$0.00M	0	0%	0	0%	0	0%
				0%	72%	28%	0%	0%	0%	0%						
36 Department of Cooperative & Friendly Societies	4 Qtrs	1	\$3.33M	0	0	1	0	0	0	\$0.00M	0	0%	0	0%	0	0%
				0%	0%	100%	0%	0%	0%	0%						

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				ICB	LCB	LT	GG	DC	Not Stated		No.	% of Total Contracts	No.	% of Total Contracts	No.	% of Total Contracts	
37	Department of Correctional Services	4 Qtrs	280	\$206.00M	0	0	268	12	0	0	\$0.00M	0	0%	16	6%	0	0%
					0%	0%	96%	4%	0%	0%	0%						
38	Development Bank of Jamaica	4 Qtrs	24	\$22.28M	0	0	15	0	9	0	\$0.30M	1	4%	7	29%	0	0%
					0%	0%	63%	0%	38%	0%	1%						
39	Devon House Development Commission	4 Qtrs	2	\$0.83M	0	0	2	0	0	0	\$0.00M	0	0%	0	0%	0	0%
					0%	0%	100%	0%	0%	0%	0%						
40	Edna Manley School of the Visual and Performing Arts	3 Qtrs	16	\$19.64M	0	0	7	0	9	0	\$0.00M	0	0%	12	75%	2	13%
					0%	0%	44%	0%	56%	0%	0%						
41	E-Learning Company	4 Qtrs	4	\$24.10M	0	4	0	0	0	0	\$0.00M	0	0%	1	25%	0	0%
					0%	100%	0%	0%	0%	0%	0%						
42	Electricity Division	4 Qtrs	3	\$1.64M	0	0	1	0	2	0	\$0.00M	0	0%	0	0%	0	0%
					0%	0%	33%	0%	67%	0%	0%						

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				ICB	LCB	LT	GG	DC	Not Stated		No.	% of Total Contracts	No.	% of Total Contracts	No.	% of Total Contracts
43 Factories Corporation of Jamaica Ltd.	4 Qtrs	35	\$47.07M	0	12	18	0	5	0	\$0.00M	0	0%	5	14%	0	0%
				0%	34%	51%	0%	14%	0%	0%						
44 Fair Trading Commission	4 Qtrs	0	\$0.00M													
45 Financial Services Commission	4 Qtrs	49	\$51.33M	0	2	9	0	38	0	\$2.79M	38	78%	35	71%	0	0%
				0%	4%	18%	0%	78%	0%	5%						
46 FINSAC	4 Qtrs	4	\$21.37M	0	0	1	0	3	0	\$0.00M	3	75%	3	75%	3	75%
				0%	0%	25%	0%	75%	0%	0%						
47 Firearm Licence Authority	4 Qtrs	9	\$12.57M	0	0	7	0	2	0	\$0.00M	7	78%	0	0%	1	11%
				0%	0%	78%	0%	22%	0%	0%						
48 Fiscal Services Limited	4 Qtrs	69	\$142.39M	0	12	46	0	11	0	\$0.00M	35	51%	10	14%	7	10%
				0%	17%	67%	0%	16%	0%	0%						

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					ICB	LCB	LT	GG	DC	Not Stated		No.	% of Total Contracts	No.	% of Total Contracts	No.	% of Total Contracts
49	Food Storage and Prevention of Infestation Department	4 Qtrs	0	\$0.00M													
50	Forestry Department	4 Qtrs	40	\$34.18M	0	2	23	4	11	0	\$0.00M	1	3%	9	23%	4	10%
					0%	5%	58%	10%	28%	0%	0%						
51	G.C. Foster College of Physical Education	4 Qtrs	14	\$13.94M	0	1	11	0	2	0	\$0.00M	0	0%	1	7%	0	0%
					0%	7%	79%	0%	14%	0%	0%						
52	Golden Age Home	4 Qtrs	2	\$4.80M	0	1	1	0	0	0	\$0.00M	0	0%	0	0%	0	0%
					0%	50%	50%	0%	0%	0%	0%						
53	Government Chemist	4 Qtrs	2	\$2.61M	0	0	2	0	0	0	\$0.00M	0	0%	0	0%	0	0%
					0%	0%	100%	0%	0%	0%	0%						
54	Hanover Parish Council	4 Qtrs	6	\$6.11M	0	0	6	0	0	0	\$0.00M	0	0%	0	0%	0	0%
					0%	0%	100%	0%	0%	0%	0%						

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				ICB	LCB	LT	GG	DC	Not Stated		No.	% of Total Contracts	No.	% of Total Contracts	No.	% of Total Contracts
55	Harmonisation Ltd.	4 Qtrs	\$5.13M	0	1	0	0	2	0	\$0.00M	2	67%	2	67%	2	67%
				0%	33%	0%	0%	67%	0%	0%						
56	Health Corporation of Jamaica	1 Qtrs	\$2.15M	0	0	4	0	0	0	\$0.00M	0	0%	0	0%	0	0%
				0%	0%	100%	0%	0%	0%	0%						
57	Housing Agency of Jamaica Ltd	4 Qtrs	\$89.19M	0	8	23	1	15	0	\$0.00M	0	0%	32	68%	6	13%
				0%	17%	49%	2%	32%	0%	0%						
58	Human Employment and Resource Training/HEART Trust NTA	3 Qtrs	\$462.40M	2	51	245	20	102	0	\$0.00M	2	0%	80	19%	41	10%
				0%	12%	58%	5%	24%	0%	0%						
59	Independence Park Limited	4 Qtrs	\$6.24M	0	0	1	0	5	0	\$0.00M	0	0%	2	33%	2	33%
				0%	0%	17%	0%	83%	0%	0%						
60	Independent Commission of Investigations	4 Qtrs	\$35.29M	0	1	16	0	12	0	\$0.00M	2	7%	9	31%	2	7%
				0%	3%	55%	0%	41%	0%	0%						

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					ICB	LCB	LT	GG	DC	Not Stated		No.	% of Total Contracts	No.	% of Total Contracts	No.	% of Total Contracts
61	Inland Revenue Department	2 Qtrs	23	\$19.04M	0	0	17	3	3	0	\$0.00M	0	0%	3	13%	1	4%
					0%	0%	74%	13%	13%	0%	0%						
62	Institute of Jamaica	4 Qtrs	14	\$11.73M	0	1	13	0	0	0	\$0.00M	0	0%	1	7%	0	0%
					0%	7%	93%	0%	0%	0%	0%						
63	International Centre for Environment and Nuclear Science	4 Qtrs	0	\$0.00M													
64	Jamaica 4-H Clubs	4 Qtrs	2	\$1.59M	0	0	1	0	1	0	\$0.00M	0	0%	1	50%	1	50%
					0%	0%	50%	0%	50%	0%	0%						
65	Jamaica Bauxite Institute	4 Qtrs	5	\$8.64M	0	0	4	0	1	0	\$0.00M	0	0%	0	0%	0	0%
					0%	0%	80%	0%	20%	0%	0%						
66	Jamaica Bauxite Mining	4 Qtrs	18	\$34.03M	0	2	15	0	1	0	\$0.35M	0	0%	8	44%	0	0%
					0%	11%	83%	0%	6%	0%	1%						

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				ICB	LCB	LT	GG	DC	Not Stated		No.	% of Total Contracts	No.	% of Total Contracts	No.	% of Total Contracts	
67	Jamaica Business Development Centre	4 Qtrs	5	\$4.66M	0	0	5	0	0	0	\$0.00M	0	0%	0	0%	0	0%
					0%	0%	100%	0%	0%	0%	0%						
68	Jamaica Civil Aviation Authority	3 Qtrs	32	\$43.01M	0	0	9	0	23	0	\$2.79M	0	0%	17	53%	9	28%
					0%	0%	28%	0%	72%	0%	6%						
69	Jamaica Constabulary Force	4 Qtrs	294	\$404.84M	0	23	226	0	45	0	\$22.34M	0	0%	32	11%	14	5%
					0%	8%	77%	0%	15%	0%	6%						
70	Jamaica Cultural Development Commission (JCDC)	4 Qtrs	61	\$66.25M	0	1	2	11	47	0	\$8.83M	60	98%	54	89%	9	15%
					0%	2%	3%	18%	77%	0%	13%						
71	Jamaica Customs Department	4 Qtrs	109	\$132.96M	0	4	57	3	45	0	\$0.00M	0	0%	9	8%	14	13%
					0%	4%	52%	3%	41%	0%	0%						
72	Jamaica Defence Force	3 Qtrs	46	\$76.08M	0	0	30	0	16	0	\$1.53M	0	0%	13	28%	5	11%
					0%	0%	65%	0%	35%	0%	2%						

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				ICB	LCB	LT	GG	DC	Not Stated		No.	% of Total Contracts	No.	% of Total Contracts	No.	% of Total Contracts
73 Jamaica Deposit Insurance Corporation	4 Qtrs	36	\$36.58M	0	2	7	1	26	0	\$0.00M	22	61%	27	75%	4	11%
				0%	6%	19%	3%	72%	0%	0%						
74 Jamaica Exotic Flavours and Essences	4 Qtrs	2	\$3.39M	0	0	2	0	0	0	\$0.00M	0	0%	0	0%	0	0%
				0%	0%	100%	0%	0%	0%	0%						
75 Jamaica Fire Brigade	4 Qtrs	27	\$50.07M	1	4	17	1	4	0	\$0.00M	0	0%	3	11%	0	0%
				4%	15%	63%	4%	15%	0%	0%						
76 Jamaica Foundation for Life Long Learning	4 Qtrs	3	\$1.39M	0	0	3	0	0	0	\$0.00M	0	0%	0	0%	0	0%
				0%	0%	100%	0%	0%	0%	0%						
77 Jamaica Information Service	4 Qtrs	62	\$29.06M	0	0	3	1	58	0	\$0.00M	60	97%	11	18%	2	3%
				0%	0%	5%	2%	94%	0%	0%						
78 Jamaica Intellectual Property Office	4 Qtrs	3	\$1.90M	0	0	3	0	0	0	\$0.00M	0	0%	0	0%	0	0%
				0%	0%	100%	0%	0%	0%	0%						

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				ICB	LCB	LT	GG	DC	Not Stated		No.	% of Total Contracts	No.	% of Total Contracts	No.	% of Total Contracts	
79	Jamaica International Free Zone Development Ltd.	4 Qtrs	0	\$0.00M													
80	Jamaica Library Service	4 Qtrs	13	\$11.33M	0	0	9	1	3	0	\$0.00M	1	8%	2	15%	2	15%
					0%	0%	69%	8%	23%	0%	0%						
81	Jamaica Mortgage Bank	4 Qtrs	7	\$15.10M	0	1	5	0	1	0	\$0.00M	0	0%	1	14%	0	0%
					0%	14%	71%	0%	14%	0%	0%						
82	Jamaica National Commission for UNESCO	4 Qtrs	0	\$0.00M													
83	Jamaica National Heritage Trust	4 Qtrs	20	\$14.99M	0	0	16	1	3	0	\$0.00M	0	0%	8	40%	0	0%
					0%	0%	80%	5%	15%	0%	0%						
84	Jamaica Promotions Corporation (JAMPRO)	4 Qtrs	36	\$32.18M	2	2	8	0	24	0	\$0.00M	0	0%	35	97%	9	25%
					6%	6%	22%	0%	67%	0%	0%						

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				ICB	LCB	LT	GG	DC	Not Stated		No.	% of Total Contracts	No.	% of Total Contracts	No.	% of Total Contracts
85 Jamaica Racing Commission	4 Qtrs	6	\$6.14M	1	0	0	0	5	0	\$0.00M	0	0%	5	83%	3	50%
				17%	0%	0%	0%	83%	0%	0%						
86 Jamaica Railway Corporation	4 Qtrs	11	\$5.68M	0	0	3	0	8	0	\$0.00M	11	100%	7	64%	0	0%
				0%	0%	27%	0%	73%	0%	0%						
87 Jamaica Social Investment Fund	4 Qtrs	206	\$419.62M	0	14	73	0	119	0	\$0.00M	1	0%	168	82%	78	38%
				0%	7%	35%	0%	58%	0%	0%						
88 Jamaica Tourist Board	4 Qtrs	185	\$172.99M	0	1	39	0	145	0	\$34.18M	50	27%	169	91%	39	21%
				0%	1%	21%	0%	78%	0%	20%						
89 Jamaica Ultimate Tyre Company Ltd	4 Qtrs	80	\$122.95M	0	0	51	0	29	0	\$0.00M	0	0%	42	53%	25	31%
				0%	0%	64%	0%	36%	0%	0%						
90 Jamaica Urban Transit Company (JUTC)	4 Qtrs	432	\$1,740.81M	0	10	77	116	229	0	\$6.59M	0	0%	158	37%	174	40%
				0%	2%	18%	27%	53%	0%	0%						

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					ICB	LCB	LT	GG	DC	Not Stated		No.	% of Total Contracts	No.	% of Total Contracts	No.	% of Total Contracts
91	Jamaica Vacations Limited	4 Qtrs	16	\$84.02M	0	0	0	0	16	0	\$6.07M	0	0%	16	100%	15	94%
					0%	0%	0%	0%	100%	0%	7%						
92	Kingston and St. Andrew Corporation	4 Qtrs	16	\$35.01M	0	0	16	0	0	0	\$0.00M	0	0%	2	13%	0	0%
					0%	0%	100%	0%	0%	0%	0%						
93	Kingston Free Zone	4 Qtrs	2	\$1.00M	0	0	1	0	1	0	\$0.00M	0	0%	0	0%	0	0%
					0%	0%	50%	0%	50%	0%	0%						
94	Management Institute for National Development (M.I.N.D)	4 Qtrs	5	\$2.58M	0	0	4	0	1	0	\$0.00M	0	0%	0	0%	0	0%
					0%	0%	80%	0%	20%	0%	0%						
95	Manchester Parish Council	4 Qtrs	67	\$79.86M	0	1	64	0	2	0	\$0.00M	0	0%	0	0%	1	1%
					0%	1%	96%	0%	3%	0%	0%						
96	Maritime Authority of Jamaica	3 Qtrs	2	\$0.64M	0	0	2	0	0	0	\$0.00M	2	100%	1	50%	0	0%
					0%	0%	100%	0%	0%	0%	0%						

Public Body Quarterly Contract Award (QCA) Report (Contracts Which Do Not Require NCC Endorsement)*

For 2011 Covering The 1st, 2nd, 3rd and 4th Quarters

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				ICB	LCB	LT	GG	DC	Not Stated		No.	% of Total Contracts	No.	% of Total Contracts	No.	% of Total Contracts	
97	Meteorological Department	4 Qtrs	1	\$0.94M	0	0	0	0	1	0	\$0.00M	0	0%	0	0%	0	0%
					0%	0%	0%	0%	100%	0%	0%						
98	Micro Investment Development Agency (MIDA)	4 Qtrs	0	\$0.00M													
99	Milk River Bath	4 Qtrs	0	\$0.00M													
100	Mines and Geology Division	4 Qtrs	2	\$1.16M	0	0	2	0	0	0	\$0.00M	0	0%	0	0%	0	0%
					0%	0%	100%	0%	0%	0%	0%						
101	Ministry of Agriculture and Fisheries	4 Qtrs	90	\$147.23M	0	8	41	4	37	0	\$0.00M	0	0%	18	20%	17	19%
					0%	9%	46%	4%	41%	0%	0%						
102	Ministry of Education	3 Qtrs	141	\$255.20M	0	39	62	0	40	0	\$2.70M	6	4%	35	25%	23	16%
					0%	28%	44%	0%	28%	0%	1%						

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				ICB	LCB	LT	GG	DC	Not Stated		No.	% of Total Contracts	No.	% of Total Contracts	No.	% of Total Contracts
103	Ministry of Energy and Mining	4 Qtrs	\$20.89M	0	1	7	0	3	0	\$0.00M	0	0%	1	9%	2	18%
				0%	9%	64%	0%	27%	0%	0%						
104	Ministry of Finance and Planning	3 Qtrs	\$36.28M	0	0	22	1	7	0	\$0.00M	0	0%	5	17%	2	7%
				0%	0%	73%	3%	23%	0%	0%						
105	Ministry of Foreign Affairs and Foreign Trade	4 Qtrs	\$23.68M	0	0	11	1	28	0	\$0.00M	35	88%	13	33%	1	3%
				0%	0%	28%	3%	70%	0%	0%						
106	Ministry of Health	4 Qtrs	\$80.75M	9	2	23	0	3	0	\$0.00M	10	27%	4	11%	3	8%
				24%	5%	62%	0%	8%	0%	0%						
107	Ministry of Housing, Environment, Water and Local Government	4 Qtrs	\$25.03M	0	4	7	0	2	0	\$2.83M	1	8%	7	54%	2	15%
				0%	31%	54%	0%	15%	0%	11%						
108	Ministry of Industry, Investment and Commerce	4 Qtrs	\$5.21M	0	0	6	0	1	0	\$0.00M	0	0%	2	29%	1	14%
				0%	0%	86%	0%	14%	0%	0%						

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				ICB	LCB	LT	GG	DC	Not Stated		No.	% of Total Contracts	No.	% of Total Contracts	No.	% of Total Contracts
109	Ministry of Justice	4 Qtrs	\$89.62M	0	0	29	0	26	0	\$0.00M	6	11%	2	4%	15	27%
				0%	0%	53%	0%	47%	0%	0%						
110	Ministry of Labour and Social Security	4 Qtrs	\$86.59M	0	0	84	12	14	0	\$0.00M	5	5%	26	24%	4	4%
				0%	0%	76%	11%	13%	0%	0%						
111	Ministry of National Security	4 Qtrs	\$103.01M	0	1	6	0	41	0	\$0.00M	1	2%	4	8%	27	56%
				0%	2%	13%	0%	85%	0%	0%						
112	Ministry of Tourism	4 Qtrs	\$8.96M	0	0	0	0	10	0	\$0.00M	9	90%	7	70%	3	30%
				0%	0%	0%	0%	100%	0%	0%						
113	Ministry of Transport and Works	4 Qtrs	\$12.92M	0	1	5	0	2	0	\$0.00M	0	0%	0	0%	0	0%
				0%	13%	63%	0%	25%	0%	0%						
114	Ministry of Youth, Sports and Culture	4 Qtrs	\$7.81M	0	0	4	0	0	0	\$0.00M	0	0%	0	0%	0	0%
				0%	0%	100%	0%	0%	0%	0%						

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				ICB	LCB	LT	GG	DC	Not Stated		No.	% of Total Contracts	No.	% of Total Contracts	No.	% of Total Contracts	
115	Montego Bay Free Zone Co. Ltd.	4 Qtrs	5	\$16.22M	0	0	2	0	3	0	\$0.00M	0	0%	0	0%	2	40%
					0%	0%	40%	0%	60%	0%							
116	Montego Freeport Limited	4 Qtrs	0	\$0.00M													
117	National Commission on Science and Technology	4 Qtrs	0	\$0.00M													
118	National Council on Drug Abuse	4 Qtrs	0	\$0.00M													
119	National Council on Education	4 Qtrs	2	\$2.93M	0	0	2	0	0	0	\$0.00M	0	0%	1	50%	0	0%
					0%	0%	100%	0%	0%	0%							
120	National Environment and Planning Agency (NEPA)	4 Qtrs	45	\$49.24M	0	2	26	1	16	0	\$0.00M	14	31%	25	56%	8	18%
					0%	4%	58%	2%	36%	0%							

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					ICB	LCB	LT	GG	DC	Not Stated		No.	% of Total Contracts	No.	% of Total Contracts	No.	% of Total Contracts
121	National Export-Import Bank of Jamaica Limited	3 Qtrs	7	\$10.30M	0	0	5	0	2	0	\$0.00M	6	86%	3	43%	0	0%
					0%	0%	71%	0%	29%	0%	0%						
122	National Family Planning Board	4 Qtrs	8	\$12.46M	2	2	0	0	4	0	\$0.00M	0	0%	8	100%	0	0%
					25%	25%	0%	0%	50%	0%	0%						
123	National Health Fund	4 Qtrs	41	\$47.16M	0	2	22	0	17	0	\$0.00M	0	0%	14	34%	5	12%
					0%	5%	54%	0%	41%	0%	0%						
124	National Housing Trust	4 Qtrs	116	\$199.79M	0	19	50	24	23	0	\$1.97M	1	1%	49	42%	14	12%
					0%	16%	43%	21%	20%	0%	1%						
125	National Irrigation Commission Ltd.	4 Qtrs	40	\$51.76M	0	2	26	0	12	0	\$8.39M	7	18%	8	20%	6	15%
					0%	5%	65%	0%	30%	0%	16%						
126	National Land Agency	4 Qtrs	24	\$71.41M	0	10	7	1	6	0	\$0.00M	0	0%	3	13%	2	8%
					0%	42%	29%	4%	25%	0%	0%						

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				ICB	LCB	LT	GG	DC	Not Stated		No.	% of Total Contracts	No.	% of Total Contracts	No.	% of Total Contracts	
127	National Library of Jamaica	4 Qtrs	2	\$0.75M	0	0	1	0	1	0	\$0.00M	0	0%	0	0%	0	0%
					0%	0%	50%	0%	50%	0%	0%						
128	National Road Operating and Constructing Company (NROCC)	4 Qtrs	9	\$19.35M	0	1	5	0	3	0	\$0.00M	0	0%	6	67%	2	22%
					0%	11%	56%	0%	33%	0%	0%						
129	National Solid Waste Management Authority (NSWMA)	3 Qtrs	774	\$1,185.17M	0	5	593	2	174	0	\$0.00M	1	0%	7	1%	80	10%
					0%	1%	77%	0%	22%	0%	0%						
130	National Water Commission	3 Qtrs	564	\$539.79M	0	17	403	2	142	0	\$0.00M	13	2%	38	7%	44	8%
					0%	3%	71%	0%	25%	0%	0%						
131	National Works Agency	4 Qtrs	238	\$458.13M	0	8	23	0	207	0	\$0.40M	223	94%	3	1%	153	64%
					0%	3%	10%	0%	87%	0%	0%						
132	National Youth Service (NYS)	4 Qtrs	10	\$5.68M	0	0	10	0	0	0	\$0.00M	0	0%	0	0%	0	0%
					0%	0%	100%	0%	0%	0%	0%						

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				ICB	LCB	LT	GG	DC	Not Stated		No.	% of Total Contracts	No.	% of Total Contracts	No.	% of Total Contracts	
133	Norman Manley International Airport	3 Qtrs	120	\$169.63M	2	6	92	1	19	0	\$0.00M	2	2%	26	22%	10	8%
					2%	5%	77%	1%	16%	0%	0%						
134	North East Regional Health Authority	4 Qtrs	15	\$27.10M	0	2	12	0	1	0	\$0.00M	1	7%	0	0%	1	7%
					0%	13%	80%	0%	7%	0%	0%						
135	Nutrition Products Ltd.	4 Qtrs	61	\$194.58M	0	0	45	0	16	0	\$0.00M	0	0%	25	41%	9	15%
					0%	0%	74%	0%	26%	0%	0%						
136	Office of Disaster Preparedness and Emergency Management	4 Qtrs	31	\$44.69M	0	0	14	2	15	0	\$0.00M	0	0%	8	26%	4	13%
					0%	0%	45%	6%	48%	0%	0%						
137	Office of the Children's Advocate	4 Qtrs	1	\$0.59M	0	0	1	0	0	0	\$0.00M	0	0%	0	0%	0	0%
					0%	0%	100%	0%	0%	0%	0%						
138	Office of the Contractor General	4 Qtrs	4	\$7.14M	0	0	2	0	2	0	\$0.00M	0	0%	1	25%	1	25%
					0%	0%	50%	0%	50%	0%	0%						

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				ICB	LCB	LT	GG	DC	Not Stated		No.	% of Total Contracts	No.	% of Total Contracts	No.	% of Total Contracts	
139	Office of the Prime Minister	4 Qtrs	103	\$133.56M	4	7	44	23	25	0	\$0.00M	63	61%	34	33%	4	4%
					4%	7%	43%	22%	24%	0%	0%						
140	Office of the Public Defender	4 Qtrs	0	\$0.00M													
141	Office of the Trustee in Bankruptcy	4 Qtrs	0	\$0.00M													
142	Office of Utilities Regulation (OUR)	3 Qtrs	7	\$12.70M	1	0	3	0	3	0	\$0.00M	0	0%	4	57%	2	29%
					14%	0%	43%	0%	43%	0%	0%						
143	Overseas Examinations Office	4 Qtrs	4	\$4.55M	0	0	4	0	0	0	\$0.00M	0	0%	0	0%	0	0%
					0%	0%	100%	0%	0%	0%	0%						
144	Passport, Immigration & Citizenship Agency (PICA)	4 Qtrs	59	\$76.78M	0	1	26	2	30	0	\$0.00M	0	0%	23	39%	13	22%
					0%	2%	44%	3%	51%	0%	0%						

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				ICB	LCB	LT	GG	DC	Not Stated		No.	% of Total Contracts	No.	% of Total Contracts	No.	% of Total Contracts	
145	Pesticides Control Authority	4 Qtrs	3	\$0.99M	0	0	3	0	0	0	\$0.00M	3	100%	0	0%	0	0%
					0%	0%	100%	0%	0%	0%	0%						
146	Petrojam Limited	4 Qtrs	523	\$890.98M	0	29	159	4	331	0	\$0.00M	141	27%	297	57%	172	33%
					0%	6%	30%	1%	63%	0%	0%						
147	Petroleum Company of Jamaica	4 Qtrs	63	\$60.82M	0	34	21	0	8	0	\$0.30M	0	0%	1	2%	1	2%
					0%	54%	33%	0%	13%	0%	0%						
148	Petroleum Corporation of Jamaica	4 Qtrs	67	\$111.48M	0	22	16	3	26	0	\$1.82M	0	0%	27	40%	14	21%
					0%	33%	24%	4%	39%	0%	2%						
149	Planning Institute of Jamaica	4 Qtrs	17	\$33.98M	0	1	14	0	2	0	\$0.00M	0	0%	2	12%	0	0%
					0%	6%	82%	0%	12%	0%	0%						
150	Port Authority of Jamaica	4 Qtrs	702	\$567.75M	0	2	541	7	152	0	\$0.00M	376	54%	379	54%	46	7%
					0%	0%	77%	1%	22%	0%	0%						

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				ICB	LCB	LT	GG	DC	Not Stated		No.	% of Total Contracts	No.	% of Total Contracts	No.	% of Total Contracts
151 Portland Parish Council	4 Qtrs	28	\$23.30M	0	1	24	1	2	0	\$0.00M	0	0%	3	11%	1	4%
				0%	4%	86%	4%	7%	0%	0%						
152 Portmore Municipal Council	4 Qtrs	10	\$4.92M	0	0	6	1	3	0	\$0.00M	0	0%	4	40%	0	0%
				0%	0%	60%	10%	30%	0%	0%						
153 Ports Security Corps Ltd.	4 Qtrs	6	\$9.87M	0	1	2	0	3	0	\$0.00M	0	0%	1	17%	0	0%
				0%	17%	33%	0%	50%	0%	0%						
154 Post and Telecommunications Department	4 Qtrs	87	\$178.11M	0	19	42	0	26	0	\$0.00M	0	0%	3	3%	5	6%
				0%	22%	48%	0%	30%	0%	0%						
155 Private Security Regulation Authority	4 Qtrs	1	\$0.36M	0	0	1	0	0	0	\$0.00M	0	0%	0	0%	0	0%
				0%	0%	100%	0%	0%	0%	0%						
156 Public Broadcasting Corporation	4 Qtrs	0	\$0.00M													

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				ICB	LCB	LT	GG	DC	Not Stated		No.	% of Total Contracts	No.	% of Total Contracts	No.	% of Total Contracts	
157	Real Estate Board	4 Qtrs	5	\$5.28M	0	0	3	0	2	0	\$0.00M	2	40%	2	40%	1	20%
					0%	0%	60%	0%	40%	0%							
158	Registrar General's Department	4 Qtrs	21	\$33.09M	0	3	15	0	3	0	\$0.00M	0	0%	0	0%	1	5%
					0%	14%	71%	0%	14%	0%							
159	Road Maintenance Fund	4 Qtrs	2	\$2.57M	0	0	2	0	0	0	\$0.00M	0	0%	0	0%	0	0%
					0%	0%	100%	0%	0%	0%							
160	Rural Agricultural Development Authority (RADA)	4 Qtrs	1	\$0.63M	0	0	1	0	0	0	\$0.00M	0	0%	0	0%	0	0%
					0%	0%	100%	0%	0%	0%							
161	Rural Electrification Programme	2 Qtrs	11	\$68.82M	0	0	10	0	1	0	\$0.00M	0	0%	9	82%	0	0%
					0%	0%	91%	0%	9%	0%							
162	Rural Water Supply Company	4 Qtrs	20	\$46.03M	0	6	12	0	2	0	\$0.00M	0	0%	2	10%	0	0%
					0%	30%	60%	0%	10%	0%							

Public Body Quarterly Contract Award (QCA) Report (Contracts Which Do Not Require NCC Endorsement)*

For 2011 Covering The 1st, 2nd, 3rd and 4th Quarters

(1) Public Body	(2) QCA Reports Approved for Electronic Upload	(3) Total Number of Contracts Awarded	(4) Total Value of Contracts Awarded	(5) Number and Percentage of Contracts Awarded (Classified by Procurement Method)+						(6) Value of Sole Source and Direct Contracting Contracts	(7) Contracts Not Approved by Public Body's Procurement Committee		(8) Contracts Reported, Not Awarded to NCC Registered Contractors		(9) Contracts over \$1Million Procured by Sole Source or Direct Contracting Methodology		
				ICB	LCB	LT	GG	DC	Not Stated		No.	% of Total Contracts	No.	% of Total Contracts	No.	% of Total Contracts	
163	Scientific Research Council	4 Qtrs	26	\$32.45M	0	7	13	0	6	0	\$0.37M	1	4%	10	38%	3	12%
					0%	27%	50%	0%	23%	0%							
164	SCJ Holdings Limited	3 Qtrs	214	\$401.06M	0	0	177	0	37	0	\$0.00M	0	0%	45	21%	11	5%
					0%	0%	83%	0%	17%	0%							
165	Self Start Fund	4 Qtrs	0	\$0.00M													
166	Social Development Commission	4 Qtrs	32	\$25.85M	0	0	7	0	25	0	\$0.00M	30	94%	5	16%	6	19%
					0%	0%	22%	0%	78%	0%							
167	South East Regional Health Authority	4 Qtrs	764	\$898.80M	0	15	343	200	206	0	\$0.00M	223	29%	226	30%	93	12%
					0%	2%	45%	26%	27%	0%							
168	Southern Regional Health Authority	4 Qtrs	38	\$73.57M	0	15	17	0	6	0	\$1.23M	1	3%	4	11%	1	3%
					0%	39%	45%	0%	16%	0%							

Public Body Quarterly Contract Award (QCA) Report (Contracts Which Do Not Require NCC Endorsement)*

For 2011 Covering The 1st, 2nd, 3rd and 4th Quarters

(1) Public Body		(2) QCA Reports Approved for Electronic Upload	(3) Total Number of Contracts Awarded	(4) Total Value of Contracts Awarded	(5) Number and Percentage of Contracts Awarded (Classified by Procurement Method)+						(6) Value of Sole Source and Direct Contracting Contracts	(7) Contracts Not Approved by Public Body's Procurement Committee		(8) Contracts Reported, Not Awarded to NCC Registered Contractors		(9) Contracts over \$1Million Procured by Sole Source or Direct Contracting Methodology	
					ICB	LCB	LT	GG	DC	Not Stated		No.	% of Total Contracts	No.	% of Total Contracts	No.	% of Total Contracts
169	Spectrum Management Authority	4 Qtrs	12	\$13.72M	0	0	6	0	6	0	\$0.00M	5	42%	0	0%	2	17%
					0%	0%	50%	0%	50%	0%							
170	Sports Development Foundation	4 Qtrs	18	\$29.55M	0	0	18	0	0	0	\$0.00M	0	0%	0	0%	0	0%
					0%	0%	100%	0%	0%	0%							
171	St. Ann Parish Council	4 Qtrs	27	\$13.48M	0	0	25	0	2	0	\$0.00M	0	0%	1	4%	0	0%
					0%	0%	93%	0%	7%	0%							
172	St. Catherine Parish Council	4 Qtrs	1	\$10.00M	1	0	0	0	0	0	\$0.00M	0	0%	0	0%	0	0%
					100%	0%	0%	0%	0%	0%							
173	St. Elizabeth Parish Council	4 Qtrs	11	\$39.51M	0	5	2	0	4	0	\$0.00M	0	0%	1	9%	1	9%
					0%	45%	18%	0%	36%	0%							
174	St. James Parish Council	4 Qtrs	17	\$23.14M	0	0	17	0	0	0	\$0.00M	0	0%	1	6%	0	0%
					0%	0%	100%	0%	0%	0%							

Public Body Quarterly Contract Award (QCA) Report (Contracts Which Do Not Require NCC Endorsement)*

For 2011 Covering The 1st, 2nd, 3rd and 4th Quarters

(1) Public Body	(2) QCA Reports Approved for Electronic Upload	(3) Total Number of Contracts Awarded	(4) Total Value of Contracts Awarded	(5) Number and Percentage of Contracts Awarded (Classified by Procurement Method)+						(6) Value of Sole Source and Direct Contracting Contracts	(7) Contracts Not Approved by Public Body's Procurement Committee		(8) Contracts Reported, Not Awarded to NCC Registered Contractors		(9) Contracts over \$1Million Procured by Sole Source or Direct Contracting Methodology	
				ICB	LCB	LT	GG	DC	Not Stated		No.	% of Total Contracts	No.	% of Total Contracts	No.	% of Total Contracts
175	St. Mary Parish Council	4 Qtrs	\$25.78M	0	0	30	0	0	0	\$0.00M	0	0%	6	20%	0	0%
				0%	0%	100%	0%	0%	0%	0%						
176	St. Thomas Parish Council	4 Qtrs	\$22.51M	0	0	25	0	1	0	\$0.00M	0	0%	8	31%	0	0%
				0%	0%	96%	0%	4%	0%	0%						
177	Statistical Institute of Jamaica	4 Qtrs	\$80.99M	0	6	24	0	29	0	\$0.00M	0	0%	18	31%	9	15%
				0%	10%	41%	0%	49%	0%	0%						
178	Students' Loan Bureau	4 Qtrs	\$22.40M	0	0	8	0	3	0	\$0.00M	0	0%	3	27%	1	9%
				0%	0%	73%	0%	27%	0%	0%						
179	Sugar Industry Authority	4 Qtrs	\$0.00M													
180	Sugar Manufacturing Corporation of Jamaica	3 Qtrs	\$0.00M													

Public Body Quarterly Contract Award (QCA) Report (Contracts Which Do Not Require NCC Endorsement)*

For 2011 Covering The 1st, 2nd, 3rd and 4th Quarters

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					ICB	LCB	LT	GG	DC	Not Stated		No.	% of Total Contracts	No.	% of Total Contracts	No.	% of Total Contracts
181	Tax Administration Jamaica (TAJ)	2 Qtrs	45	\$34.57M	0	3	39	0	3	0	\$0.00M	0	0%	0	0%	1	2%
					0%	7%	87%	0%	7%	0%	0%						
182	Tax Administration Services Department	2 Qtrs	19	\$21.28M	0	0	15	0	4	0	\$0.00M	0	0%	2	11%	1	5%
					0%	0%	79%	0%	21%	0%	0%						
183	Taxpayer Audit and Assessment Department	1 Qtrs	0	\$0.00M													
184	The Early Childhood Commission	4 Qtrs	20	\$21.28M	0	0	18	0	2	0	\$0.00M	16	80%	4	20%	0	0%
					0%	0%	90%	0%	10%	0%	0%						
185	The Electoral Office of Jamaica	4 Qtrs	81	\$101.33M	0	1	64	1	15	0	\$4.79M	0	0%	27	33%	4	5%
					0%	1%	79%	1%	19%	0%	5%						
186	Tourism Enhancement Fund	3 Qtrs	0	\$0.00M													

Public Body Quarterly Contract Award (QCA) Report (Contracts Which Do Not Require NCC Endorsement)*

For 2011 Covering The 1st, 2nd, 3rd and 4th Quarters

(1) Public Body	(2) QCA Reports Approved for Electronic Upload	(3) Total Number of Contracts Awarded	(4) Total Value of Contracts Awarded	(5) Number and Percentage of Contracts Awarded (Classified by Procurement Method)+						(6) Value of Sole Source and Direct Contracting Contracts	(7) Contracts Not Approved by Public Body's Procurement Committee		(8) Contracts Reported, Not Awarded to NCC Registered Contractors		(9) Contracts over \$1Million Procured by Sole Source or Direct Contracting Methodology		
				ICB	LCB	LT	GG	DC	Not Stated		No.	% of Total Contracts	No.	% of Total Contracts	No.	% of Total Contracts	
187	Tourism Product Development Company (TPDCO)	4 Qtrs	18	\$43.59M	0	0	9	5	4	0	\$0.00M	0	0%	7	39%	3	17%
					0%	0%	50%	28%	22%	0%	0%						
188	Trade Board Limited	3 Qtrs	1	\$1.21M	0	0	0	1	0	0	\$0.00M	0	0%	1	100%	0	0%
					0%	0%	0%	100%	0%	0%	0%						
189	Transport Authority	4 Qtrs	12	\$14.00M	0	2	7	0	3	0	\$0.00M	0	0%	3	25%	2	17%
					0%	17%	58%	0%	25%	0%	0%						
190	Trelawny Parish Council	4 Qtrs	13	\$17.15M	0	0	11	0	2	0	\$4.72M	0	0%	0	0%	2	15%
					0%	0%	85%	0%	15%	0%	28%						
191	Universal Access Fund	4 Qtrs	0	\$0.00M													
192	University Council of Jamaica	4 Qtrs	3	\$1.14M	0	0	3	0	0	0	\$0.00M	0	0%	0	0%	0	0%
					0%	0%	100%	0%	0%	0%	0%						

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				ICB	LCB	LT	GG	DC	Not Stated		No.	% of Total Contracts	No.	% of Total Contracts	No.	% of Total Contracts	
193	University Hospital of the West Indies	4 Qtrs	912	\$1,276.51M	0	274	345	0	293	0	\$0.00M	0	0%	170	19%	167	18%
					0%	30%	38%	0%	32%	0%	0%						
194	University of Technology, Jamaica	4 Qtrs	406	\$499.18M	0	15	189	21	181	0	\$0.00M	2	0%	144	35%	65	16%
					0%	4%	47%	5%	45%	0%	0%						
195	Urban Development Corporation (UDC)	4 Qtrs	67	\$116.33M	0	7	28	4	28	0	\$1.78M	28	42%	19	28%	12	18%
					0%	10%	42%	6%	42%	0%	2%						
196	Water Resources Authority	3 Qtrs	2	\$1.35M	0	0	1	0	1	0	\$0.00M	0	0%	0	0%	0	0%
					0%	0%	50%	0%	50%	0%	0%						
197	Western Regional Health Authority	4 Qtrs	197	\$176.94M	0	2	157	1	37	0	\$9.36M	1	1%	25	13%	10	5%
					0%	1%	80%	1%	19%	0%	5%						
198	Westmoreland Parish Council	4 Qtrs	20	\$34.27M	0	1	19	0	0	0	\$0.00M	0	0%	0	0%	0	0%
					0%	5%	95%	0%	0%	0%	0%						

Public Body Quarterly Contract Award (QCA) Report (Contracts Which Do Not Require NCC Endorsement)*

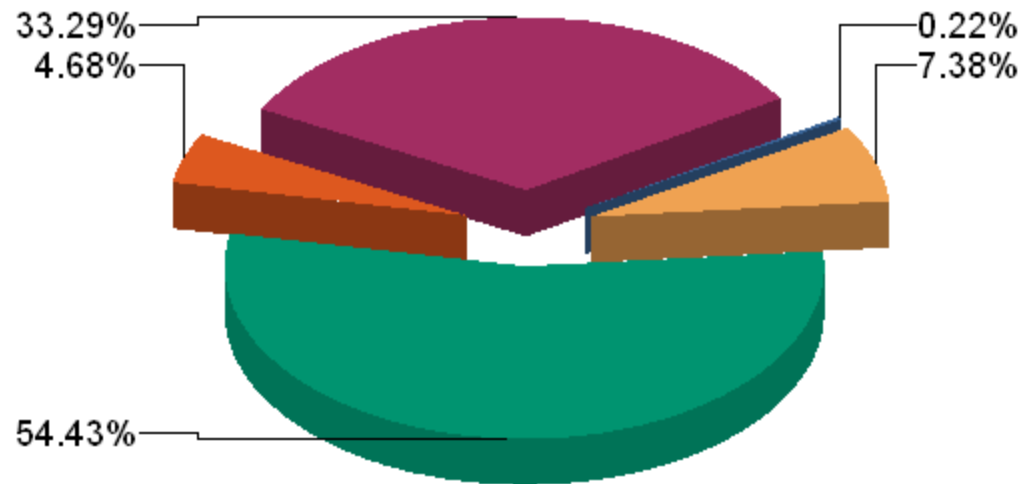
For 2011 Covering The 1st, 2nd, 3rd and 4th Quarters

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					ICB	LCB	LT	GG	DC	Not Stated		No.	% of Total Contracts	No.	% of Total Contracts	No.	% of Total Contracts
												No.	% of Total Contracts	No.	% of Total Contracts	No.	% of Total Contracts
199	Wigton Windfarm Limited	4 Qtrs	11	\$39.31M	0	0	11	0	0	0	\$0.00M	0	0%	1	9%	0	0%
					0%	0%	100%	0%	0%	0%	0%						
TOTALS			11,152	\$16.14B	25	823	6,070	522	3,712	0	\$0.13B	1833	16%	3106	28%	1,650	15%
						0.2%	7.4%	54.4%	4.7%	33.3%	0.0%			0.8%			

Public Body Quarterly Contract Award (QCA) Report (Contracts Which Do Not Require NCC Endorsement)*

For 2011 Covering The 1st, 2nd, 3rd and 4th Quarters

Pie Chart Comparing Procurement Methods



- International Competitive Bidding (ICB)
- Local Competitive Bidding (LCB)
- Limited Tender Contracts (LT)
- Government to Government Contracts (G@)
- Direct Contracting Contracts (DC)
- Contracts with Undisclosed Procurement Methods (Not Stated)

Public Body Quarterly Contract Award (QCA) Report **(Contracts Which Do Not Require NCC Endorsement)***

For 2011 Covering The 1st, 2nd, 3rd and 4th Quarters

Report Caveats

- * On November 20, 2008, a new Revised Requisition regarding the provision of Government contract award particulars was issued by the Contractor General to the Principal or Accounting Officers of all of the country's approximately 190 Procuring Public Bodies, inclusive of all Ministries of Government.

This Revised OCG Requisition was made as a consequence of the issuance of Circular No. 36, dated September 22, 2008, by the Ministry of Finance and the Public Service (MOF&PS). Circular #36 advised, *inter alia*, that the prior endorsement of the National Contracts Commission (NCC) is now required for Government contract award recommendations that are above \$10 Million in value.

The Revised OCG Requisition, which now supersedes in its entirety the previously issued OCG Requisition of July 11, 2006, requires every Procuring Public Body to submit to the Contractor General, in hard copy and in Excel electronic copy formats, Quarterly Contract Award (QCA) Reports of the particulars of contracts which are awarded by it which are of a value of between J\$275,001 and J\$10,000,000. The new regulatory regime is expressed to apply to all classifications of Government contracts which are awarded as of as at October 1, 2008.

- + On June 30, 2011, a revised QCA Report was issued, following the issuance of Circular No. 34, dated December 10, 2010, by the Ministry of Finance and the Public Service (MOF&PS). Circular No. 34 advised, *inter alia*, of Cabinet's approval of the issuing of a new Procurement Policy and a second revised edition of the Handbook of Public Sector Procurement Procedures.

The revised QCA Report captured the changes implemented by the new Procurement Policy which took effect on January 2, 2011. These changes included, *inter alia*, the availability of International Competitive Bidding (ICB) and Local Competitive Bidding (LCB) as possible Procurement Methodologies, and the exclusion of Open Tender, Selective Tender and Sole Source from the available Procurement Methodologies.

- All contracts reported as using the Open Tender Procurement Methodology in the first Quarter of 2011, are reported under the International Competitive Bidding (ICB) column of this report.
- All contracts reported as using the Selective Tender Procurement Methodology in the first Quarter of 2011, are reported under the Local Competitive Bidding (LCB) column of this report.
- All contracts reported as using the Sole Source Procurement Methodology in the first Quarter of 2011, are reported under the Direct Contracting (DC) column of this report.

Public Body Quarterly Contract Award (QCA) Report (Contracts Which Do Not Require NCC Endorsement)*

For 2011 Covering The 1st, 2nd, 3rd and 4th Quarters

Report Caveats Cont'd

- All contracts reported with a value outside the applicable range, are not included in this report.

Quarter	Applicable Range
1 to 4	JMD \$275,001.00 to JMD \$10,000,000.00

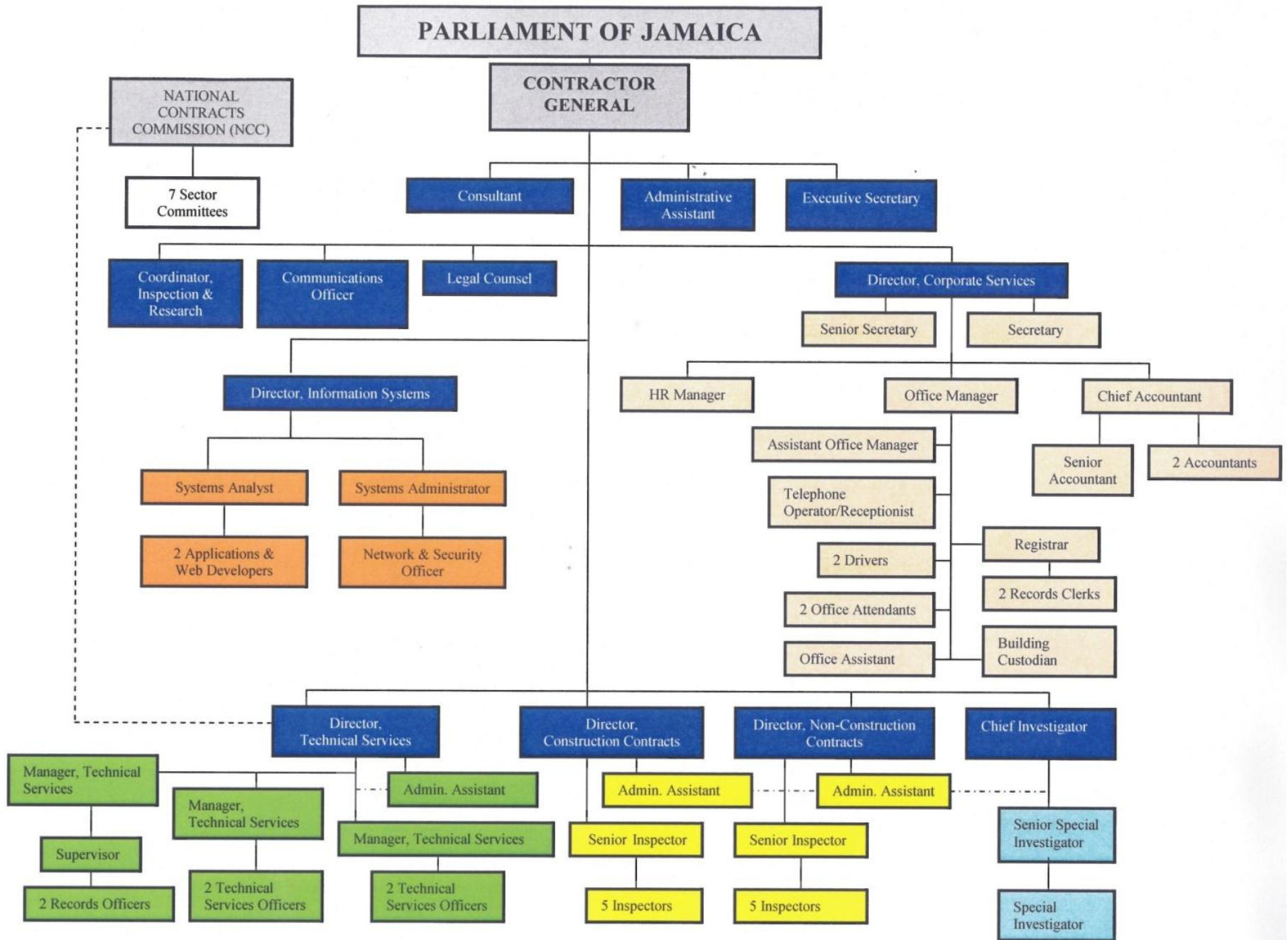
- All contracts reported without a contract value, are assumed to have a contract value of JMD \$0.
- All contracts reported with a contract award date outside the corresponding quarter for that report submission, are not included in this report.
- Information relating to a Public Body's QCA Report is only shown in if the submission has been verified by an OCG Inspector to be 'OK' for electronic upload to the OCG's website.
- Contract totals are achieved by counting each valid row in the QCA Report. It is maintained that only one (1) contract should be reported in each row of the QCA Report. A row is considered valid if six (6) columns are entered including the record ID, or if seven (7) columns are entered excluding the record ID.
- All figures are displayed in millions of dollars. This may lead to loss of precision in group totals and other summary values.
- A contractor is considered 'Reported as Registered' once a value has been entered in the Contract ID column of the QCA Report. Accordingly if a false or incorrect value is entered in the ID column, a misleading indication will be rendered as to the registration status of the contractor. Also, if no value is entered in the ID column, a misleading status indication may be given.
- It should be noted that since February 12, 2007, contractors are not required to be registered with the NCC in respect of contracts which are valued at JMD \$275,000.00 or less.
- Contracts are considered **not** to have obtained procurement committee approval, if the **'Procurement Committee Approval?'** column of the QCA report is not 'Y'

APPENDIX IX - STAFF TRAINING

SCHEDULE OF OCG STAFF TRAINING FOR THE YEAR 2011

START DATE	OFFICER	ORGANIZATION/LOCATION	COURSE	DURATION
February 14	Chief Investigator	Singapore/Commonwealth Better Governance Training Programme	Issues and Challenges in Corruption Control for Senior Policy Makers	February 14 - 25
April 3	Inspector	The Inter-American Network on Government Procurement (INGP), the Commonwealth and CARICOM Secretariats, with the support of the Organization of American States (OAS) and the Inter-American Development Bank (IDB) seminar, held at the Ritz Carlton, Montego Bay	"Cooperation and Integration, the way to Government Procurement Development in the Caribbean",	April 3-4
May 10	Director Information Systems	IBM's Information Integration & Governance Forum held at the Terra Nova	Delivering Trusted Information for smarter Business Decisions	May 10
August 11	Inspectors (2) Secretary Senior Accountant Director Information systems Records Clerk Web/Application Developer Communications Officer Records officer	Jamaica Red Cross	First Aid and Adult CPR	August 11 & 15
August 19	Inspectors (7)	Mona School of Business	Introduction to Report Writing	August 19 & 26
August 20	Director Information Systems	Mona School of Business	Project Management	August 20 - 24
September 12	Inspectors (2)	Bureau of Standards Jamaica	Building Code Awareness Seminar	September 12
September 28	Senior Inspector, Non-Construction Contracts	Pan-Commonwealth Public Procurement Network Conference and General Meeting held in Port Louis, Mauritius	Transformation of the CPPN - The need for Partnership in Public Procurement	September 28 - 30
September 28	Director Construction Contracts Senior Inspector, Construction Contracts	Jamaica Conference Centre	New Approaches to Construction in the 21 st Century	September 28
October 6	Office Manager	The Management Institute for National Development (MIND)	"Use of Standard Bidding Documents for the Procurement of Goods and Selection of consultants" Workshop	October 6-7
December 1	Payroll Officer	Management Control System with the Tax Administration Jamaica held at Knutsford Court Hotel	"Efficiencies in Filing Year End Tax Returns"	December 1

APPENDIX X - ORGANISATION STRUCTURE



APPENDIX XI - STAFF SITUATION

STAFF SITUATION AT END OF 2011

COMPLEMENT	APPROVED	EMPLOYED	VACANT
Contractor-General	1	1	-
Consultant	1	-	1
Legal Advisor	1	-	1
Director - Technical Services	1	1	-
Director - Construction Contracts	1	1	-
Director – Non-Construction Contracts, Licences & Permits	1	1	-
Director – Corporate Services	1	1	-
Director - Information Technology	1	1	-
Chief Investigator	1	1	-
Technical Services Managers	3	2	1
Co-ordinator, Inspection & Research	1	1	-
Senior Inspectors	2	2	-
Senior Special Investigator	1	1	-
Special Investigator	1	1	-
Inspectors	10	9	1
Chief Accountant	1	1	-
System Administrator	1	1	-
Communication Officer	1	1	-
Network and Security Officer	1	1	-
Application and Web Developers	2	2	-
Administrative Assistants	4	3	1
Technical Officers	4	4	-
Goods and Services Supervisor	1	1	-
HR Manager	1	1	-
Office Manager	1	1	-
Executive Secretary 1	1	1	0
Senior Accountant	1	1	-
Senior Secretary	1	1	-
Accountants	2	2	-
Secretary	1	1	-
Registrar	1	1	-
Assistant Office Manager	1	1	-
Records Officers	4	4	-
Telephone Operator/Receptionist	1	1	-
Drivers	2	2	-
Office Attendants	2	2	-
Office Assistant	1	1	-
Building Custodian	1	1	-
Systems Analyst	1	-	1
TOTAL	64	58	6

**APPENDIX XII – PARTICULARS ON GOVERNMENT OF JAMAICA ASSET DIVESTMENT
ACTIVITIES**

Assets which have been Privatized Report														
Public Body	Description of Asset		Particulars regarding Valuation		Particulars regarding Privatization proces					Particulars Regarding Purchaser			Status	Any other relevant information
	Type (building/ land/ both; shares; other)	Name and location of Asset (please state Volume and Folio number)	Valuation # 1 (J\$)	Was the asset advertised?	Approvals received					Purchaser's Name	Date of Sale	Sale Price		
				Yes/ no	Head of Entity (yes/ no)	Land Divestment Advisory Committee (yes/no)	Board of Directors (yes/no)	Minister (yes/no)	Other (pls state)					
Development Bank of Jamaica	Sale and Lease of Land and buildings	Long Pond Sugar Estate & Hampden Sugar Estate	J\$2,499,173,000	Yes	N/A	N/A	N/A	Yes	Cabinet Approval	Everglades Farms Limited	Jun-09	US\$1,500,000	Completed	Lease Agreements executed as well
Development Bank of Jamaica	Sale and Lease of land and buildings	St. Thomas Sugar Factory- Duckenfield Estate, St. Thomas	J\$1,348,467,000	Yes	N/A	N/A	N/A	Yes	Cabinet Approval	Golden Grove Sugar Co. Ltd.	Jul-09	US\$500,000	Completed	Lease Agreement executed as well
Development Bank of Jamaica	Sale of land and buildings	Cotton Polyester factory complex (21 acres), located at Rhoden's Pen in Old Harbour, St. Catherine.	J\$300,000,000	Yes	Yes	N/A	Yes	Yes	Cabinet Approval	Urban Development Corporation	Feb-10	J\$130,000,000	Completed	
Development Bank of Jamaica	Sale of land and buildings	Ariguanabo Lots 5A and 5B (14 acres), St. Catherine	J\$100M - J\$105M	No	Yes	N/A	Yes	Yes	Cabinet Approval	New Era Homes	May-10	J\$163,882,905	Completed	Property was leased to New Era Homes in 2003 and the lessee had the option to purchase the property within or at the end of the lease period.
Development Bank of Jamaica	Sale of land and buildings	Montpelier Citrus Lands, Part of Shettlewood, Hanover, Block D, 524.76 acres. Volume 1096 Folio 22	J\$90M - J\$94M	Yes	Yes	N/A	Yes	Yes	Cabinet Approval	Ramble Enterprises Ltd.	Jan-10	J\$52,460,000	Completed	Cash deposit of J\$20M and the balance of J\$30M payable over 10 years via vendor's mortgage and a lump sum payment in year 10 of J\$2.46M.
Development Bank of Jamaica	Sale and Lease of Land and buildings	Monymusk, Frome and Bernanrd Lodge Sugar Estates	J\$10,992,727,000	Yes	N/A	N/A	N/A	Yes	Cabinet Approval	Complant	Jul-10	US\$9,000,000	Completed	Certain assumed obligations of GOJ still being finalized. Lease agreements executed as well.
Development Bank of Jamaica	Sale of shares	GOJ's 59.81% shares in the Pegasus Hotels of Jamaica Ltd.	[Details provided]	Yes	Yes	N/A	Yes	Yes	Cabinet Approval	Kevin Hendrickson	Dec-10	US\$11,000,000	Completed	

Assets which have been Privatized Report														
Public Body	Description of Asset		Particulars regarding Valuation		Particulars regarding Privatization proces					Particulars Regarding Purchaser			Status	Any other relevant information
	Type (building/ land/ both; shares; other)	Name and location of Asset (please state Volume and Folio number)	Valuation # 1 (J\$)	Was the asset advertised?	Approvals received					Purchaser's Name	Date of Sale	Sale Price		
				Yes/ no	Head of Entity (yes/ no)	Land Divestment Advisory Committee (yes/no)	Board of Directors (yes/no)	Minister (yes/no)	Other (pls state)					
Development Bank of Jamaica	Sale of land and buildings	Cotton Polyester Factory Complex (3.2 acres), located at Rhoden's Pen, St. Catherine	J\$20M to J\$22M	No	Yes	N/A	Yes	Yes	Cabinet Approval	Urban Development Corporation	Dec-10	J\$20,000,000	Pending	After lessee declined to exercise their right of first refusal, DBJ received approval to negotiate directly with the UDC.
Development Bank of Jamaica	Sale of land, buildings and other assets	Assets of the Mavis Bank Coffee Factory Ltd. Vol 1091 Folio 483	yes [details provided]	Yes	Yes	N/A	Yes	Yes	Cabinet Approval	Orchard Plantation Coffee Factory Limited, jointly owned by Pan Jamaican Investment Trust Ltd and Jamaica Producers Group Ltd.	Oct-11	TBD	Pending	US\$1M deposit paid and final sale proceeds to be paid on completion as per the agreed Price Adjustment Process.
Factories Corporation of Jamaica	Both	Lots H17 & H18 Montego Freeport, St. James - Vol 1070 Fol 135 & Vol 1324 Fol 981	\$95M - \$100m	yes	yes		yes		Cabinet of Ja.	Caribbean Producers Ltd.	26-Jul-10	US\$1.4m	Completed	
Factories Corporation of Jamaica	Land	Lot 2 Cookson & Bushy Park Pen, St. Catherine - Vol 1261 Fol 303	\$17.5M	yes	yes		yes		Cabinet of Ja.	Print Big Ltd.	03-Nov-08	\$17.5m	Completed	
Factories Corporation of Jamaica	Land	Lot 19 Cookson & Bushy Park Pen, St. Catherine Vol 1261 Fol 312	\$21m	yes	yes		yes		Cabinet of Ja.	Dyna Metro Inc. Ltd	26-Jul-10	\$21m	Completed	
Factories Corporation of Jamaica	Land	Lot 3 Glendevon St. James Vol 1305 Fol 29	\$4.5m-\$5m	yes	yes		yes		Cabinet of Ja.	Kingdom Hall of Jehovah's	24-Nov-08	\$5m	Completed	
Factories Corporation of Jamaica	Land	Twickenham Park, St. Catherine Vol 1197 Fol 355	\$2.5m	yes	yes		yes		Cabinet of Ja.	Millard Dunbar	15-Aug-08	\$5.5m	Completed	
Factories Corporation of Jamaica	Land	Twickenham Close, Kingston 11 Vol 1181 Fol 159	\$18m	yes	yes		yes		Cabinet of Ja.	Grace Food Processors	28-Oct-08	\$15m	Completed	
Factories Corporation of Jamaica	Both	Lots 2 & 3 Nanse Pen, Kingston 11 Vol 1100 Fol 960 & Vol 1100 Fol 961	\$16m	yes	yes		yes		Cabinet of Ja.	Design by Marc	15-Aug-08	\$21m	Completed	
Factories Corporation of Jamaica	Both	Lots 5 & 6 Nanse Pen, Kingston 11 vol 290 Fol 36 & Vol 1100 Fol 962	\$22m	yes	yes		yes		Cabinet of Ja.	Free Foam Factory Ltd	15-Aug-08	\$27m	Completed	

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Factories Corporation of Jamaica	Both	76 Marcus Garvey Drive Kingston Vol 1295 Fol 541 & Vol 794 Fol 98	\$165m	yes	yes		yes		Cabinet of Ja.	Neville Eden Gallimore	26-Jul-10	\$140m	Awaiting sub-division approval to complete sale	
Factories Corporation of Jamaica	Both	Yallahs, St. Thomas Vol 1025, Fol 522	\$11m - \$12m	yes	yes		yes		Cabinet of Ja.	Stanmark Processors Co. Ltd	23-Aug-10	\$18.5m	Sale to be completed	
FINSAC	Artwork	Various pieces from various Artists - Held at Warehouse	4.5M	Yes			Yes			Various Purchasers	30/Jun/08	J\$4.2M	Completed	
FINSAC	Motor Car	2004 Toyota Harrier Motor Car	3.65M	Yes			Yes			Mary Morrell	20/Nov/08	3.25M	Completed	
FINSAC	Sundry Furniture	Used desks/chairs/filing cabinets -Held at Warehouse	0.6M	Yes			Yes			Various Purchasers	26/Sep/09	J\$560K	Completed	
FINSAC	Ordinary Shares	20% shareholding in United Motors Limited	US\$437K	No			Yes		Cabinet	Inkerman Limited	17/Dec/10	US\$400K	Completed	Sold to major Shareholder
FINSAC	Apartment	2 b/r, 2 b/r Apt at Grosvenor Manor, Grosvenor Terrace, Kgn 8 reg'd at Volume 1408 Folio 6	13.0M	Yes			Yes			Karega / Caressa Anglin	28/Oct/11	J\$12.55M	Transfer now being registered	
FINSAC	Artwork	Various pieces from various Artists - Held at Warehouse	1.7M	Yes			Yes			Various Purchasers	10/Dec/11	J\$1.2M	Completed	
Housing Agency of Jamaica	Land	Elgin Town Lot 259	\$2.8m	Yes	Yes			Yes		Egerton Chang	June 15, 2011	\$7m	Finalized	
Housing Agency of Jamaica	Land	Mineral Heights: Volume # 1196 Folio # 559-575	\$11.880m	Yes	Yes			Yes		Henry Jaganaught et al	March 15, 2011	\$13.5m	Finalized	
Housing Agency of Jamaica	Land	Mineral Heights: Volume # 1160 Folio #900	\$120m	Yes	Yes		Yes	Yes		Sagicor Life Ja. Ltd	March 30, 2011	\$110m	Finalized	
Housing Agency of Jamaica	Land	White River: Volume # 772 Folio # 46	\$15m	Yes	Yes			Yes		Heather Maragh	Dec. 9, 2011	\$13m	Awaiting balance on purchase price	
Housing Agency of Jamaica	Land	White River Lots # 1b,2 &3	\$12.7 m	Yes	Yes			Yes		Peter Turner	Dec. 9, 2011	\$8.5m	Awaiting balance on purchase price	
Jamaica Mortgage Bank	Land	Lot 14 Bridgewater, Discovery Bay, St. Ann Volume 1283 Folio 182	\$2.3M	Yes	Yes	No	Yes	no		Margaret Cole and Martin Cole	10-Nov-09	\$3.5M	Sold and Transferred to Purchasers on 13-Feb-10	

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Jamaica Mortgage Bank	Land	Lot 15 Bridgewater, Discovery Bay, St. Ann Volume 1283 Folio 183	\$2.3M	Yes	Yes	No	Yes	no		Derrick Forbes and Ideta Forbes	17-Mar-10	\$3.6M	Sold and Transferred to Purchasers on 17-Sept-10	
Jamaica Mortgage Bank	Land	Spanish Village, St. John's Road, Spanish Town, St. Catherine - Volume 1148 Folio 13 and Volume 1355 Folio 86	[Details provided]	yes	yes	no	Yes	No					No offers received to date	
Jamaica Mortgage Bank	92 Lots at Bybrook Estates, St. Elizabeth	Various (listing was attached)			Yes	No	Yes	No		(listing attached)				The Bank is selling lands which were given as settlement for an outstanding loan to a Developer in order to convert same to cash
Jamaica Railway Corporation	Land & Buildings	145-149 Barry Street, Kingston (1035/9)	130m	No	Yes		Yes	Yes		UDC	In progress	\$130m	Agreement drafted	Deposit of \$21m received August & November 2011.
Jamaica Urban Transit Company Limited	Building	Spanish Twn Depor - Michael Manley Drv	392,633,737.36							Calee Transport	n/a	J\$50,000/mthly	Rental	
Jamaica Urban Transit Company Limited	Building	Spanish Twn Depor - Michael Manley Drv								Parkeon	n/a	US\$833.33/mthly	Rental	
Jamaica Urban Transit Company Limited	Building	5 Millsborough Cresent	12,000,000.00							Port Authority		J\$35,000,000	Sold	
Jamaica Urban Transit Company Limited	Building	JUTC2 - 104 Maxfield Avenue								JUTC2				No formal rental agreement
Jamaica Urban Transit Company Limited	Land	26 Lyndhurst Road	46,000,000.00							Transport Authority	n/a	n/a		No formal rental agreement

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Kingston and St. Andrew Corporation	Four (4) storey concrete and steel car park bldg. with offices.	Park Lane Building - 2 Duke Street, Kingston. Corner of Duke Street and Harbour Street. (Unregistered) Title is being processed.	\$500.00 - \$55.00 per sq. ft	Yes	yes	yes - Properties & Investment Cttee.	yes - Council	yes	Cabinet	First Global Financial Services Ltd. (Lessee)	N/A	Leased \$600 per sq. ft		
Kingston and St. Andrew Corporation	Undeveloped land	Lot 13 - Part of Mona, corner of Garden Boulevard and Spathodia Avenue, Kingston 6. Registerd at Volume 996 Folio 465. St. Andrew	\$95 mil - \$110 mil.	no	yes	yes - Properties & Investment Committee; Finance Committee	Yes - Council	yes	Cabinet	West Indies Home Contractors (WIHCON)	6-Jul-10	\$65 mil	Closed	Three valuations and the opinion of the Attorney general was sought.
Kingston and St. Andrew Corporation	Undeveloped land (Part of Roadway)	Part of Burgess Place now known as 1-4 Maeven Avenue, Kingston 10 Volume 589 Folio 81, St. Andrew	\$1,500,000	Yes	Yes	yes - Building and Town Planning Committee, Roads	yes Council	yes	Cabinet	Julian Pearson & Charles Bromfield		\$1,500,000		
Montego Freeport Limited	Land	Lot A59, Vol 1091 Fol 254		No			yes			SKIL	Oct-08	US\$1.4m		
Montego Freeport Limited	Land	B20,21 68 Vol 1057 Fol 134		No			yes			Port Auth of Jam	Mar-10	\$180.115m	sale not finalised	
Montego Freeport Limited	Land	B22 Vol 1066 Fol 313	\$352.318m - \$371.712m	no			yes			Infinite Concrete Limited	Apr-10	\$310m	sale not finalised	
Montego Freeport Limited	Land	A26 Vol 1077 Fol 387	\$220m	yes			yes			Tara Estate	Nov-11	US\$2.2m	sale not finalised	
National Housing Trust	Land	Point Hanover 968/494 & 538/85	\$130m	No	No	No	Yes			Dolphin Cove Ltd.	11-May-09	\$100m		
National Housing Trust	Land	Point Hanover 968/494 & 538/85	No	No	No	No	yes			Dolphin Cove Ltd.	20-Sep-11	\$15.15M		The agreement that governs the sale of this parcel of land is supplemental to the agreement dated 11 May 2009 covering parcel of land, vol/folio 968/494 & 538/85 therefore the same valuation was used.

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National Housing Trust	Building	Jamintel Building, 15 North St. 1372/822, 133/60, 430/92, 1020/542, 1032/852, 1373, 823, 1373, 824, 1373 826, 1373 828, 137/8 829	\$149.5M	No	No	No	Yes	yes		Urban Development Corporation	22-Oct-10	\$149.5M		
National Land Agency	Land	Lot 155 Thicketts, Hermitage, St. Ann Volume 1417 Folio 961		No		No		Yes		Hughland Alexander				Under GOJ Bauxite Management Agreement
National Land Agency	Land	Lot 84 Thicketts, Hermitage, St. Ann Volume 1418 Folio 8		No		No		Yes		Bertel & Norma Ellis				Under GOJ Bauxite Management Agreement
National Land Agency	Land	Lot 4 Enfield, St. Ann		No		No		Yes		Cinderella Scarlett				Pending
National Land Agency	Land	Lot 177 Thicketts, Hermitage, St. Ann Volume 1446 Folio 422		No		No		Yes		Sophia Munoz Bennett				Under GOJ Bauxite Management Agreement
National Land Agency	Building	28 Mona Road, Kingston 6- Volume 1429 Folio 767	\$17 Million to \$18 Million	No		No	Yes	Yes		Everton G. Hunter & Nesta Clare Smith	12-Sep-08	\$14,690,850.00		NWC Board
National Land Agency	Land	Lot 199 Thicketts, Hermitage, St. Ann Volume 1417 Folio 980		No		No		Yes		Lauralyn Chevannes & Lloyd Gabbidon				Under GOJ Bauxite Management Agreement
National Land Agency	Land	Lot 170 Lindale, St. Ann, Volume 1446 Folio 422		No		No		Yes		Josephine Newton				Pending
National Land Agency	Land	Lot 148 Lindale, St. Ann, Volume 1446 Folio 422		No		No		Yes		Dawne Parke				Under GOJ Bauxite Management Agreement
National Land Agency	Land	Land part of Wakering, St. Ann - Vol 950 Folio 51		No		No		Yes		Leonard & Lenworth Henry				Under GOJ Bauxite Management Agreement
National Land Agency	Land	Land Part of Tobolski & Thicketts, St. Ann - Volume 558 Folio 141 Pt.	\$800,000.00	No	—	No		Yes		NORANDA Jamaica Bauxite Partners		\$800,000.00	Pending	Under GOJ Bauxite Management Agreement
National Land Agency	Land	Land Part of Tobolski & Thicketts, St. Ann - Volume 1035 Folio 200	\$140,000.00	No	—	No		Yes		NORANDA Jamaica Bauxite Partners		\$140,000.00	Pending	Under GOJ Bauxite Management Agreement

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National Land Agency	Land	Land Part of Tobolski & Thicketts, St. Ann - Volume 988 Folio 221 Pt.	\$160,000.00	No	—	No		Yes		NORANDA Jamaica Bauxite Partners		\$160,000.00	Pending	Under GOJ Bauxite Management Agreement
National Land Agency	Land	Land Part of Tobolski & Thicketts, St. Ann - Volume 1031 Folio 105	\$180,000.00	No	—	No		Yes		NORANDA Jamaica Bauxite Partners		\$180,000.00	Pending	Under GOJ Bauxite Management Agreement
National Land Agency	Land	Land Part of Tobolski & Thicketts, St. Ann - Volume 1032 Folio 456	\$60,000.00	No	—	No		Yes		NORANDA Jamaica Bauxite Partners		\$60,000.00	Pending	Under GOJ Bauxite Management Agreement
National Land Agency	Land	Land Part of Tobolski & Thicketts, St. Ann - Volume 1073 Folio 430	\$200,000.00	No	—	No		Yes		NORANDA Jamaica Bauxite Partners		\$200,000.00	Pending	Under GOJ Bauxite Management Agreement
National Land Agency	Land	Land Part of Tobolski & Thicketts, St. Ann - Volume 619 Folio 33 Pt.	\$600,000.00	No	—	No		Yes		NORANDA Jamaica Bauxite Partners		\$600,000.00	Pending	Under GOJ Bauxite Management Agreement
National Land Agency	Land	Lot 177 Lyndale, St. Ann		No	—	No		Yes		Gwendolyn Jackson				Under GOJ Bauxite Management Agreement
National Land Agency	Land	Lot 86 Lyndale, St. Ann		No	—	No		Yes		Bertie Hemmings				Under GOJ Bauxite Management Agreement
National Land Agency	Building	Lands at 43 Shortwood Road, St. Andrew - Volume 1352 Folio 149		No		No		Yes		Estate Victor Morris by Vaughn Morris and Lesley Morris		90,000.00	Pending	
National Land Agency	Land	Lot 138B Boundbrook, Portland Volume 1447 Folio 762		No		No		Yes		Desnoes and Geddes Limited/ Nominee		£1,500.00	Pending	
National Land Agency	Land	Land Part pf Golden Eye Liberty Castle, Oracabessa, St. Mary - Unregistered	\$280,000.00	No		No		Yes		Wingdown Holdings Limited		\$280,000.00	Pending	
National Land Agency	Land	Land Part pf Golden Eye Liberty Castle, Oracabessa, St. Mary - Unregistered	\$220,000.00	No		No		Yes		Wingdown Holdings Limited		\$220,000.00	Pending	

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National Land Agency	Land	Lands pt. of Kings House Volume 1432 Folio 242	\$480 Million	No		No		Yes		Kings House Foundation Ltd.	11-May	\$1.00		Cabinet Approval dated May 2008
National Land Agency	Building and Other	Duckenfield, St. Thomas. Vol. 1425 Fol. 582		* Development Bank of Jamaica and SCJ Holdings Ltd. were the lead agencies charged with the divestment of sugar lands and assets.		No		Yes		Golden Grove Sugar Co. Ltd.	02-Jul-09	US\$500,000.00	Completed	Cabinet Decision
National Land Agency	Building and other	1) Frome Factory Lands, Westmoreland. Vol. 1426 Fol. 124, Vol. 1426 Fol. 849 2) Monymusk Estate, Clarendon. Vol. 1268 Fol. 751 3) Bernard Lodge, St. Catherine. Vol. 1426 Fol. 312, Vol. 237 Fol. 37, Vol. 1132 Fol. 23		* Development Bank of Jamaica and SCJ Holdings Ltd. were the lead agencies charged with the divestment of sugar lands and assets.		No		Yes		COMPLANT International Sugar Industry Co. Ltd.	30-Jul-10	Frome: US\$4,500,000.00 Monymusk: US\$4,000,000.00 Bernard Lodge: US\$500,000.00	Completed	Cabinet Decision
National Land Agency - Leases	Building	33 Dewsbury Avenue Kingston 6, Townhouse # 3 - Volume 1355 Folio 690		No		No		Yes		Clive Mullings	February 1, 2008	216000	Lease	GOJ Official
National Land Agency - Leases	Building	33 Dewsbury Avenue Kingston 6, Townhouse # 5 - Volume 1355 Folio 692		No		No		Yes		Audley Shaw	February 1, 2008	216000	Lease	GOJ Official
National Land Agency - Leases	Building	33 Dewsbury Avenue Kingston 6, townhouse # 1 - Volume 1355 Folio 688		No		No		Yes		Dr. Horace Chang	February 8, 2008	\$ 216,000.00	Lease	GOJ Official
National Land Agency - Leases	Building	33 Dewsbury Avenue, Townhouse # 2, St. Andrew Vol 1355 Folio 689		No		No		Yes		Shahine Robinson	08-Feb-08	\$ 168,000.00	Lease	GOJ Official
National Land Agency - Leases	Land	Old PWD Site, Spaulding, Clarendon		No		No		Yes		Michael Stern	01-Mar-08	\$ 12,000.00	Lease	Constituency Office

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National Land Agency - Leases	Building	Apt. 202 Knutsford Manor, Kingston 5 - Volume 1110 Folio 531		No		No		Yes		Luther Buchanan	March 14, 2008	\$ 108,000.00	Lease	GOJ Official
National Land Agency - Leases	Building	9 Sharrow Drive, Kingston 8 - Volume 968 Folio 343		No		No		Yes		Everald Warmington	May 1, 2008	\$ 162,000.00	Lease	GOJ Official
National Land Agency - Leases	Building	33 Dewsbury Avenue Kingston 6, Townhouse # 4 - Volume 1355 Folio 691		No		No		Yes		Robert Montaque	May 1, 2008	\$ 168,000.00	Lease	GOJ Official
National Land Agency - Leases	Building	9 Molynes Road, St. Andrew - Volume 1031 Folio 126	\$6,700,000.00 p.a.	No		No	Yes	Yes		Tyres R Us Limited	01-Jun-08	\$6,000,000.00	Lease	NIF Board
National Land Agency - Leases	Building	28 Dewsbury Avenue, Kingston 6 - Volume 490 Folio 54		No		No		Yes		Dr. Kenneth Baugh	June 09, 2008	\$ 216,000.00	Lease	GOJ Official
National Land Agency - Leases	Building	Apt. 304 Knutsford Manor, Kingston 5 - Volume 1110 Folio 539		No		No		Yes		Othniel Lawrence	July 08, 2008	\$ 150,000.00	Lease	GOJ Official
National Land Agency - Leases	Building	Apt. 102 Knutsford Manor, Kingston 5 - Volume 1110 Folio 525		No		No		Yes		Franklyn Witter	July 08, 2008	\$ 108,000.00	Lease	GOJ Official
National Land Agency - Leases	Building	Apartment 403 Knutsford Manor, Kingston 5 - Volume 1110 Folio 544		No		No		Yes		Dr. Ainsley Archer	July 28, 2008	\$ 420,000.00	Lease	GOJ Official
National Land Agency - Leases	Building	Apt. 203 Knutsford Manor, Oxford Road, Kingston 5 - Volume 1110 Folio 532		No		No		Yes		NLA - Staff	August 30, 2008	\$ 150,000.00	Lease	GOJ Official
National Land Agency - Leases	Building	23-25 Gloucester Avenue, Kingston 6 Volume 750 Folio 34 & 35		No		No		Yes		Edmund Bartlett	September 01, 2008	\$216,000.00	Lease	GOJ Official
National Land Agency - Leases	Building	2A Mark Way, Cherry Gardens Volume 965 Folio 215		No		No		Yes		Charmaine McKnight	04-Sep-08	\$150,000.00	Lease	GOJ Official

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National Land Agency - Leases	Building	33 Dewsbury Avenue Kingston 6, Townhouse # 3 - Volume 1355 Folio 690		No		No			Yes		Marissa Dalrymple Philibert	October 11, 2011	\$ 265,788.00	Lease	GOJ Official
National Land Agency - Leases	Building	Apt. 24 Braemar Mews, 8-10 Braemar Ave., St. Andrew. Volume 1228 Folio 650	\$540,000.00 pa	No		No			Yes		Yolanda Lee	October 01, 2008	\$406,800.00	Lease	
National Land Agency - Leases	Building	37 Begonia Drive, Mona Heights, Kingston 6 - Volume 933 Folio 85		No		No			Yes		Warren Newby	October 15, 2008	\$ 162,000.00	Lease	GOJ Official
National Land Agency - Leases	Building	25 Palmetto Avenue, Mona Heights, St. Andrew - Volume 937 Folio 76	\$660,000.00 to \$720,000.00 p.a.	No		No			Yes		Dr. Ainsley Archer	01-Feb-09	\$360,000.00	Lease	GOJ Official
National Land Agency - Leases	Building	Apt. 103 Knutsford Manor, Kingston 5 - Volume 1110 Folio 526		No		No			Yes		Trevor Pinnock	06-Mar-09	Rent Free	Lease	Foreign Services Official
National Land Agency - Leases	Building	Apt. 104 Knutsford Manor, Kingston 5 - Volume 1110 Folio 527		No		No			Yes		Nadine Mendez	11-Mar-09	Rent Free	Lease	Foreign Services Official
National Land Agency - Leases	Building	Apartment 404 Knutsford Manor, Oxford Road, St. Andrew Volume 1110 Folio 545		No		No			Yes		David Wilson	03-Apr-09	\$ 180,000.00	Lease	GOJ Official
National Land Agency - Leases	Building	31 Bougainvilla Avenue, Mona Heights, St. Andrew, Vol 937 Folio 36		No		No			Yes		Edith Allwood Anderson	01-Aug-09	\$ 420,000.00	Lease	GOJ Official
National Land Agency - Leases	Land	Lot 110 Braco & Lancaster Estate, Trelawny	\$1,530,000.00 p.a.	No		No			Yes		Tank-Weld Metals Ltd.	01-Oct-09	\$1,200,000.00	Lease	
National Land Agency - Leases	Building	25 Palmetto Avenue, Mona Heights, St. Andrew-Vol 937 Folio 76		No		No			Yes		Dr. Prasad Sai.N. Kadiyala	01-Oct-09	\$ 360,000.00	Lease	GOJ Official
National Land Agency - Leases	Building	Apt. 204 Knutsford Manor, St. Andrew Vol 1110 Folio 533		No		No			Yes		Angela Okpanachi	01-Dec-09	Rent Free	Lease	Foreign Services Official

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National Land Agency - Leases	Building	Lands at Spring Plain, Clarendon Volume 1282 Folio 180	\$1.1 Million per annum	Yes		No	Yes	Yes		Ryco Jamaica Ltd.	01-Jun-06	US\$17,400.00	Lease	Approval obtained in 2009
National Land Agency - Leases	Building	36 Palmetto Avenue, St. Andrew - Vol 973 Folio2		No		No		Yes		Leila Russell	01-Jan-10	\$ 240,000.00	Lease	GOJ Official
National Land Agency - Leases	Building	17 Widcombe Road, St. Andrew Vol 476 Folio79		No		No		Yes		The Netball Foundation of Jamaica Ltd.	11-Jan-10	\$1,000.00	Lease	
National Land Agency - Leases	Building	4th Floor - Strata Lot 4, 40, 42, 44 and 46 Knutsford Boulevard, St. Andrew- Vol 1153 Folio 311	\$2,500,000.00 p.a.	Yes		No	Yes	Yes		Embassy of the Argentine Republic	01-Feb-10	\$1,880,000.00	Lease	NIF Board
National Land Agency - Leases	Building	Townhouse # 8, Kingsway Manor, 11-13 Kingsway, St. Andrew- Vol 1400 Folio878	\$1,800,000 p.a.	Yes		No	Yes	Yes		Digicel	25-Mar-10	\$2,683,200.00	Lease	NIF Board
National Land Agency - Leases	Land	Constant Spring Estate, Cassava Piece Road, St. Andrew		No		No		Yes		Help Establish Library Projects in Jamaica Limited	01-Apr-10	\$24,000.00	Lease	
National Land Agency - Leases	Building	Apt. 101, Knutsford Manor, Kingston 5 Volume 1110 Folio 524		No		No		Yes		Shernette Burton	Aug-10	Rent Free	Lease	Foreign Services Official
National Land Agency - Leases	Building	Apt. 106, Knutsford Manor, Kingston 5 Volume 1110 Folio 529		No		No		Yes		Carol Gillies-Thompson	Sep-10	Rent Free	Lease	Foreign Services Official
National Land Agency - Leases	Building	Apt. 206, Knutsford Manor, Kingston 5 Volume 1110 Folio 535		No		No		Yes		Cheryl Spencer	Sep-10	Rent Free	Lease	Foreign Services Official
National Land Agency - Leases	Land	Old PWD Office Site, Buff Bay, Portland		No		No		Yes		Daryl Vaz	01-Sep-10	\$ 12,000.00	Lease	Constituency Office
National Land Agency - Leases	Building	Apartment 103 Knutsford Manor, Kingston 5 Vol 1110 Folio 526		No		No		Yes		Trevor Pinnock	09-Sep-10	\$ 180,000.00	Lease	GOJ Official
National Land Agency - Leases	Land	Pt. King's House Property, St. Andrew - Volume 1432 Folio 242 Part		No		No		Yes		Jamaica House Basic School Company Limited	01-Oct-10	\$ 2,500.00	Lease	

Assets which have been Privatized Report														
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	Type (building/land/both; shares; other)	Name and location of Asset (please state Volume and Folio number)	Valuation # 1 (J\$)	Was the asset advertised?	Approvals received					Purchaser's Name	Date of Sale	Sale Price		
				Yes/ no	Head of Entity (yes/no)	Land Divestment Advisory Committee (yes/no)	Board of Directors (yes/no)	Minister (yes/no)	Other (pls state)					
National Land Agency - Leases	Building	Apt 203, Knutsford Manor, Kingston 6 - Volume 1110 Folio 532		No		No		Yes		Cecile Christie	01-Nov-10	Rent Free	Lease	Foreign Services Official
National Land Agency - Leases	Building	40 Great House Boulevard, Kingston 6 - Volume 1118 Folio 813	\$1,320,000.00 p.a.	No		No	Yes	Yes		Paul Byles & Simone Dundas	01-Nov-10	\$1,560,000.00	Lease	NIF Board
National Land Agency - Leases	Land	Packing House - Hounslow, St. Elizabeth		No		No		Yes		GK Foods & Services Ltd.	12-Nov-10	\$2,640,000.00	Lease	Cabinet Approval
National Land Agency - Leases	Building	Apt. 24, Braemar Mews, 8-10 Braemar Avenue, St. Andrew- Vol 1228 Folio 650		No		No	Yes	Yes		Yolanda Lee	01-Dec-10	\$ 466,800.00	Lease	Renewal of Lease - NIF Board
National Land Agency - Leases	Building	Apt. 104 - Knutsford Manor, Kingston 5 Vol 1110 Folio 527		No		No		Yes		Mrs. Marisa Dalrymple-Philibert	06-Dec-10	\$ 252,000.00	Lease	GOJ Official
National Land Agency - Leases	Building	Apt 403, Knutsford Manor, Kingston 5 - Volume 1110 Folio 544		No		No		Yes		Sharon Miller	13-Dec-10	Rent Free	Lease	Foreign Services Official
National Land Agency - Leases	Building	1 Bravo Street - Lot 2, St. Ann's Bay, St. Ann		No		No		Yes		Shahine Robinson		\$ 12,000.00	Pending	Constituency Office
National Land Agency - Leases	Building	6 Begonia Drive, St. Andrew - Vol 931 Folio426		No		No		Yes		Lois Hamilton	15-Nov-10	\$ 12,000.00	Lease	
National Land Agency - Leases	Land	Western Storage Treatment Plant, Kingston	\$15,000,000.00 p.a.	No		No	Yes	Yes		West Kingston Power Plant		\$12,000,000.00	Lease	NWC Board
National Land Agency - Leases	Land	Land Part of Springfield, St. Thomas, Volume 1139 Folio 510		No		No		Yes		Roman Catholic Archbishop of Kingston		\$ 12,000.00	Lease	Pending
National Land Agency - Leases	Land	230 Spanish Town Road, St. Andrew - Volume 838 Folio 69	\$2,700,000.00 p.a.	No		No	Yes	Yes		Jamaica Biscuit Company Ltd. (JAMBISCO)	01-Feb-11	\$2,700,000	Lease	
National Land Agency - Leases	Building	Apt. 103 Knutsford Manor, Kingston 5-Vol 1110 Folio 526		No		No		Yes		Dr. Ruwanpura	01-Apr-11	\$252,000	Lease	GOJ Official
National Land Agency - Leases	Building	Apt. 404 Knutsford Manor, St. Andrew- Volume 1110 Folio 545		No		No		Yes		Dr. Parthasarathi Pramanik	01-Apr-11	\$330,000	Lease	GOJ Official

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National Land Agency - Leases	Land	Lot 1 Spring Ground (The Springs and Elim), Manchester - Volume 1328 Folio 897 (Part)	\$100,000.00 per annum	No		No			Yes		Ivor Wong	01-Apr-11	\$100,000	Lease	Relocation in relation to Christiana Bypass
National Land Agency - Leases	Building	Apt. 204, Knutsford Manor, Kingston 5 Volume 110 Folio 533		No		No			Yes		Everol Williams	Jun-11	\$252,000.00	Lease	GOJ Official
National Land Agency - Leases	Land	Lot 1071 Great Valley, Manchester - Volume 953 Folio 342 & 343	\$1,200,000.00 per annum	No		No			Yes		Clean Alternative Energy Limited	01-Sep-11	\$1,200,000	Lease	
National Land Agency - Leases	Building	57 Garden Boulevard, Mona, St. Andrew, Kingston 6 - Volume 931 Folio 457		No		No			Yes		Juliet Smith-Dennision	23-Sep-11	Rent Free	Lease	Foreign Services Official
National Land Agency - Leases	Building	Apt. 306 - Knutsford Manor, Kingston 5 - Volume 1110 Folio 541		No		No			Yes		Carol Lee Lea	01-Oct-11	Rent Free	Lease	Foreign Services Official
National Land Agency - Leases	Building	Land Part of Readers Pen, St. Thomas - Volume 1083 Folio 723 (Part)		No		No			Yes		Lions Club of Jamaica	01-Oct-11	\$ 24,000.00	Lease	
National Land Agency - Leases	Building	1 Norbrook Mews, Kingston 6 Volume 1060 Folio 812		No		No			Yes		Dianne McIntosh	01-Dec-11	\$750,000.00	Lease	GOJ Official
National Land Agency - Leases	Building	5 Millsborough Cresnet, Kingston 6, St. Andrew - Volume 1373 Folio 144		No		No			Yes		Lester Michael Henry	8-Aug-11	\$216,000.00	Lease	GOJ Official
National Land Agency - Leases	Building	Apt. 104 Knutsford Manor, Kingston 5 - Volume 1110 Folio 527		No		No			Yes		Donovan Bell	07-Oct-11	\$ 252,000.00	Lease	GOJ Official
National Land Agency - Leases	Building	Strata Lot #6, Part of Ground Floor 72 - 76 Harbour Street, Kingston - Volume 1210 Folio 461	\$312,600.00 p.a.	No		No	Yes	Yes			Adanaka Patterson t/a Adapt Computer Services		\$312,600.00	Lease	NIF Board
National Land Agency - Leases	Land	Section 1 Bush Cay , Falmouth, Trelawny	\$450,000.00 per annum	No		No			Yes		Bush Cay West Ltd.			Lease	Letter of Commitment issued

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National Land Agency - Leases	Land	Section 1 Florida, Falmouth, Trelawny	\$650,000.00 per annum	No		No			Yes		Bush Cay East Ltd.			Lease	Letter of Commitment issued
National Land Agency - Leases	Land	Section 2 Florida, Falmouth, Trelawny	\$650,000.00 per annum	No		No			Yes		Glynne Falmouth Arkin Ltd.			Lease	Letter of Commitment issued
National Land Agency - Leases	Land	Section 4 Florida, Falmouth, Trelawny	\$750,000.00 per annum	No		No			Yes		Florida Cay West Ltd.			Lease	Letter of Commitment issued
National Land Agency - Leases	Building	Pt. of Green Bay, St. Catherine Volume 30 Folio 94 (part)	\$450,000.00 per annum	No		No			Yes		MIDAC Equipment Ltd.	\$450,000.00		Pending	
National Land Agency - Leases	Land	Land pt. of Colbeck, St. Catherine Volume 575 Folio 76	\$200,000.00 per annum	No		No			Yes		Faurens Ltd.	\$200,000.00		Pending	Renewal of Lease
National Land Agency - Leases	Building	Strata Lot 20 Liguanea Post Mall Volume 1367 Folio 659	\$2.88 Million per annum	Yes		No	Yes	Yes			Cubana Distributors Ltd.	\$3 Million		Pending	Postal Corporation Board
National Land Agency - Leases	Land	1) Morant Estate, St. Thomas Vol. 315 Fol. 20 2) Golden Grove, Vol. 1142 Fol. 605 3) Stanton, St. Thomas Vol. 1161 Fol. 341 4) Duckenfield Hall, St. Thomas, Vol. 1425 Fol. 582				No			Yes		Golden Grove Sugar Co. Ltd.	July 16, 2009. Term 50 years	US\$82,222.08 p.a.	Completed	Cabinet Decision
National Land Agency - Leases	Land	1) Frome Estate, Bull Head, Westmoreland Vol. 1163 Fol. 204 2) Bernard Lodge, St. Catherine - Vol. 1282 Fol. 180, Vol. 218 Fol. 81, Vol. 219 Fol. 20, Vol. 219 Fol. 89, Vol. 219 Fol. 90, Vol. 219 Fol. 91, Vol. 224 Fol. 40, Vol. 229 Fol. 10, Vol. 336 Fol. 7, Vol. 478 Fol. 33, Vol. 1269 Fol. 892, Vol. 219 Fol. 56, Vol. 1397 Fol. 910, Vol. 468 Fol. 56, Vol. 133 Fol. 59, Vol. 374 Fol. 76, Vol. 583 Fol. 49				No			Yes		COMPLANT International Sugar Industry Co. Ltd.	July 30, 2010. Term 50 years	US\$35.00 per hectare	Completed	Cabinet Decision

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National Water Commission	Land & Building	Lot 147 Poinciana Close, Orange Bay, Westmoreland, Vol 1243 Fol 371	yes [details provided]	yes	yes		yes	yes		Richard Eastwood	The successful bidder has been advised - the Agreement for Sale has not yet been settled and signed	\$6.5m	Pending	
National Water Commission	Land	Lot 34 Hermitage Dam Road, St. Andrew Vol 1329 Fol 111	yes [details provided]	yes	yes		yes	yes		David Taylor	The successful bidder has been advised - the Agreement for Sale has not yet been settled and signed	\$5.5m	Pending	
National Water Commission	Land	Lot 36 Hermitage Dam Road, St. Andrew Vol 1329, Fol 113	yes [details provided]	yes	yes		yes	yes		David Taylor	The successful bidder has been advised - the Agreement for Sale has not yet been settled and signed	\$5.5m	Pending	

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Port Authority of Jamaica	Land	Falmouth Cruise Ship Pier	no	No	yes	no	yes	yes	Cabinet - yes	Falmouth Jamaica Land Company Limited	05-Oct-11	Leased Price Phase 1 - US\$674,486 p/a. Note: An option exists through which Royal Caribbean Cruise Limited/ Falmouth Jamaica Land Company can lease additional lands for development of a Phase II and Phase III of the project.	Currently in Phase I of Lease	This lease was an integral part of the cooperative agreement negotiated with Royal Caribbean Cruise Lines (RCCL) through which the new cruise ship port at Falmouth with its integrated commerical and support services was developed. Through this agreement PAJ constructed the pier and RCCL the shops and provided a guaranteed level of passenger arrivals annually. The lands that are subject to the commercial lease was reclaimed by the Port Authority as part of the construction process.

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Port Authority of Jamaica	29 Hectares of undeveloped lands	Sub-divided lots - Bogue Lands in Montego Bay	NLA - \$649m (unimproved lands)	Yes	yes	no	yes	yes		Bank of Nova Scotia; Frotier Development Ltd; Radiation Oncology Centre; GWEST Corporation Ltd; Ramchandani/ Aum Financial; Har-nani Limited; Overseas Examination Comm	Jan 25, 2008; Jan 17, 2008; Aug 10, 2010; Apr 21, 2008; Jan 17, 2008; Jul 31, 2008; Feb 4, 2011	\$129m; US\$2.64m; US\$0.797m; US\$0.7118; US\$0.5871; US\$0.7282; US\$0.7127	Sale of 9 lots completed	Area divided into 15 lots of which 6 lots remain to be divested
Portland Parish Council - Lease	Land and existing board building	12 Harbour Street								Fitzroy Curate	06-Jan-08	\$103,708 per annum	Lease formalized	This property was originally under the purview of the Commissioner of Lands. Research revealed the property belonged to the Council. The Council took over the property, as the owner had already set up a business establishment that had been operating for more than ten years.
Portland Parish Council - Lease	Section of the Hope Bay Market									Beverley Richards	01-Sep-11	\$70,500 per annum		Ownership is still being researched ... The Council is however in possession of the property as it is an old market.
St. Ann Parish Council		Lot 28, Cardiff Hall, Runaway Bay, St. Ann	yes	yes					Cabinet	Alecia Lawrence		\$6.5m		Exemption Motion re Mr. Othniel Lawrence, Director of a company seeking to acquire property

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St. Catherine Parish Council	Land	Land part of Kitson Town Vol. 28 Fol. 33	yes [details provided]	Yes	Yes	Yes	N/a	pending	N/a	Seventh Day Adventist Church Kitson Town	pending	\$3,000,000.00	awaiting approval from Ministry	
St. Catherine Parish Council	Land	Lot 32, 44 Fordyce Drive, Spanish Town Vol. 1182 fol. 366	yes [details provided]	Yes	Yes	Yes	N/a	pending	N/a	Charmaine Guyah	pending	\$1,900,000.00	awaiting approval from Ministry	
Trelawny Parish Council	Land	Old Abattoir Lands Vol 205/Folio 76	\$4.5m	No	Yes	Yes	Yes	Yes		Port Authority	10-Aug-09	\$4.5m	Sale completed	
Trelawny Parish Council	Land	Delagado Lands	\$10.5m	No	Yes	Yes	Yes	Yes		Port Authority	10-Aug-09	\$10.5m	Sale completed	
Trelawny Parish Council	Land	Old Fisherman's Village	\$14m	No	Yes	Yes	Yes	Yes		Port Authority	10-Aug-09	\$14m	Sale completed	
Urban Development Corporation		Lot 737 Cardiff Hall, St. Ann	\$6m - \$6.5 m	Yes			yes	yes		Nerie Campbell & Ashleigh Tyme	07-Jul-11	\$6.75 m	Letter of Undertaking received for outstanding balance. Instrument of Transfer sent or Cross Stamping	Sale based on Board approval and Portfolio Minister's non-objection for subdivided lands
Urban Development Corporation		200 Acres Caymanas EnterpriseZone	\$900m	No			yes	yes		Factories Corporation of Jamaica	06-May-11	\$900m	Stamped Agreement received	Sale based on Board approval and Portfolio Minister's non-objection for lands to accomodate GOJ proposed Development. Inter-agency transaction matter the subject of a Cabinet decision. Portfolio Minister mandated the UDC to sel to Factories Corporation to implement a section of Caymanas Development Plan in the Enterprise Zone.

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Urban Development Corporation		Blocks A, C, D & E Caymanas Estate - Now Sections 1 & 2	\$246m - \$265m	No			yes	yes		New Era Homes 2000 Ltd.	04-May-11	\$308.085M	Awaiting pre-checked plan from NLA to enable part of land transfer for a new title for the portions of land being sold/	Sale based on Board approval and Portfolio Minister's non-objection for lands to accomodate Housing Development. Settlement of outstanding government obligation. New Era Ltd exchanged lands at 16a Halfway Tree Road with Government of Jamaica and was promised set off. Directed by OPM to UDC to be given lands to conclude exchange.
Urban Development Corporation		Lands part of Mount Edgecombe, Westmoreland	\$18m	No			yes	yes		Ministry of Education	03-May-11	\$18m	UDC awaiting completion of payment	Sale based on Board approval and Portfolio Minister's non-objection for lands to accomodate GOJ Educational Facility & Development
Urban Development Corporation		Lot 133 Cardiff Hall, St. Ann	\$7.5m - \$8m	Yes			yes	yes		Michael Parodie	02-May-11	\$7.5m	Balance purchase monies paid. Transfer sent for cross-stamping. Application to modify covenant being pursued in the Supreme Court	Sale based on Board approval and Portfolio Minister's non-objection for subdivided lands

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Urban Development Corporation		Lot 720 Cardiff Hall, St. Ann	\$7.5 - \$7.7m	yes			yes	yes		Dorothy and Clovis Burris	24-Mar-11	\$7.85	Sale completed	Sale based on Board approval and Portfolio Minister's non-objection for subdivided lands
Urban Development Corporation		18A Montego Bay Waterfront	\$45m	no			yes	yes		Sagicor	24-Feb-11	\$42.5m		Sale based on Board approval and Portfolio Minister's non-objection for subdivided lands. Lessee in occupation exercised the right to purchase
Urban Development Corporation		Lot 26 Lewisville, St. Elizabeth	\$0.9m	no			yes	yes		Crossley Brown	18-Feb-11	\$1.1m	Instrument of Transfer sent to purchaser for execution. Balance outstanding	Sale based on Board approval and Portfolio Minister's non-objection for non-performing asset. Purchaser encroached on UDC land and offered to purchase to rectify encroachment.
Urban Development Corporation		Lands Part of Steer Town, St. Ann	\$7.5m	No - Government to Government						Ministry of Education	07-Feb-11	\$7.5m	Awaiting Title to complete sale	Sale based on Board approval and Portfolio Minister's non-objection for lands to accommodate GOJ Educational Facility & Development
Urban Development Corporation		Lot 2 Portmore Town Centre	\$34m	yes			yes	yes		ADA Manufacturing Ja. Ltd	25-Jan-11	\$30m	Sale completed	Sale based on Board approval and Portfolio Minister's non-objection for subdivided lands

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Urban Development Corporation		Lot 97 Seafort, Hellshire	\$2.5m	yes			yes	yes		Judith Simpson	24-Dec-10	\$2.07m	Extension for completion granted to March 31, 2012	Sale based on Board approval and Portfolio Minister's non-objection for - subdivided lands
Urban Development Corporation		Lot 175 Orange Bay, Hanover	\$0.675m	yes			yes	yes		Shana Jackson	01-Dec-10	\$1.6m	Instrument of Transfer sent to purchaser for execution.	Sale based on Board approval and Portfolio Minister's non-objection for - subdivided lands
Urban Development Corporation		Lot 70 Seaforth, Hellshire	\$2.6m	yes			yes	yes		Jennifer Wilson et al	08-Nov-12	\$2.4m	Sale completed	Sale based on Board approval and Portfolio Minister's non-objection for - subdivided lands
Urban Development Corporation		Section 5, Ocho Rios, St. Ann	\$31m	No - Purchaser owns adjacent lands and made proposal to UDC to purchase property in order to enhance the entry point for cruise ship tourists entering Ocho Rios			yes	yes		Ocho Rios Beach Limited (Island Village)	08-Nov-10	\$19.8m	Instrument of Transfer and Statement of Account sent to Purchaser	Sale based on Board approval and Portfolio Minister's non-objection for - non-performing asset
Urban Development Corporation		Lot 153 Fairy Hill Estate, Portland	Internal Valuation	No - Purchaser was sold land as part of policy decision to regularise squatters at Fairy Hill			yes	yes		Hortense Allen & Ryan Domay	30-Oct-10	\$0.3269m	Balance outstanding	Sale based on Board approval and Portfolio Minister's non-objection for - subdivided lands
Urban Development Corporation		Lot 2 Liguanea, St. Andrew	\$45m	No - The lot houses NHT car park inter-government sale by way of exchange of lands i.e., UDC acquired Jamintel building and the price of the car park set off			yes	yes		National Housing Trust	22-Oct-10	\$38.4m	Sold to NHT. Request granted by NHT for extension of time up until the end of October 2011 to complete sale	Sale based on Board approval and Portfolio Minister's non-objection for - non-performing asset

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Urban Development Corporation		Lot 21 Seabreeze Avenue, Kingston	\$1.8m	No - Purchaser owns the adjoining property and made offer to purchase			yes	yes		Claudette Samuel et al	21-Sep-10	\$1.65m	Completion pending modification of Restrictive Covenant	Sale based on Board approval and Portfolio Minister's non-objection for - non-performing asset
Urban Development Corporation		Land part of Buckfield (reserved road)	Internal Valuation	No - Lots 1-7 sold to Infinite Concrete. Last remaining piece of land in the title 15,000 sq feet. Part of road reservation sold to provide access to Lots 1-7			yes	yes		Infinite Concrete Ltd.	14-Sep-10	\$3.2m	Balance outstanding	Sale based on Board approval and Portfolio Minister's non-objection for - non-performing asset
Urban Development Corporation		Lot A212 Hellshire Park Estate	\$1.8m-\$1.9m	No - Purchaser was previously employed to a subsidiary of the UDC and rented the premises. Decision taken by Board to give the tenant the option to purchase lot.			yes	yes		Samuel Tucker	08-Sep-10	\$1.65m	Sale completed	Sale based on Board approval and Portfolio Minister's non-objection for - UDC's Housing Development
Urban Development Corporation		Lot 199, Hellshire Park Estate	\$1.7m-\$1.8m	No - Purchaser was previously employed to a subsidiary of the UDC and rented the premises. Decision taken by Board to give the tenant the option to purchase lot.			yes	yes		Kathleen and Rudolph Williams	08-Sep-10	\$1.6m	Purchaser granted extension for completion.	Sale based on Board approval and Portfolio Minister's non-objection for - UDC's Housing Development
Urban Development Corporation		Lands part of Hellshire Park Estate	\$3.5m-\$4m	No - Purchaser initially leased the land (for site of Church building) and applied to purchase.			yes	yes		Victory Faith Tabernacle Church of God	04-Aug-10	\$3m	Sale completed	Sale based on Board approval and Portfolio Minister's non-objection for - subdivided lands
Urban Development Corporation		Lot 174 Orange Bay, Hanover	\$0.65m	Yes			yes	yes		Doreen Wright	06-Jul-10	\$1.4m	Sale completed	Sale based on Board approval and Portfolio Minister's non-objection for - subdivided lands
Urban Development Corporation		Lots 6, 8, 10 & 12 Water Lane	\$32m - \$35m	No - Purchaser approached the Corporation to			yes	yes		Guardsman Group	02-Jul-10	\$6.157m	Title Issued. Balance outstanding	Sale based on Board approval and Portfolio

Assets which have been Privatized Report														
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	Type (building/land/both; shares; other)	Name and location of Asset (please state Volume and Folio number)	Valuation # 1 (J\$)	Was the asset advertised?	Approvals received					Purchaser's Name	Date of Sale	Sale Price		
				Yes/ no	Head of Entity (yes/no)	Land Divestment Advisory Committee (yes/no)	Board of Directors (yes/no)	Minister (yes/no)	Other (pls state)					
Urban Development Corporation		Lot 14 Water Lane		purchase property to expand its offices								\$2.342m		Minister's non-objection for - non-performing asset
Urban Development Corporation		Part of Breezy Castle, Kingston										\$31m		
Urban Development Corporation		Lot 2, Part of Knutsford Park (Liguanea Lands)	\$568.8m	No - Cabinet decision to sell all lands to Pan Jam			yes	yes		Pan Jamaican Trust Ltd.	29-Jun-10	\$454.5m	Sale proceeding according to expressed contractual terms	Sale based on Board approval and Portfolio Minister's non-objection for - non-performing asset. Third valuation - \$454m
Urban Development Corporation		Lot 187 Orange Bay, Hanover	\$0.65m	Yes			yes	yes		Donavan Brown	09-Jun-10	\$0.9675m	Documents sent to NHT in settlement of Undertaking. Balance outstanding	Sale based on Board approval and Portfolio Minister's non-objection for - subdivided lands
Urban Development Corporation		Lot 20J Sector C, Lands part of Belmore & Watson Grove, Grefory Park		Yes			yes	yes		Portmore Municipal Council	06-May-10	\$42.5m	Sale completed	Sale based on Board approval and Portfolio Minister's non-objection for - subdivided lands. Valuations for Lot 20 J: \$12.5m & \$9.5m; Valuation for Lots 1 - 29: \$80m, Force Sale - \$65m; Valuation for Lots 3-6,7-29: \$19.6m
Urban Development Corporation		Rutland Pen, Hanover	\$33m - \$35m	No - Lessee in occupation of UDC lands on the seaward side and UDC refuses to allow him the right to purchase land on the seaward side and has offered land on the landward side.						Cosmo Brown	01-Apr-10	\$45m	Sale completed	Private Treaty

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				Yes/ no	Head of Entity (yes/no)	Land Divestment Advisory Committee (yes/no)	Board of Directors (yes/no)	Minister (yes/no)	Other (pls state)					
Urban Development Corporation		Lot 4A, 6., 8 & Part Sec. E Downtown Kingston	\$143m	No - Sale directed to UDC by OPM to act as a stimulus for Kingston Waterfront						Digicel Jamaica Ltd	03-Mar-10	\$115m	Complete	Private Treaty
Urban Development Corporation		Section 1, Buckfield, St. Ann	\$27m	Yes						Galani Ja. Ltd.	14-Jan-10	\$25m	Sale completed	
Urban Development Corporation		Lots 1-7 and 9 at Buckfield, St. Ann	\$176.8m	Yes						Infinite Concrete Ltd.	13-Nov-09	\$130m	Installment paid as per contract. Purchaser's attorney to provide letter of commitment.	
Urban Development Corporation		Lots 199 Davis Town, St. Ann	\$0.8m	Yes						Jenise McKenzie	26-Oct-09	\$0.9m	Sale completed	
Urban Development Corporation		Lot 20H, Portmore, St. Catherine	\$12m	Yes						Glenford Clarke	19-Aug-09	\$11.75m	Sale completed	Private Treaty
Urban Development Corporation		Lot 198 Davis Town, St. Ann	\$0.8m	Yes						Sharon Campbell	05-Aug-09	\$0.81m	Sale completed	
Urban Development Corporation		Lot 200 Davis Town, St. Ann	\$0.8m	Yes						Beulah Cassie	30-Jul-09	\$0.9m	Sale completed	
Urban Development Corporation		Lot 271 Davis Town, St. Ann	\$0.75m	Yes						Fay Scott	30-Jul-09	\$0.86m	Sale completed	
Urban Development Corporation		Lot 272 Davis Town, St. Ann	\$0.75m	Yes						Winsome Benjamin	30-Jul-09	\$0.87m	Sale completed	
Urban Development Corporation		Lot 273 Davis Town, St. Ann	\$0.8m	Yes						Maygon Allen	30-Jul-09	\$0.95m	Sale completed	
Urban Development Corporation		Lot 282 Davis Town, St. Ann	\$0.727m	Yes						Donovan Sinclair	30-Jul-09	\$0.8375m	Sale completed	
Urban Development Corporation		Lot 3 & 4 Lewisville, St. Elizabeth	\$0.9m	Yes						Selvin Coote	08-Jul-09	\$0.9m	Sale completed	Private Treaty
Urban Development Corporation		Lot 151 Fairy Hill Estate, Portland	Internal Valuation	No - Purchaser was sold land as part of policy decision to regularise squatters at Fairy Hill						Marilyn Rose	01-May-09	\$0.309m	Sale completed	
Urban Development Corporation		Lot 1, Sector TC, Portmore, St. Catherine	\$25m - \$26m	Yes						Kingston Bookshop Ltd	01-May-09	\$25m	Sale completed	Private Treaty

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				Yes/ no	Head of Entity (yes/no)	Land Divestment Advisory Committee (yes/no)	Board of Directors (yes/no)	Minister (yes/no)	Other (pls state)					
Urban Development Corporation		Lot 16, BOJ Car Park, Downtown	\$45m	yes						Bank of Jamaica	15-Jan-09	\$55m	Sale completed	Private Treaty
Urban Development Corporation		Lot 4 Sector TC, Portmore, St. Catherine	Internal Valuation	yes	Feb 10 & 13, 2008: Gleane r and Observ er					Tax Admin. Services Dept (Com of Lands)	03-Jun-09	\$20m	Sale completed	
Urban Development Corporation		Sections A, B & C, Mansfield, St. Ann	\$79m	No - Purchaser acquired lands adjacent the property and approached the Corporation to buy additional lands to expand its housing/commer cial development						G and S Developers	29-Jan-08	\$79m	Incomplete	Private Treaty
Urban Development Corporation		Lot 12 Sector C, Portmore, St. Catherine	\$21m	Yes						Terrence Graham	29-Jan-08	\$24m	Sale completed	
Urban Development Corporation		Lot 20 & 21 Sector TC, Portmore, St. Catherine		yes						Donald Harriott	24-Jan-08	\$52m	Sale completed	

Assets Slated For Privatization Report												
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	Type (building/ land/ both; shares; other)	Name and location of Asset (please state Volume and Folio number)	Have valuations being undertaken? (yes/ no)	Was asset advertised/ to be advertised?	Approvals received regarding intended privatization			Have any unsolicited proposals being received? (yes/ no)	If yes, are same being treated in accordance with Ministry Paper # 34? (yes /no)			
				Is the property to be advertised? (yes/ no)	Head of Entity (yes/no)	Board of Directors (yes/ no)	Minister (yes/no)					
Banana Board	Land and derilict building	Hordley, Golden Grove, St. Thomas. Volume 1172 Folio 188	Yes	No		Yes	Yes	Yes	No, but treated with modalities of d ivestment 1 .iii of GOJ Policy Framework & Procedures Manual for Divestment of Gov. owned lands April 2008 (page 6)	1 .iii of GOJ Policy Framework & Procedures Manual for Divestment of Gov. owned lands April 2008 (page 6)	In progress	
Banana Board	Land & buildings	Lot 1 Bybrook, Bog Walk, St. Catherine (Parent parcel: Volume 985, Folio 311)	Yes	No		Yes	Yes	Yes	ditto	ditto	In Progress	
Banana Board		Little Spring Gardens, St. Margarets Bay, Portland: Title acquisition being processed	Yes	No		Yes	To be informed	Yes	ditto	ditto	In progress	
Banana Board		Trinity, Port Maria, St. Mary Volume 1177 Folio 804	Yes	No		Yes	To be informed	Yes	ditto	ditto	In progress	
Betting, Gaming and Lotteries Commission	Building & Land (Strata)	Lot/Apt 2a., 17 Ruthven Road, Kingston 10, Folio # 877, Volume # 1255	N/A	N/A	N/A	N/A	N/A	Yes	Yes	#34	Pending	The privatization proceedings are yet to commence
Betting, Gaming and Lotteries Commission	Land	10 Winchester Road, Kingston 10, Folio # 575, Volume # 1257										The privatization proceedings are yet to commence
Caymanas Track Limited/ Ministry of Finance	Building	The buildings are located on land located to north and east of the Independence City, to the west of Waterford and to east of Caymanas Estates; Volume 1056, Folio 381; Volume 947, Folio 481	yes									
Caymanas Track Limited/ Ministry of Finance	Land	The Land is located to north and east of the Independence city, to the west of Waterford and to east of Caymanas Estates; Volume 1056, Folio 381; Volume 947 Folio 481	yes									

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				Is the property to be advertised? (yes/ no)	Head of Entity (yes/no)	Board of Directors (yes/ no)	Minister (yes/no)					
Clarendon Alumina Production Limited	Jamalco Refinery Operations, inclusive of plant, port, mines and mud storage	Halse Hall and Rocky Point in Clarendon; mines in both Clarendon and Manchester	yes	No	No, but incorporated in divestment committee	Advised	Yes	No. Please note that Joint Venture partner Alcos has right to match any sale agreement and they were one of two proposals considered by Cabinet	No	Divestment Committee subject to the approval of the sale agreement by Cabinet.	Negotiation of sales contract in progress.	
Clarendon Parish Council	Land	Four Paths - Volume 211; Folio 30	yes - Based on the Act, Cabinet Decision No. 19/96 dated May 27,1996	No	No	No	Pending					
Development Bank of Jamaica	Commercial assets of the Cocoa Industry Board (land, buildings and machinery/equipment)	Houghton Court in Hanover (Vol 1162 Fol 51), Morgans Valley in Clarendon (Vol 1162 Fol 50), Richmond in St. Mary(Vol 1160 Fol 49), Montrose in St. Mary (Vol 1160 Fol 698) & Marcus Garvey Drive in Kingston	Yes	Yes			Yes	Yes	Yes	Sale of commercial assets of the Cocoa Industry Board (land, buildings and machinery/equipment)	Min of Agriculture to secure funding to procure selected consultant to package the divestment	
Development Bank of Jamaica	Residential lands and commercial property	Assets owned by the Montpelier Citrus Company Ltd in St. James/Hanover - 375 acres of Section A (residential lands): Volume 1198 Folio 47 (parent title) AND commercial property (Section F): Volume 1202 Folio 431	Yes	Yes	Yes	Yes	Yes	No	N/A	Sale of residential lands and commercial property	Both sale opportunities are being advertised.	In December 2011 the OCG was asked to review the proposed evaluation criteria to be included in the Information Memorandum (IM). The DBJ has noted the OCG's comments and incorporated same in the IM.
Development Bank of Jamaica	Commercial property	Asset owned by the Urban Development Corporation (UDC) -3.4 acres of commercial lands in Belmont, St. Ann - Volume 1010 Folio 24	Yes	Yes	Yes			DBJ was advised that previous discussions were held with two potential investors.	Public tender now being conducted.	Sale of commercial property	Property being advertised. Bid submission date is 3 February 2012. Bidding Procedures Document available from the DBJ.	

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				Is the property to be advertised? (yes/ no)	Head of Entity (yes/no)	Board of Directors (yes/ no)	Minister (yes/no)					
Development Bank of Jamaica	Land & buildings	Property known as Farm Machinery Centre located in Spring Plains, Toll Gate, Clarendon. Volume 1431 Folio 58 (parent title)	Yes	No	Yes	Yes	No	No	N/A	Sale of FMC property (land & buildings)	Commence negotiations with Lessee for purchase of the property. Subdivide land form Spring Plains parent title.	
Development Bank of Jamaica	Land & Buildings	Fort Clarence Beach, St. Catherine	Yes	Yes	Yes			No	N/A	Divestment of management of the property via long term lease/concession	Marketing campaign to commence Feb 2012	
Development Bank of Jamaica	Land & Buildings	Bluefields Beach, Westmoreland	Yes	Yes	Yes			No	N/A	Divestment of management of the property via long term lease/concession	Marketing campaign to commence Feb 2012	
Development Bank of Jamaica	Land (Island)	Booby Cay, Negril, Hanover	Yes	Yes	Yes			No	N/A	Divestment of management of the property via long term lease	Marketing campaign to commence January 2012	
Development Bank of Jamaica	Land	Long Bay Beach(LBB) 1 & 2, Hanover/Westmoreland	Yes	Yes	Yes			No	N/A	Divestment of management of the property via long term lease	Marketing campaign to commence January 2012	
Development Bank of Jamaica	Land & buildings	Reach Falls, Portland	UDC to advise	Yes	Yes			No	N/A	Divestment of management of the property via long term lease	Consultant due diligence	
Development Bank of Jamaica	Land & buildings	Green Grotto Caves, Discovery Bay, St. Ann	Yes	Yes	Yes			No	N/A	Divestment of management of the property via long term lease	Consultant due diligence	
Development Bank of Jamaica	Land & Buildings	Two Sisters Cave, St. Catherine	Yes	Yes	Yes			No	N/A	Divestment of management of the property via long term lease	Consultant due diligence	
Development Bank of Jamaica	Land & Buildings	Laughing Waters Restaurant & Beach Club, Ocho Rios, St. Ann	Yes	Yes	Yes			No	N/A	Divestment of management of the property via long term lease	Consultant due diligence	
Development Bank of Jamaica	Land	Top Forte/Belmont/Roaring River/Malvern Park	Yes	Yes	Yes			No	N/A	Divestment of management of the property via long term lease	Consultant due diligence	
Development Bank of Jamaica	Shares	KIW International Limited, 138 Spanish Twn Rd. Kgn. 11. GOJ owns 42.6% of the Ordinary Sahreholding and 1005 of the Preference Shares.	No	Yes	Yes	Yes	Ministry Paper #34	No	N/A	Sale of Shares	Pre-divestment. Finalizing audited accounts.	

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				Is the property to be advertised? (yes/ no)	Head of Entity (yes/no)	Board of Directors (yes/ no)	Minister (yes/no)					
Development Bank of Jamaica	Land, Buildings, Operation of Services, Other	Norman Manley International Airport including select GOJ owned aerodromes (Boscobel, Negril and Ken Jones)	No	Yes	Yes	Yes	Yes	Yes	Yes	Concession	Pre-divestment. Due diligence being undertaken by Consultants. The International Finance Corporation was engaged by the GOJ as lead advisor.	
Development Bank of Jamaica	Shares	GOJ's 7% shareholding in Winalco	Yes - Valuation in progress	No	Refer to MEM	Refer to MEM	Refer to MEM	No	N/A	Sale of shares	DBJ managing valuation process. Valuation being undertaken by consultant engaged by the DBJ on behalf of GOJ.	Majority shareholder has right of first refusal to purchase GOJ's 7% stake in Winalco..
Development Bank of Jamaica	Machiner & Equipment, Other - Services	Divestment of Nutrition Products Ltd.	No	Yes	Yes	Yes	Yes	Yes	Yes	Concession	Pre-divestment. Due diligence being undertaken.	The land and buildings would be retained by the GOJ, however the equipment and machinery would be sold. The concessionaire would provide the services that are now being provided for by NPL.
Development Bank of Jamaica	Land and Buildings	Braco Resort Hotel. Rio Bueno- Trelawny. Vol. 1288 Fol 375 and 376. Vol 1326 Fol. 920 and 921. Vol. 1295 Fol. 768-779 and 789-813. Vol. 1253 Folio 532	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Sale of Property	Pre-divestment. Due diligence being undertaken.	Property to be leased on a short term basis by the National Insurance Fund.
Development Bank of Jamaica	Land, Buildings or shares	Wallenford Coffee Co. Ltd.*	Yes	N/A	Yes	Yes	Yes	Yes	Yes	Sale of Assets or shares	Bids have been received and are being evaluated.	
Factories Corporation of Jamaica	Land	Kingston Pen, Kingston Vol 794 Fol 98	yes		yes	yes					Awaiting Cabinet Approval	
Factories Corporation of Jamaica	Land	Lot 1 Corletts Road, St. Catherine Vol 1084 Fol 570	Yes		yes	yes					Awaiting Cabinet Approval	
Factories Corporation of Jamaica	Land	Lot 11 Hague, Trelawny Vol 1385 Fol 48	yes		yes	yes					Awaiting Cabinet Approval	

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Factories Corporation of Jamaica	Both	Boundbrook Portland, Vol 1050 Fol 215	yes		yes	yes					Awaiting Cabinet Approval	
Factories Corporation of Jamaica	Land	Whitfield Pen, Kingston 11 Vol 1147 Fol 214	yes		yes	yes					Awaiting Cabinet Approval	
FINSAC	Shops in Warehouse complex	3 - 5 Osbourne Rd, Kingston 10 Volume 1120/1127/1110 Folio 118/550/768	Yes	Yes		Yes				Sale by private treaty		Property being subdivided
FINSAC	Resort Property comprising 11 2b/r Twn Houses, 6 1b/r Apts & 14 Studios	Enchanted Gardens, St. Ann (various titles)	Yes			Yes						Complex has 78 units to be sold together by Liquidator
FINSAC	Resort - 14 acres	Adjoining the Enchanted Gardens, St. Ann - Volume 1188 Folio 775	Yes	Yes		Yes						Access thru Enchanted Gdns
FINSAC	Beachfront resort Lot 392 comprising 28 acres	Drax Hall Estate, St. Ann Volume 1271 Folio 643	Yes	Yes		Yes				Sale by private treaty		Sale to be approved by Cabinet
FINSAC	Beachfront resort Lot 394 comprising 10 acres	Drax Hall Estate, St. Ann Volume 1271 Folio 645	Yes	Yes		Yes				Sale by private treaty		Sale to be approved by Cabinet
FINSAC	Beachfront resort Lot comprising 16 acres	Culloden, Westmoreland	Yes	Yes		Yes				Sale by private treaty		Sale to be approved by Cabinet
FINSAC	Four Resort / Residential Lots just over half an acre each	Drax Hall Estate, St. Ann Volume 1271 Folio 544, 545, 571 & 572	Yes	Yes		Yes				Sale by private treaty		
FINSAC	Artwork comprising about 500 paintings, prints and sculptures	Various Artists - Held at 3 - 5 Osbourne Rd, Warehouse	Yes	Yes		Yes				Auctions will be held from time to time		
FINSAC	Residual interest in Loans sold to JRF	Residual Cashflow Interest in Loans sold to JRF (Jamaican Redevelopment Foundation)	Yes			Yes						Sale to be approved by Cabinet
Hanover Parish Council	Land	Old Cholora Ground - Unregistered	No	Yes	Yes		Yes	Yes	Yes	Public Invitation	Not started	
Housing Agency of Jamaica	Land	Mosquito Cove, Hanover: Parts of land registered at Volume 1446 Folio 993; approximately 12.5 acres	No	yes	no	no	no	no		Advertised via print media	Procurement of title for the 12.5 acre portion of the property	
Jamaica Bauxite Mining Limited	7% Equity in Bauxite mining lands, port, mobile equipment, Alumina refineries	7% equity in WINDALCO located at Kirkvine, Ewarton, Port Esquivel	Yes	yes	yes	yes	yes	yes	yes	Negotiate with RUSAL to partially offset debt to WINDALCO		

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Jamaica Defence Force	Four Ecureuil Helicopters	JDF Airwing, Up Park Camp	yes, 2007								Pending	
Jamaica Defence Force	Three Interceptors	JDF CG, Port Royal	yes, 2010								Pending	Gift
Jamaica Exotic Flavours & Essences Co. Ltd.											Divestment Timeframe to be determined by the Government in the future	
Jamaica Railway Corporation	Land & Bldg.	145 -149 Barry St. Kgn. 1035/9	Yes	No	Yes	Yes	Yes	No	No	Sale	Agreement drafted	Deposit received
Jamaica Railway Corporation	Land	Part of 1281/19 Montego Bay (Old railway wharf area)	Yes		Yes	Yes	Yes	Yes, subsequent to advertising		Sale	Seeking board approval for offer	
Jamaica Railway Corporation	Land	Burke Rd. Sp. Twn. Unregistered	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Sale	To be advertised	Subject of aborted sale negotiation 1992. Court judgment for refund of deposit plus interest being appealed. Plaintiff still interested in acquiring land.
Jamaica Railway Corporation	Land & Bldg	Rodney's Arm, Section 2 & 4 Port Henderson	Yes		Yes	Yes	Yes	No		Sale	Advertisements to continue	
Jamaica Railway Corporation	Land	Lot 8 Retreat, Portland (Unregistered)	Yes		Yes	Yes	Yes	No		Sale	Advertisement to continue	
Jamaica Railway Corporation	Land	Summerfield Railway Station Clarendon (Unregistered)	Yes		Yes	Yes	Yes	No		Sale	Advertisements to continue	Tenants still on property and constructed buildings
Jamaica Railway Corporation	Land & Bldg.	15 Harbour St. Kgn.	Yes	Yes	Yes	Yes		UDC		Sale		Lessee assigned and sold buildings on property without permission from JRC. Occupier given notice to vacate.
Kingston and St. Andrew Corporation	Undeveloped land	56 Moutain View Avenue - Vol. 1128 Fol. 56	Yes	n/a	Yes	yes - Properties and Investment Committee	and Council)	yes	yes; Bethel Baptist Church		In Progress	

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Kingston and St. Andrew Corporation	Undeveloped Land	Charlotte Street - unregistered	Yes	n/a	yes	yes - Properties and investment Committee		No	UDC		In Progress	
Kingston and St. Andrew Corporation	Abandoned Roadway Inner City Housing Project	231 Spanish Town Road	Yes	n/a	Yes	yes - Properties and Investment Committee		No	NHT		In Progress	
Ministry of Education	Company	Nutrition Products Limited	Valuation not yet undertaken		yes		Yes				Awaiting directives from the new Minister	
Ministry of Education	School	Sydney Pagon Agricultural School	Valuation not yet undertaken		yes		yes				Awaiting directives from the new Minister	
Montego Freeport Limited	Land	M19,H51 Vol 1096 Fol 726-7	yes			yes				as per internal procedure for divestment of land		
Montego Freeport Limited	Land	A50b Vol 1091 Fol 250	yes							as per internal procedure for divestment of land		
Montego Freeport Limited	Apartment	G101 Vol 1120 fol 906	yes	yes		yes				as per internal procedure for divestment of land		
Montego Freeport Limited	Shop space	Shop 42a Vol 1216 Fol 994	yes							as per internal procedure for divestment of land		
Montego Freeport Limited	Shop space	Shop 24 Vol 1216 Fol 986	yes	yes		yes				as per internal procedure for divestment of land		
National Housing Trust	Land	Enfield Lot 2, Westmoreland - Vol 1322/Fol 592	No	yes	yes	yes		No	N/A			
National Housing Trust	Land	Ironshore, St. James - Vol 1358/Fol 514/515		yes	yes	yes		No	N/A			
National Housing Trust	Land	Paradise Pen, Wetmoreland - Vol 1141/495		yes	yes	yes		No	N/A			
National Housing Trust	Land	Mooreland Dist - St. Catherine - Vol 1014 Fol 379/453/52		yes	yes	yes		No	N/A			
National Housing Trust	Land	Unity Farms - St. Mary- Vol 1234 Fol 498		yes	yes	yes		No	N/A			
National Housing Trust	Land	New Forrest - Alligator Pond, St. Elizabeth Vol 1322 Fol 592		yes	yes	yes		No	N/A			

Assets Slated For Privatization Report													
Public Body	Description of Asset		Particulars regarding Valuation	Particulars regarding Privatization proces				Particulars Regarding any unsolicited proposals received		Proposed Divestment Modality	Status	Any other relevant information	
	Type (building/ land/ both; shares; other)	Name and location of Asset (please state Volume and Folio number)		Have valuations being undertaken? (yes/ no)	Was asset advertised/ to be advertised?	Approvals received regarding intended privatization			Have any unsolicited proposals being received? (yes/ no)				If yes, are same being treated in accordance with Ministry Paper # 34? (yes /no)
						Is the property to be advertised? (yes/ no)	Head of Entity (yes/no)	Board of Directors (yes/ no)					
National Housing Trust	Land	Ridge Estate, St. Ann Vol 1111 Fol 79		yes	yes	Pending		No	N/A				
National Housing Trust	Land	Cousins Cove - Hanover - Vol 1269 Fol 38		yes	yes	Pending		No	N/A				
National Housing Trust	Land	Point - Hanover - Vol 968 Fol 494 & Vol 538 Fol 85		yes	yes	Pending		No	N/A				
National Land Agency	Building	Part of St. Ann's Bay, St. Ann - Vol 209 Fol 97	yes	yes				no		Lease	No Action Taken		
National Land Agency	Land	Part of Fort Stewart Farms, Fort George, St. Mary - Vol 1029 Folios 614 to 917	yes	yes				no		Lease	No Action Taken		
National Land Agency	Land	Part of Colbeck, St. Catherine - Part of Volume 575 Fol 76	yes	yes				no		Lease	No Action Taken		
National Land Agency	Land	Part of Coxhealth, Trelawny - Vol 934, Fol 466	yes	yes				no		Lease	Applications being evaluated		
National Land Agency	Land	Part of Heartease, Manchester - Vol 979, Fol 14	yes	yes				no		lease	No Action Taken		
National Land Agency	Land	Lot 12 Gibson Property (known as Cabbage Valley), St. Elizabeth - Vol 1010 Fol 42	yes	yes				no		lease	No Action Taken		
National Land Agency	Land	Lot 13 (Block A) Half Way Tree Pen, Bernard Lodge, St. Catherine - Vol 1301, Fol 505	yes	yes				no		lease	No Action Taken		
National Land Agency	Land	Lot 4 Blue Hole, Montpelier, St. James - Part of Vol 1198 Fol 47	yes	yes				no		lease	No Action Taken		
National Land Agency	Building	3 Temple Meads, Billy Dunn, Kingston 6 - Vol 1147 fol 28	yes	yes				no		sale	No Action Taken		
National Land Agency	Building	11 Jacks Hill Road, Kingston 6 - Vol 734 Fol 54	no	yes				no		sale	No Action Taken		
National Land Agency	Land	Part of Mona Lands, St. Catherine Vol 403 Fol 9	yes	yes				no		sale	No Action Taken		
National Land Agency	Land	16 Durham Avenue, kingston 6 - Vol 492 Fol 88	yes	yes				no		sale	No Action Taken		

Assets Slated For Privatization Report												
Public Body	Description of Asset		Particulars regarding Valuation	Particulars regarding Privatization proces			Particulars Regarding any unsolicited proposals received		Proposed Divestment Modality	Status	Any other relevant information	
	Type (building/ land/ both; shares; other)	Name and location of Asset (please state Volume and Folio number)	Have valuations being undertaken? (yes/ no)	Was asset advertised/ to be advertised?	Approvals received regarding intended privatization			Have any unsolicited proposals being received? (yes/ no)				If yes, are same being treated in accordance with Ministry Paper # 34? (yes /no)
				Is the property to be advertised? (yes/ no)	Head of Entity (yes/no)	Board of Directors (yes/ no)	Minister (yes/no)					
National Land Agency	Building	Lots 87, 88, 90, 91, 95, 96 & 97 Seville Estate, St. Ann (Ploice Houses) - Vol 608 Fol 8	yes	yes				no		sale	No Action Taken	
National Land Agency	Land	Lot 164B Barry & Lloyds, St. Catherine - Vol 1402 Fol 612	yes	yes				no		sale	No Action Taken	
National Land Agency	Land	Lot 517B Dranks Land Settlement, Clarendon - Part of Vol 1389 Fol 542	yes	yes				no		sale	No Action Taken	
National Land Agency	Land	Lot 517C dranks Land Settlement, Clarendon - Part of Vol 1389 Fol 542	yes	yes				no		sale	No Action Taken	
National Land Agency	Land	Forty Six (46) Farmstead Lots at Passley Gardens, Portland - Vol 1094 Fol 876	yes	yes				no		sale	No Action Taken	
National Land Agency	Land	Lot 165 Bounty Hall Land Settlement, Trelawny - Vol 1357 Fol 928	no	yes				no		sale	No Action Taken	
National Land Agency	Land	Lot 113 Rose Hall Land Settlement, Clarendon	No	yes				no		sale	No Action Taken	
National Land Agency	Land	Lot 90 Shettlewood Land Settlement, Hanover, Part of Vol 1096 Fol 22	yes	yes				no		sale	No Action Taken	
National Land Agency	Land	Seven (7) Residential Lots at Haughton Grove Land Settlement, Hanover - Part of Vol 268 Fol 92	yes	yes				no		sale	No Action Taken	
National Land Agency	Land	Fifteen (15) Commerical and One (1) Agricultural Lot at Haughton Grove Land Settlement, Hanover - Part of Volume 268 Fol 92	yes	yes				no		sale	No Action Taken	
National Water Commission	Land	Lot 38 Hermitage Dam Road, St. Andrew Vol 1329 Fol 115	Using the NLA valuation [for neighbouring property]		yes	yes	yes				None of the Bidder reached the reserved price and the property will be advertised again in 2012	
National Water Commission	Land	Lot 40 Hermitage Dam Road, St. Andrew Vol 1329 Fol 117	Using the NLA valuation [for neighbouring property]		yes	yes	yes				None of the Bidder reached the reserved price and the property will be advertised again in 2012	

Assets Slated For Privatization Report												
Public Body	Description of Asset		Particulars regarding Valuation Have valuations being undertaken? (yes/no)	Particulars regarding Privatization proces				Particulars Regarding any unsolicited proposals received		Proposed Divestment Modality	Status	Any other relevant information
	Type (building/ land/ both; shares; other)	Name and location of Asset (please state Volume and Folio number)		Was asset advertised/ to be advertised?	Approvals received regarding intended privatization			Have any unsolicited proposals being received? (yes/ no)	If yes, are same being treated in accordance with Ministry Paper # 34? (yes /no)			
					Is the property to be advertised? (yes/ no)	Head of Entity (yes/no)	Board of Directors (yes/ no)					
National Water Commission	Land	Lot 41 Hermitage Dam Road, St. Andrew Col 1329 Fol 118	yes		yes	yes	yes				None of the Bidder reached the reserved price and the property will be advertised again in 2012	
National Water Commission	Land	Lot 23, Colleyville Crescent, Washington Gardens, Kingston	yes		yes	yes	yes				Pending. The sealed bids have not yet been opened and evaluated	
Portland Parish Council	Property adjoining the market	Section of Hope Bay Market								Approval for lease to CDC was granted in October 2011. Lease agreement not finalized, sent to the Department of Local Government for approval and preparation of lease document.	Approached by CDC to build resource centre for community development. Council in possession of property.	
Portland Parish Council		St. Margaret's Bay, Old Market								Approved in October 2011. Lease agreement finalized, sent to the Department of Local Government for approval and preparation of lease document.	Council in possession of property. Also approached by CDC to build resource centre for community development.	
Port Authority of Jamaica	Land	Negril Lighthouse property - Unregistered	yes	no	yes	yes	yes	Yes	No	Long -Term Lease/ License	Pending - Lease conditions to be finalized	Project approved by Cabinet May 2009
Port Authority of Jamaica	Land	Lovers Leap Lighthouse - Vol 1169 Fol 876	No	no	yes	yes	yes	Yes	No	Long -Term Lease/ License	Pending - Lease conditions to be finalized	Unsolicited proposal from Tourism Product Development Company (TPDCo), a public sector entity
Port Authority of Jamaica	Land	Sub-divided lots - Montego Bay - Bogue lands: Vol 1439 Fol 63 & 71-75	yes	yes	yes	yes	no	No	n/a	Divestment	Awaiting offers to purchase	Remaining 6 of 15 subdivided lots to be sold

Assets Slated For Privatization Report												
Public Body	Description of Asset		Particulars regarding Valuation	Particulars regarding Privatization proces				Particulars Regarding any unsolicited proposals received		Proposed Divestment Modality	Status	Any other relevant information
	Type (building/ land/ both; shares; other)	Name and location of Asset (please state Volume and Folio number)	Have valuations being undertaken? (yes/ no)	Was asset advertised/ to be advertised?	Approvals received regarding intended privatization			Have any unsolicited proposals being received? (yes/ no)	If yes, are same being treated in accordance with Ministry Paper # 34? (yes /no)			
				Is the property to be advertised? (yes/ no)	Head of Entity (yes/no)	Board of Directors (yes/ no)	Minister (yes/no)					
Port Authority of Jamaica	Operations inclusive of Land/ Building/ Equipment	Kingston Container Terminal	Yes - Preliminary Business Enterprise Value Assessment & Transaction Strategy undertaken by Privewaterhouse Coopers. Various assumptions made to arrive at different Enterprise value.	yes	yes	yes	yes	Yes - From CMA/CGA for a part of the KCT enclave	yes	Privatization	Phase I completed whereby Pricewaterhouse was appointed to carry out the business value assessmnet and recommend a transaction strategy. Cabinet approval received for PWC to carry out Phase II of this exercise.	In respect of the CMA/CGM unsolicited proposal Cabinet gave approval for the PAJ to proceed with the implementation of a non-binding Memorandum of Understanding to advance formal negotiations for the development of a Container Transhipment hub in the Port of Kingston.
Port Authority of Jamaica	Operations inclusive of Land/ Building	Montego Bay Free Zone Vol 1072 Fol 569-572/ Vol 1254 Fol 280/ Vol 1057 Fol 134	Yes	yes	yes	yes	no	yes	yes	Divestment	Unsolicited proposal received but is not being considered.	
St. Mary Parish Council	Land	Marking Stone Beach, Annotto Bay	In the process	No	Yes	Yes	No	Yes	No		Incomplete	
St. Mary Parish Council	Hindsville Spring	Hindsville	In the process	No	Yes	Yes	No	Yes	No		Incomplete	
St. Mary Parish Council	Bonny Gate Water Supply	Bonny Gate	In the process	No	Yes	Yes	No	Yes	No		Incomplete	
St. Mary Parish Council	Land	Lot 2108 Tremolesworth	In the process	No	Yes	Yes	No	Yes	No		Incomplete	
St. Mary Parish Council	Building	Port Maria	In the process	No	Yes	Yes	No	Yes	No		Incomplete	

UDC Privatization of Assets in Progress Report									
Description of Asset	Particulars regarding Valuation	Particulars regarding Privatization proces			Particulars Regarding Purchaser		Status	Any other relevant information	
		Was the asset advertised?		Approvals received		Purchaser's Name/ Prospects for Possible Disposal			Sale Price
		Yes/ no	Board of Directors (yes/no)	Minister (yes/no)					
Lot 179 Orange Bay, Hanover	\$0.655m	yes				Lloyd White	\$0.2627m	Purchaser to provide TRN to facilitate Stamping. Balance outstanding	
Lands at West Street, Kingston	\$50m	No - Inter-agency transaction. This sale is no longer being pursued as sale of lands at Myrtle Bank site is being reinstated.	yes	yes		Ministry of Foreign Affairs	\$50m	Sale based on Board approval and Portfolio Minister's non-objection for - non-performing asset. Awaiting return of executed agreement from the MOFA/COL.	
1 Beckford Street, Kingston	\$11.5m	No - Purchaser original owner of the property. Sold UDC property for the purpose of road widening. UDC changed development plan and contemplated selling commercially therefore offered original purchasers the right to repurchase property.	yes	yes		Arthur & Marilyn Bruff	\$13.25m	Sale based on Board approval and Portfolio Minister's non-objection for - non-performing asset. Awaiting execution of transfer documents and balance outstanding	
West Parade, Kingston	\$32m	No - Purchaser made unsolicited approach to Corporation	yes	yes		Bashco Trading Co. Ltd.	\$31.4m	Sale based on Board approval and Portfolio Minister's non-objection for - non-performing asset - Sale under review with possible recission	
Fairy Hill, Portland (98 Acres)						National Housing Trust or other Housing Developer	TBC	Proposed Joint Venture/ Sale	
Part of Mansfield, Remainder of F and G, St. Ann (6HA - 15 acres)						National Housing Trust or other Housing Developer	TBC	Proposed Sale of Lands for Housing Development	
Part of Roaring River, St. Ann (87.5 acres)						National Housing Trust or other Housing Developer	TBC	Proposed Sale/Joint Venture - for middle income housing	
Top Fort, St. Ann						Roaring Pavillion	TBC	Possible correction pf encroachment	
Caymanas, St. Catherine (20 acres)	\$22.4m	no					TBC	Sale is not being pursued	
Part of Hellshire, St. Catherine (94 acres)						National Housing Trust or other Housing Developer	TBC		
Lot 20P Portmore Sector C, St. Catherine	\$11.5m - \$12m	yes	yes	yes		Grennell's Driving School	\$10.5m	Sale based on Board approval and Portfolio Minister's non-objection for - subdivided lands. Awaiting executed Instrument of Transfer	
Lots 5, Lewisville, St. Elizabeth		yes					\$1.1m	Properties were advertised	
Lots 27, Lewisville, St. Elizabeth		yes					\$11.4m	Properties were advertised, One serious interest so far	
Lots 28, Lewisville, St. Elizabeth		yes					\$1.4m	Properties were advertised	
Parts of Success Estate, Northern Estate, St. James Rem. Section 18 (68 Acres)						National Housing Trust	\$350m	Negotiations Discontinued	
Parts of Success Estate, St. James, Northern Estate Sections 20, 21, 22 and 29 (78.3 Acres)	\$3,850m	No - Cabinet Submission to be made as part of condition of divestment. An option to purchase has been exercised. Large foreign exchange transaction for the development of hotel subject to	yes	yes		Celebration Jamaica	US\$35m	Board approval and Minister's no objection	Third valuation: \$2,200m - \$2,500m

UDC Privatization of Assets in Progress Report								
Description of Asset	Particulars regarding Valuation	Particulars regarding Privatization proces			Particulars Regarding Purchaser		Status	Any other relevant information
Name and location of Asset (please state Volume and Folio number)	Valuation # 1 (J\$)	Was the asset advertised?	Approvals received		Purchaser's Name/ Prospects for Possible Disposal	Sale Price		
		Yes/ no	Board of Directors (yes/no)	Minister (yes/no)				
Parts of Success Estate, Northern Estate, St. James part of Section 18 (20 Acres)	Price of \$120m or \$6m per acre, based on appropriate adjustment of values of 68 Acre site done by Allison Pitter & Assoc. And Clinton Cunningham & Co. Both for \$350m	casino licence being granted exception under Ministry Paper No. 34	yes	yes	Celebration Jamaica	TBC	Board approval and Minister's no objection	
Catherine Hall Waterfront, St. James - restaurant site						TBC	Site to be identified beside Football field and planning parameters developed and then advertised based on query from Montego Bay developer and Board Member	
Mahogany Inn, Westmoreland					Poincianna Resorts	\$176.3m	Dr. Munroe surrendered his interest. Awaiting written confirmation of interest from Lee Issa	
Orange Bay, Westmoreland (200 acres)		yes			Housing Developer to construct 2000 starter units for increasing stock of worker housing	TBC	Advertised and proposals received and to be evaluated	

UDC Assets Slated For Privatization Report			
Parish	Property		Status
St. Ann	Dunn's River Falls & Park		Property currently with enterprise team for consideration to finalise divestment plans
St. Ann	Rooms Bundled with Lot 6 and Crafts Market		Property currently with enterprise team for consideration to finalise divestment plans
St. Ann	Green Grotto Caves		Property currently with enterprise team for consideration to finalise divestment plans
St. Ann	Laughing Waters Restaurant & Beach Club		Property currently with enterprise team for consideration to finalise divestment plans
St. Ann	Top Forte		Property currently with enterprise team for consideration to finalise divestment plans
St. Ann	Laughing Waters West		Property currently with enterprise team for consideration to finalise divestment plans
St. Ann	Laughing Waters East		Property currently with enterprise team for consideration to finalise divestment plans
St. Ann	Belmont 1 - Resort Residential		Property currently with enterprise team for consideration to finalise divestment plans
St. Ann	Belmont 2A - Resort Residential		Property currently with enterprise team for consideration to finalise divestment plans
St. Ann	Belmont 2B - Resort Residential		Property currently with enterprise team for consideration to finalise divestment plans
St. Ann	Roaring River Eco-Lodges		Property currently with enterprise team for consideration to finalise divestment plans
St. Ann	Roaring River Eco-Development 2		Property currently with enterprise team for consideration to finalise divestment plans
St. Ann	Roaring River 1 - Exclusive		Property currently with enterprise team for consideration to finalise divestment plans
St. Ann	Roaring River 2 - Exclusive		Property currently with enterprise team for consideration to finalise divestment plans
St. Ann	Roaring River 3 - Exclusive		Property currently with enterprise team for consideration to finalise divestment plans
St. Ann	Roaring River Spa - Wellness 1		Property currently with enterprise team for consideration to finalise divestment plans
St. Ann	Roaring River Spa - Wellness 2		Property currently with enterprise team for consideration to finalise divestment plans
St. Ann	Malvern Park Exclusive Eco-Cottages		Property currently with enterprise team for consideration to finalise divestment plans
St. Ann	Malvern Park Treetop Eco-Resort		Property currently with enterprise team for consideration to finalise divestment plans
St. Ann	Malvern Park Attraction		Property currently with enterprise team for consideration to finalise divestment plans
St. Ann	Dung Cave/ Chalky Hill		Property currently with enterprise team for consideration to finalise divestment plans
Westmoreland	Long Bay Beach 1		Property currently with enterprise team for consideration to finalise divestment plans
Westmoreland	Long Bay Beach 2		Property currently with enterprise team for consideration to finalise divestment plans
Westmoreland	Bluefields Beach		Property currently with enterprise team for consideration to finalise divestment plans
Westmoreland	Bloody Bay Development - Lots x2		Property currently with enterprise team for consideration to finalise divestment plans
Westmoreland	Bloody Bay Development (50%)		Property currently with enterprise team for consideration to finalise divestment plans
Westmoreland	Booby Cay		Property currently with enterprise team for consideration to finalise divestment plans
St. Catherine	Two Sisters Cave		Property currently with enterprise team for consideration to finalise divestment plans
St. Catherine	Fort Clarence		Property currently with enterprise team for consideration to finalise divestment plans
Portland	Reach Falls		Property currently with enterprise team for consideration to finalise divestment plans
With UDC Enterprise Team			
St. Ann	Ocho Rios Commercial Centre		Property currently with enterprise team for consideration to finalise divestment plans
St. Ann	Ocho Rios Bay Beach		Property currently with enterprise team for consideration to finalise divestment plans
St. Ann	Rooms Hotel (also with UDC/DBJ Enterprise Team): Lot 6, Lot...craft market	Bundle	Property currently with enterprise team for consideration to finalise divestment plans
St. Ann	Shaw Park South (Artisan Village)		Property currently with enterprise team for consideration to finalise divestment plans
St. Ann	Turtle River Park		Property currently with enterprise team for consideration to finalise divestment plans
St. Ann	Tourtke Towers Apt. 48B		Property currently with enterprise team for consideration to finalise divestment plans
St. Ann	Fisherman's Point 364		Property currently with enterprise team for consideration to finalise divestment plans
St. Ann	Davis Town (5 Commercial Lots)		Property currently with enterprise team for consideration to finalise divestment plans
St. Ann	Lots A & B Cardiff Hall		Property currently with enterprise team for consideration to finalise divestment plans
St. Ann	Cardiff Hall Subdivision		Property currently with enterprise team for consideration to finalise divestment plans
St. Ann	Dunn's River Central Garden		Property currently with enterprise team for consideration to finalise divestment plans
St. Ann	Cardiff Hall Beachside		Property currently with enterprise team for consideration to finalise divestment plans
St. James	Montego Bay Convention Centre		Property currently with enterprise team for consideration to finalise divestment plans
St. James	500 Key Anchor Hotel - Seaside Lot		Property currently with enterprise team for consideration to finalise divestment plans
St. James	Catherine Hall Entertainment Complex		Property currently with enterprise team for consideration to finalise divestment plans
St. James	Howard Cooke Park		Property currently with enterprise team for consideration to finalise divestment plans
St. James	Close Harbour (Dump up Beach)		Property currently with enterprise team for consideration to finalise divestment plans
St. James	Sea Wind E201		Property currently with enterprise team for consideration to finalise divestment plans
St. James	Rosehall Lot 23A	Proposed Sale to Rose Hall Development as part of arrangements for UDC to secure the site of the Montego Bay Convention Center	Property currently with enterprise team for consideration to finalise divestment plans
St. James	Rosehall Lot 23B		Property currently with enterprise team for consideration to finalise divestment plans
St. James	Rosehall Road Bed		Property currently with enterprise team for consideration to finalise divestment plans
St. James	Rosehall (10 Acres)		Property currently with enterprise team for consideration to finalise divestment plans
Westmoreland	Point Village Resorts (PVR) 13 (Studio Commercial)		Property currently with enterprise team for consideration to finalise divestment plans
Westmoreland	PVR 14 (1 Br Commercial)		Property currently with enterprise team for consideration to finalise divestment plans
Westmoreland	PVR 21 (1 Br Commercial)		Property currently with enterprise team for consideration to finalise divestment plans
Westmoreland	PVR 22 (Standard Studio Commercial)		Property currently with enterprise team for consideration to finalise divestment plans
Westmoreland	PVR 50 (Superior Studio Empty Pool)		Property currently with enterprise team for consideration to finalise divestment plans

UDC Assets Slated For Privatization Report

Parish	Property		Status
Westmoreland	PVR 224 (1 Br Rental Pool)		Property currently with enterprise team for consideration to finalise divestment plans
Westmoreland	PVR 225 (Standard Studio Rental Pool)		Property currently with enterprise team for consideration to finalise divestment plans
Westmoreland	PVR 258 (Restaurant)		Property currently with enterprise team for consideration to finalise divestment plans
Westmoreland	PVR 259 (Bar)		Property currently with enterprise team for consideration to finalise divestment plans
Westmoreland	PVR 260 (Storage)		Property currently with enterprise team for consideration to finalise divestment plans
Westmoreland	PVR 261 (Offices)		Property currently with enterprise team for consideration to finalise divestment plans
Westmoreland	Ireland Pen (IP2)		Property currently with enterprise team for consideration to finalise divestment plans
Westmoreland	Ireland Pen (IP3)		Property currently with enterprise team for consideration to finalise divestment plans
St. Catherine	Cotton Polyester		Property currently with enterprise team for consideration to finalise divestment plans
St. Catherine	Forum Hotel		Property currently with enterprise team for consideration to finalise divestment plans
St. Catherine	Caymanas Highland Golf Club & Residential Estate		Property currently with enterprise team for consideration to finalise divestment plans
St. Catherine	Caymanas Village		Property currently with enterprise team for consideration to finalise divestment plans
Kingston	Machado Complex	Bundle 1	Property currently with enterprise team for consideration to finalise divestment plans
Kingston	Jamintel Building		Property currently with enterprise team for consideration to finalise divestment plans
Kingston	Office Centre Building; Block 2/6; Oceana complex; Victoria Pier	Bundle 2	Property currently with enterprise team for consideration to finalise divestment plans
Kingston	Festival Market	Bundle 3	Property currently with enterprise team for consideration to finalise divestment plans
Kingston	Northern Car Park	Bundle 4	Property currently with enterprise team for consideration to finalise divestment plans
Kingston	Seabed Arcade x 12 Shops		Property currently with enterprise team for consideration to finalise divestment plans